

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, an online survey, and a hybrid public meeting, to discuss proposed changes to the Pacific halibut (hereafter halibut) Catch Sharing Plan (CSP) for fisheries off Oregon in 2023. Six members of the public attended meetings in person, fifteen participated online, and 36 responded to the online survey. ODFW considered the public input and provides the following information and recommendations for consideration by the Pacific Fishery Management Council (Council) in determining which alternatives to adopt 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

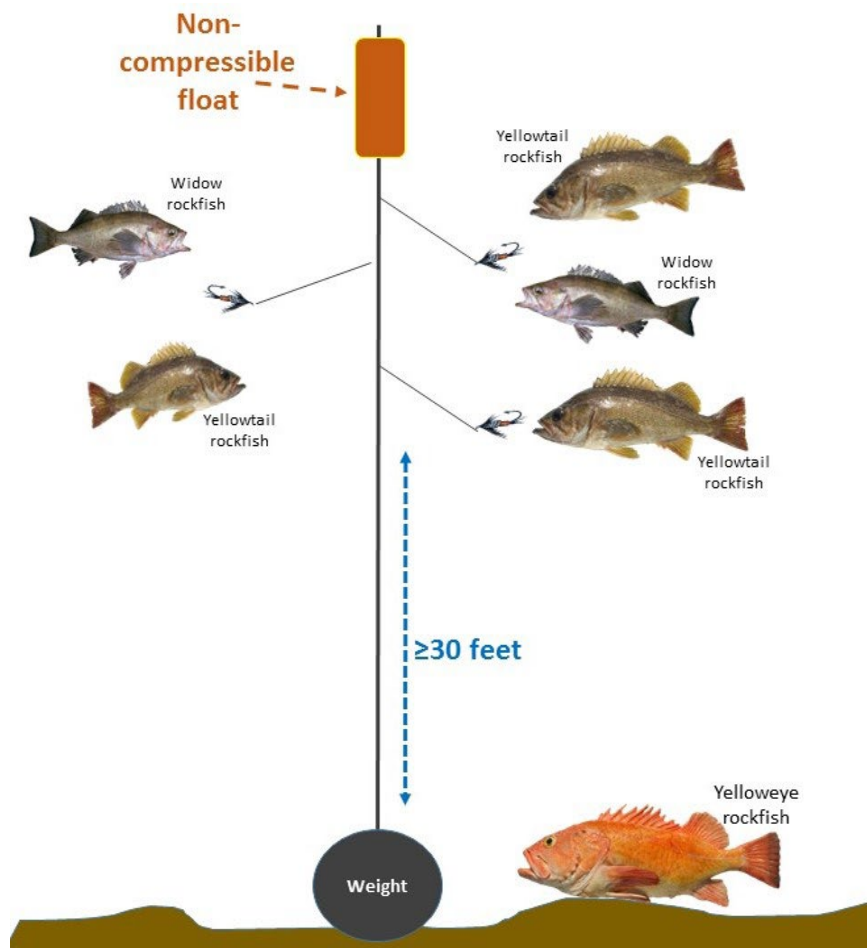
Retention of most species of groundfish is prohibited when participating in the all-depth halibut fisheries to reduce the potential for interactions with, and impacts to, yelloweye rockfish. Since the longleader gear is specifically designed to avoid yelloweye rockfish and has been demonstrated successful 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 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 as part of the 2023-2024 biennial harvest specifications and management measures regulatory package. It needs to also be implemented into the halibut regulations in order to be available for 2023.

ODFW recommends Alternative 1 be adopted, as it meets the original intent of the request and provides anglers additional opportunities with minimal risk to yelloweye rockfish, Chinook salmon and coho salmon.

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.

ODFW recommends the Council adopt Alternative 1, as it will allow anglers additional opportunity at high allocation levels.

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. This request to front-load the season is a departure from recent years' desire to have the season spread out as long as possible. It stems from leaving a significant amount of the Oregon recreational allocation unharvested in the last four years, and wanting to attain more of that harvest level. Anglers who provided input indicated that they would be okay if the entire quota was taken, and the season had to close early, as long as it was open through July. Salmon and albacore tuna opportunities pick up in early August providing additional targets for anglers.

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 depth restrictions or closures).

ODFW recommends Alternative 1 be adopted as it provides additional opportunities at high allocation levels.

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.

ODFW recommends Alternative 1 be adopted as it provides additional opportunity and more flexibility in management at high allocation levels.

The goal with all these proposal changes is to allow anglers opportunity, especially at higher allocation levels. They will also allow flexibility in management depending on the allocation levels and how the seasons are progressing. All the proposed changes may not be implemented in a year. They are intended to be additional tools in the management toolbox for fisheries managers.

Draft Catch Sharing Plan Language

Below is ODFW staff's draft changes to the Catch Sharing Plan language. Staff will work with Council and NMFS staff to further refine the draft language after council takes final action.

6.11 Oregon Coast Subarea

Oregon sport fisheries are allocated 29.7 percent of the total non-tribal FCEY. This allocation is distributed to two subareas within the state, plus the Columbia River subarea.

