

OREGON DEPARTMENT OF FISH AND WILDLIFE REPORT ON PROPOSED CHANGES TO THE PACIFIC HALIBUT CATCH SHARING PLAN FOR THE 2023 FISHERY

The Oregon Department of Fish and Wildlife (ODFW) solicited public input via e-mail, phone, and four public meetings in Oregon coastal ports¹, one of which was webcast, to discuss proposed changes to the Pacific halibut (halibut in remainder of report) Catch Sharing Plan (CSP) for fisheries off of Oregon in 2023. Due to the COVID-19 pandemic, this was the first time since the fall of 2019 that ODFW has been able to host meetings in person. Sixteen members of the public attended meetings in person, fifteen participated in the webinar, additionally two e-mails, and two phone calls were received. ODFW considered the public input and provides the following information for consideration by the Pacific Fishery Management Council (Council) in determining which alternatives to adopt for further public review for the 2023 fishery.

Proposed Changes for the 2023 Catch Sharing Plan

Allow All-Depth Halibut Fishing and Longleader Gear Fishing on the Same Trip

The longleader gear fishery requires the use of specialized gear designed to fish off the bottom and avoid areas where yelloweye rockfish live (Figure 1). Current regulations allow for a 10-fish bag limit of 10 mid-water rockfish species when anglers are utilizing this specific gear seaward of the 40-fathom regulatory line, however no other groundfish may be retained. Anglers have requested that this opportunity be expanded to also allow retention of the groundfish species that are otherwise legal to retain when participating in the all-depth halibut fishery: sablefish, Pacific cod, and other species of flatfish.

Status quo: Longleader gear fishing can be combined with all-depth halibut or anglers can keep sablefish, Pacific cod, and other flatfish with all-depth halibut

Alternative 1: Allow longleader gear fishing and retention of sablefish, Pacific cod, and other flatfish with all-depth halibut on the same trip.

Rationale

Retention of most species of groundfish is prohibited when participating in the all-depth halibut fisheries to reduce the potential for interactions with, and impacts to, yelloweye rockfish. Since the longleader gear is specifically designed to avoid yelloweye rockfish and has been demonstrated successful in that goal, allowing it when fishing for all-depth halibut would add little, if any, additional risk to yelloweye rockfish. If halibut fishing is slow, it allows anglers additional fishing opportunities while they are offshore. Currently if an angler incidentally catches and retains sablefish, Pacific cod, or other flatfish, they cannot then go longleader fishing on the same trip. They have to choose one or the other. The original intent of this request was to provide additional opportunity rather than alternative opportunity.

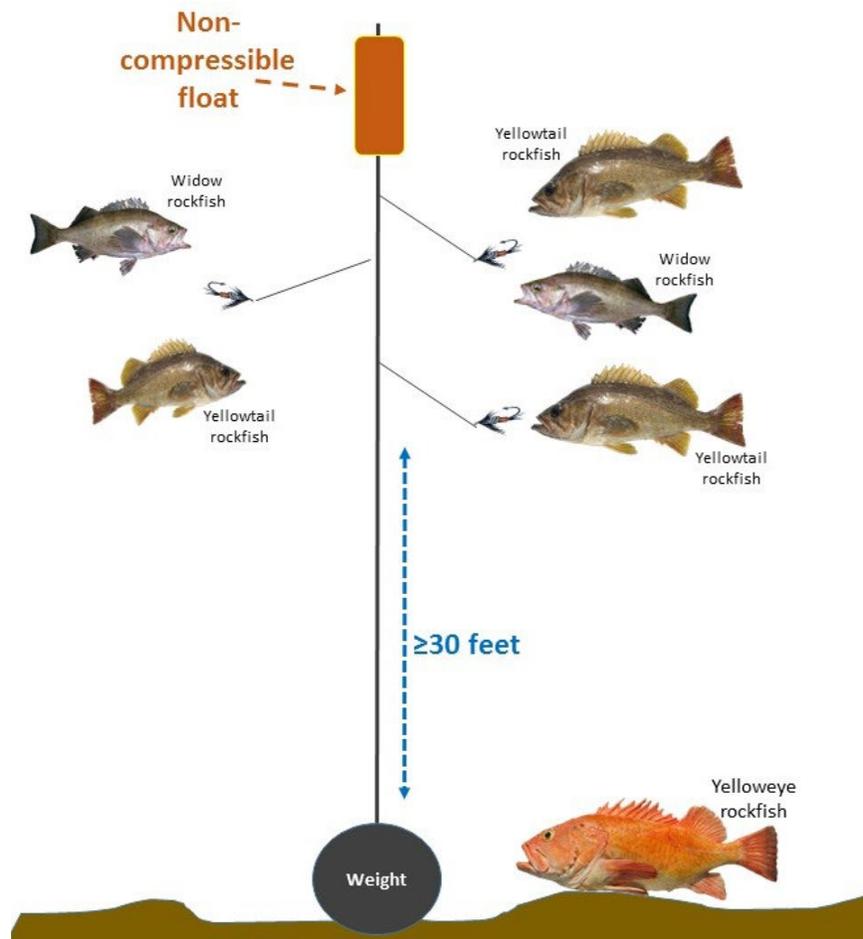
Projected impacts to yelloweye rockfish are 0.4 mt which were included in the 2023-2024 biennial groundfish harvest specifications and management measures analysis. All sources of mortality