Management objectives for the Oregon sport fisheries are to establish season structures for each subarea that maximize fishing opportunity and achieve but not exceed subarea allocations. Flexibility through timely inseason action, such as opening additional fishing days or shifting allocation between subareas, may be necessary to achieve the overall Oregon sport allocation and fishery objectives.

6.11.1. Oregon central coast subarea

a. Subarea allocation

This sport fishery subarea is allocated 93.79 percent of the Oregon sport allocation. Portions (subquotas) of this subarea allocation are distributed to certain fisheries within this subarea based on the amount of the overall Area 2A FCEY as described in sections 6.11.1.c and 6.11.1.d.

b. Geographic location

This subarea extends from Cape Falcon (45°46.00' N. lat.) to Humbug Mountain, Oregon (42°40.50' N. lat.).

Nearshore waters are inside the 40-fathom (73 m) curve.

c. Management objectives

If the overall 2A FCEY is 700,000 lbs or greater, the structuring objectives for this subarea are to provide two periods of fishing opportunity in Spring and in Summer in productive deeper water areas along the coast, and provide a period of fishing opportunity in the summer for nearshore waters.

If the overall 2A FCEY is less than 700,000 lbs, the structuring objectives for this subarea are to provide a period of fishing opportunity beginning in Spring in productive deeper water areas along the coast and provide a period of fishing opportunity in nearshore waters.

If the 2A FCEY is 700,000 lbs or greater, any amount that is not needed to extend the nearshore season through October 31 will be added to the Summer all-depth season subquota if it can be used, and any amount remaining unharvested from the Summer all-depth season subquota will be added to the nearshore season subquota, if it can be used.

[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.]

d. Season structure

There are three general seasons for this subarea - nearshore, spring all-depth and summer all-depth.

i. Nearshore

The nearshore season subquota is 12 percent of the Central Oregon Coast subarea quota if the 2A FCEY is 700,000 lbs or greater, or 25 percent of the Central Oregon Coast subarea quota if the 2A FCEY is less than 700,000 lbs.

The nearshore season opens June 1, 7 days per week, only in waters inside the 40-fathom (73 m) curve, unless the subquota is 25,000 lbs or greater, then it opens May 1. The fishery continues until the subquota is taken, or until October 31, whichever is earlier.

ii. Spring all-depth

The Spring season subquota is 63 percent of the Central Oregon Coast subarea quota if the FCEY is 700,000 lbs or greater, or 75 percent of the Central Oregon Coast subarea quota if the 2A FCEY is less than 700,000 lbs.

The Spring season is an all-depth fishery with two potential openings (“Fixed” and “Back-up”).

ODFW will sponsor a public input process shortly after the IPHC annual meeting to develop recommendations to NMFS on the open dates for the Fixed and Backup dates each year.

Fixed dates will be established preseason for the first Spring opening and will not be modified inseason except if the combined Oregon all-depth Spring and Summer season total quotas are estimated to be achieved, then any remaining Fixed dates will be closed. The number of fixed season days will be based on the projected catch per day with the intent of not exceeding the subarea subquota for this season. Recent year catch rates will be used as a guideline for estimating the catch rate for the Spring season each year.

If the Spring season subquota is greater than 100,000 lbs, then the season may open up to seven days per week every week starting **[May 1]. [If the subquota is less than 100,000 lbs. the season will open]** the second Thursday in May **[every Thursday, through Saturday.] through June 30., except [In either case,]** weeks can be skipped to avoid adverse tides, then open every other week.

If the Spring season subquota allows for 4 or fewer fishing days, then the first Fixed season will be open 2 days per week (Friday and Saturday). If the subquota allows for 5 or more Fixed fishing days, then the fishery will be open for 3 days per week (Thursday through Saturday). The Fixed season dates will occur in consecutive weeks starting the second Thursday in May (if the season is 5 or more fishing days) or second Friday in May (if the season is 4 or fewer fishing days), with possible exceptions to avoid adverse tidal conditions.

If, following the Fixed dates, the subquota for this Spring season remains unharvested, additional openings may occur on one or more Back-up dates. ODFW will consult with IPHC, NMFS, and PFMC to determine if any Back-up dates can open. Notice of the opening(s) will be announced by NMFS via an update to the recreational halibut hotline.

Back-up dates may be established every other week, except week(s) may be skipped to avoid adverse tidal conditions. The potential Back-up dates will be identified preseason.

If the 2A FCEY is 700,000 lbs or greater, then the fishery will continue until there is insufficient subquota for an additional day of fishing or July 31, whichever is earlier. The summer all-depth season will then open in August (6.11.1.d.iii).

If the 2A FCEY is less than 700,000 lbs, then the fishery will continue until there is insufficient subquota for an additional day of fishing or October 31, whichever is earlier.

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.

iii. Summer all-depth

The Summer season subquota is 25 percent of the Central Oregon Coast Subarea quota if the 2A FCEY is 700,000 lbs or greater. If the 2A FCEY is less than 700,000 lbs then zero percent of the Central Oregon Coast Subarea quota will be allocated to this season, and the summer season will not open.