¹ https://www.dfw.state.or.us/news/2022/07_July/071222.asp

from Oregon recreational fisheries, including this opportunity, are projected to be well within the Oregon recreational harvest guidelines for yelloweye rockfish. Additional impacts to salmon are also projected to be minor, 0.6 Chinook salmon annually and six coho salmon annually.

Allowing longleader gear fishing on the same trip with all-depth halibut and sablefish, Pacific cod, and other flatfish was added to the groundfish regulations adopted by the Council and anticipated to be implemented by the National Marine Fisheries Service (NMFS) beginning in 2023. It needs to also be implemented into the halibut regulations in order to be available for 2023.

Figure 1. Schematic of longleader gear. Requires at least 30 feet between the weight and the lowest hook along with a non-compressible float above the highest hook.



Central Oregon Coast All-Depth Opening Date

In recent years with the Area 2A allocation of approximately 1.5 million pounds, the Central Oregon Coast Subarea spring all-depth season has not fully attained the season's allocation (~169,000 pounds), rolling over pounds into the summer season. To allow additional opportunity, anglers requested the season begin early when the allocation is high.

Alternatives (alternatives may be combined)

Status quo: the Central Oregon Coast Subarea Spring All-Depth spring season opens the 2nd Thursday in May

Alternative 1: if the Central Oregon Coast Subarea Spring All-Depth allocation is greater than 100,000 pounds, the season will open May 1st.

The spring all-depth season would open on May 1, approximately 10-12 days earlier than the traditional 2nd Thursday in May opening. ODFW would still meet with anglers after the International Pacific Halibut Commission (IPHC) annual meeting which announces the quota to determine how many days per week would be open, which weeks would be open, and if any should be skipped due to large morning low tides, as has been done in the past. Fixed openings, as well as potential back-up dates, would be announced pre-season as in the past. With the approximately 1.5-million-pound Area 2A allocation the last four years, and the resulting fishery allocations, the spring all-depth season has left 50,000-100,000 pounds unharvested. At the recent allocation and effort levels combined with harvest rates, opening May 1 would have been accommodated without exceeding the spring allocation, even with being open 7-days per week in May and June as in 2022. ODFW is recommending a trigger at 100,000 pounds for the spring all-depth season, so that at lower allocation levels, the season would retain the current 2nd Thursday in May opening, spreading opportunity out through May, June, and potentially July.

Central Oregon Coast Subarea Daily Bag Limit

The Catch Sharing Plan currently states that “At the conclusion of the spring all-depth season, IPHC, NMFS, Council, and ODFW will consult to determine whether increasing the bag limit to two fish is warranted with the intent of taking the subarea quota by September 30.” Based on the progress of the fishery in recent years, anglers are requesting the option to have a two fish bag limit for all or part of the spring all-depth season.

Alternatives

Status quo: At the conclusion of the spring all-depth season, IPHC, NMFS, PFMC, and ODFW will consult to determine whether increasing the bag limit to two fish is warranted with the intent of taking the subarea allocation by September 30.

Alternative 1: If the Central Oregon Coast Subarea allocation (all-depth and nearshore combined) is 200,000 pounds or greater, the daily bag limit may be increased to two fish per day, based on consultation between ODFW, NMFS, IPHC, and PFMC with the intent of taking the entire subarea allocation by September 30.

Modifying the bag limit earlier in the season would provide additional opportunity for anglers to harvest the allocation. During public meetings, angler expressed interest in front loading the season with additional opportunities, rather than towards the tail end of the season. Often by September many outdoors people are switching from angling to hunting and kids are back in school, reducing the number of anglers who could take advantage of the additional opportunity provided by an increased bag limit in the summer season. Increasing the bag limit to two fish per day in May or June could increase effort and catches enough to take the entire spring allocation and eat into the summer and/or nearshore allocation. The bag limit has not been two fish during May or June in over 20 years, therefore it is highly uncertain what the increased bag limit will do to angler behavior and catch rates. ODFW will also need to track yelloweye rockfish bycatch and mortality

carefully, to ensure that it does not become too high and potentially impact the recreational groundfish fishery (e.g., with a need for further depth restrictions or closures).

Central Oregon Coast All-Depth Open Days

For the last several years anglers expressed a desire to have the all-depth fishery open seven days per week. The longer opening is desired to spread effort and allow opportunity that better accommodates a variety of work schedules and the ability to take advantage of the weather windows. ODFW received a lot of positive feedback about the fishery being open seven days per week in May and June of 2022 and expressed a desire for it to continue and possibly expand.

The recreational bottomfish fishery has been open at all-depths in May, June, September and October in 2022. The all-depth months for 2023 will be set by the Oregon Fish and Wildlife Commission in December 2022. Since bottomfish and halibut are allowed on the same trip when both are open to all-depth fishing (CSP section 6.11.1.g) opening the Central Coast all-depth halibut fishery seven days per week during months when the bottomfish fishery is open to all-depth would provide more all-depth halibut fishing without reducing anglers' opportunity to retain incidentally caught halibut when bottomfish fishing, as it would when bottomfish is not open at all depths. It would also reduce complexity in regulations. This proposal does not include the Columbia River Subarea, due to co-management with Washington and trying to align openings in that subarea with other open Washington subareas. The Southern Oregon Subarea is already open to all depths seven days per week with bottomfish retention allowed in areas open to bottomfish.

Alternatives (alternatives may be combined)

Status quo: if the Central Oregon Coast Subarea Spring All-Depth allocation is greater than 100,000 pounds, the season may open up to seven days per week starting the 2nd Thursday in May through June 30; then open every Thursday through Saturday, except weeks can be skipped to avoid adverse tides; and if after the first summer all-depth opening (first Thurs-Sat in August), it is estimated that there will be 60,000 pounds or more remaining on the Central Oregon Coast combined nearshore and all-depth quotas remaining, the all-depth fishery may open up to seven days per week beginning September 1.

Alternative 1: if the Central Oregon Coast Subarea Spring All-Depth allocation is greater than 100,000 pounds, the season may open up to seven days per week during months when the bottomfish fishery is not depth restricted, during months the bottomfish fishery is depth restricted it would be open Thursday through Saturday; and if it is estimated that there will be 60,000 pounds or more remaining on the Central coast combined nearshore and all-depth quotas after August 1, the all-depth fishery may be open up to seven days per week during months when the bottomfish fishery is not depth restricted.

Under all alternatives, ODFW would still meet with anglers after the International Pacific Halibut Commission (IPHC) annual meeting which announces the quota to determine which weeks/dates would be open, and if any should be skipped due to large morning low tides, as has been done in the past. Additional fixed openings would be identified, as well as potential back-up dates pre-season. With the approximately 1.5-million-pound Area 2A allocation the last four years, and the resulting fishery allocations, the spring all-depth season has left 50,000-100,000 pounds unharvested. At the recent allocation and effort levels combined with harvest rates, being open seven days per week for a longer period of time would have been accommodated without exceeding the spring allocation. ODFW is recommending a trigger at 100,000 pounds for the

spring all-depth season, so that at lower allocation levels, the season would retain the current three-day openings, spreading opportunity out through May, June, and potentially July.

For the summer all-depth season, ODFW would consult with the NMFS and IPHC in July to determine how much quota remains in the Central Oregon Coast Subarea (all-depth and nearshore combined) and other Oregon subareas, how fisheries have progressed to date, and bycatch impacts on key species such as yelloweye rockfish. Based on that consultation, it could then be announced before August 1 whether the fishery will be open up to seven days per week. This schedule should allow for anglers, charter operators, and fishing related businesses to prepare for the additional opportunity.

Draft Catch Sharing Plan Language

ODFW does not have proposed changes to the language in the Catch Sharing Plan for the above items at this time. As the alternatives are finalized, ODFW will draft the appropriate language revisions to the Catch Sharing Plan, in consultation with staff at the NMFS West Coast Region and Council.

ODFW staff would also like to work with NMFS and Council staff to ensure the language in the Catch Sharing Plan continues to allow for flexible inseason management of the recreational halibut fisheries in a responsive and timely manner. As CSP language is developed, we support the development of provisions that can streamline the process and reduce delays or other challenges in the federal rulemaking process and timeline.