If a subquota is allocated to this season, then the season will begin on the first Friday in August and continue until there is insufficient subquota for an additional day of fishing or October 31, whichever is earlier.

If Central Oregon Coast Subarea all-depth summer season subquota is less than 60,000 lbs, then the fishery will be structured to be open every other week on Friday and Saturday except that week(s) may be skipped to avoid adverse tidal conditions. If the subquota is 60,000 lbs or greater, the fishery will be structured to be open every other week on Thursday, Friday, and Saturday except that week(s) may be skipped to avoid adverse tidal conditions.

The potential open days will be identified preseason.

If after the first scheduled open period, the entire remaining quota for the Central Oregon Coast subarea (Cape Falcon to Humbug Mountain combined all-depth and nearshore subquotas) is 60,000 lbs or more, the fishery will re-open every week on Friday and Saturday (and Thursday if quota) versus every other week, and/or the fishery may be open up to 7 days a week beginning September 1, if determined to be appropriate through joint consultation between IPHC, NMFS, PFMC, and ODFW.

If after the Labor Day weekend the entire remaining quota for the Central Oregon Coast subarea (combined all-depth and nearshore subquotas) is 30,000 lbs or more and the fishery is not already open every (Thursday if quota) Friday and Saturday, the fishery

will re-open on every (Thursday if quota) Friday and Saturday (versus every other Friday and Saturday), if determined to be appropriate through joint consultation between IPHC, NMFS, PFMC, and ODFW.

~~At the conclusion of the spring all-depth season, the IPHC, NMFS, PFMC, and ODFW will consult to determine whether increasing the Oregon Central Coast bag limit to two fish is warranted with the intent that the quota for the subarea is taken by September 30.~~

All inseason actions will be announced by NMFS via an update to the recreational halibut hotline.

e. Landing restrictions

The daily bag limit is one halibut per person, unless otherwise specified, with no size limit.

f. Inseason adjustments

Consistent with sections 6.8, 6.11.1.c, and 6.11.1.d.

If inseason it is determined via joint consultation between IPHC, NMFS, PFMC, and ODFW, that the combined all-depth and nearshore seasons will not harvest the entire quota allocated to the Central Oregon Coast subarea, quota may be transferred inseason to another subarea between Leadbetter Point, WA and the OR/CA border by NMFS via an update to the recreational halibut hotline.

g. Groundfish regulations

During the recreational halibut all-depth fishery, when the groundfish fishery is restricted by depth and halibut are on board the vessel, **only** sablefish, Pacific cod and flatfish species may be taken and retained, possessed, or landed, ~~except that [and]~~ yellowtail rockfish, widow rockfish, canary rockfish, redstriped rockfish, greenstriped rockfish, silvergray rockfish, chilipepper, bocaccio, and blue/deacon rockfish may be retained possessed or landed when caught with longleader gear (as defined at § 660.351).

During days open to all-depth halibut fishing when the groundfish fishery is open to all depths, any groundfish species permitted under the groundfish regulations may be retained, possessed, or landed regardless of whether halibut are on aboard the vessel.

During days only open to nearshore halibut fishing (all-depth halibut fishing is closed), flatfish species may NOT be taken and retained seaward of the 40-fathom regulatory line if halibut are on board the vessel.

h. Closed conservation areas

Recreational fishing for groundfish and halibut is prohibited within the Stonewall Bank YRCA. The Stonewall Bank YRCA is an area off central Oregon, near Stonewall Bank, and is defined by straight lines connecting latitude and longitude coordinates. Coordinates for the Stonewall Bank YRCA are specified in groundfish regulations at 50 CFR 660.70

(h) and will be described annually in federal halibut regulations published in the Federal Register

6.11.2. *Southern Oregon subarea*

a. Subarea allocation

This sport fishery is allocated 3.91 percent of the Oregon sport allocation, up to a maximum of 8,000 lbs. Any allocation over that amount will be re-allocated to the Columbia River Subarea.

b. Geographic location

This area is defined as the area south of Humbug Mountain, OR (42° 40.50' N. lat.) to the OR/CA Border (42° 00.00' N. lat.).

c. Management objectives

Provide the opportunity to achieve but not exceed the Southern Oregon Subarea quota. d.

d. Season structure

This fishery will open May 1, seven days per week until the Southern Oregon Subarea quota is taken or October 31, whichever is earlier.

e. Landing restrictions

The daily bag limit is one halibut per person with no size limit, unless the Central Oregon Coast Subarea bag limit is increased to two halibut, then the Southern Oregon Subarea will increase to two halibut at the same time.

f. Inseason adjustments

Consistent with section 6.8.

g. Groundfish regulations

No groundfish may be taken and retained, possessed, or landed, in areas closed to groundfish, except sablefish, Pacific cod, and flatfish species, if halibut are on board the vessel ~~[and w]~~—When allowed by groundfish regulations, yellowtail rockfish, widow rockfish, canary rockfish, redstriped rockfish, greenstriped rockfish, silvergray rockfish, chilipepper, bocaccio, and blue/deacon rockfish may be retained possessed or landed when caught with longleader gear (as defined at § 660.351).

h. Closed conservation areas

None identified in this document.