

WASHINGTON DEPARTMENT OF FISH AND WILDLIFE REPORT ON PROPOSED CHANGES TO THE PACIFIC HALIBUT CATCH SHARING PLAN AND 2023 ANNUAL REGULATIONS

The Washington Department of Fish and Wildlife (WDFW) held a meeting with recreational halibut anglers on October 4, 2022. The purpose of the meeting was to discuss proposed changes to the Pacific Fishery Management Council's (PFMC) Catch Sharing Plan (CSP) for 2023, and refine the proposals developed at the public meeting held by WDFW in August and adopted for public review at the September PFMC meeting.

In September, recommendations for the 2023 Washington recreational season adopted for public review included options that would increase access to the Puget Sound subarea allocation by allowing more days open per week, either up to 5 or 7. There was broad interest in a status quo season structure for coastal subareas (Marine Areas 1 – 4). From discussions at the October 4th meeting, proposed changes to the CSP are recommended and presented below that allow for expanded opportunity to achieve Washington subarea and overall sport allocation.

Although bag limits are not provisions of the CSP, requests to increase the annual bag limit from four to six fish for 2023 were received and discussed at the October meeting. Stakeholder responses were mixed with some voicing support for a six fish bag limit, while others opined the status quo or the four fish bag limit provided sufficient opportunity for anglers. Further consideration will be postponed until next year to allow an updated bag limit catch analysis (the last was completed in 2013) and to explore how to address practical and regulatory constraints associated with the current catch record card system to allow reporting up to six fish.

All Washington Subareas

Changes to the CSP supporting flexible inseason management have proven particularly valuable and aided responses in 2020 and 2021 to reduced access to or closures of some ports, and to severe inclement weather in 2022. The flexibility has allowed consideration in early June, after getting through the spring fishery dates, of shifting allocation between subareas based on a review of catch information to understand whether port closures, low catch rates, or other factors were restricting or likely to restrict the ability for subareas to achieve their allocation. For example, attainment of the north coast subarea allocation has been significantly impacted by reduced fishing effort, a residual effect from port closures in 2020 and 2021. And, severe inclement weather, particularly on the coast, and increased fuel prices statewide impacted fishing effort in all areas in 2022. Catch rates in the Puget Sound subarea have been low in recent years also resulting in unharvested allocation. During these years, stakeholders have supported an inseason management approach that utilizes remaining allocation to provide the south coast and Columbia River subareas, where the subarea allocation has been typically taken mainly in the spring, some additional fishing opportunity in June, and that also allows for late season opportunity in August and September for the north coast and Puget Sound subareas.

Uncertainty about whether reduced or shifted effort will persist, flexibility in the number of days per week and the ability to share allocation between subareas is critical to meet allocation objectives for the Washington sport fishery.

WDFW Recommendation: Revise the CSP language to allow halibut fishing up to seven days per week in August and September to maximize fishing opportunity and achieve the Washington sport allocation.

Puget Sound Subarea

Discussions regarding the Puget Sound subarea were focused on a season structure that would allow more open days per week in April and May, and that aligns the season start dates in Marine Area 5 with Marine Areas 6-10. This is a departure from past practice in which Marine Area 5 seasons were aligned with the north coast subareas, 3 and 4. This change for Marine Area 5 and the recommendation to open more days per week in April and May, when halibut fishing is generally more productive in Puget Sound, are responding to a recent pattern where the Puget Sound subarea allocation has not been attained.

WDFW Recommendation: Revise the CSP language to allow halibut fishing in the Puget Sound subarea up to 5 days per week, Thursday through Monday, during April and May, and up to 7 days per week during June, August, and September.

Columbia River, North Coast, South Coast Subareas (Coastal Subareas)

Discussions relative to coastal subareas (Marine Areas 1 – 4) centered on maintaining a largely status quo season structure. Stakeholders agreed a status quo season structure supported by a flexible inseason management approach is the preferred alternative for the 2023 season.

Departing from status quo, South Coast stakeholders did request opening three days per week instead of two, a change that is currently allowed under existing CSP language. The request for three days per week anticipates the likelihood that weather conditions may preclude fishing at least one day per week and thus intends to improve the opportunity to achieve two days of fishing per week.

WDFW Recommendation: Revise the CSP language to allow opening the coastal subareas (Marine Areas 1 – 4) up to seven days per week during August and September.

Based on the input we received, WDFW recommends the Council adopt the following season dates for the Washington subareas:

Proposed Season Dates

Marine Areas 5, 6 - 10:

April 6 through May 22, five days per week, Thursday, Friday, Saturday, Sunday, Monday

Memorial Day weekend, open Friday through Sunday, May 26, 27, and 28

June 1 through June 30, seven days per week

If quota remains after June 30, consider August and September dates up to seven days per week

Marine Areas 3 and 4:

May 4 through May 20, two days per week, Thursday, and Saturday

Memorial Day weekend, open Friday and Sunday, May 26, and 28

June 1 through June 24, two days per week, Thursday and Saturday, and Thursday, June 29
If quota remains after June 30, consider August and September dates up to seven days per week

Marine Area 2:

May 4 through May 23, three days per week, Tuesday, Thursday, and Sunday
Memorial Day weekend, open Thursday, May 25
If sufficient quota remains, open June 15, 18, 22, 25
If quota remains after June 30, consider August and September dates up to seven days per week

Marine Area 1:

May 4 through May 21, two days per week, Thursday and Sunday
Memorial Day weekend, open Thursday, May 25
June 1 through June 25, open two days per week, Thursday and Sunday, and Thursday, June 29
If quota remains after June 30, consider August and September dates up to seven days per week

Marine Areas 11-13 are closed

Marine Areas 5: It is permissible for halibut anglers to retain lingcod and Pacific cod caught while fishing for halibut in waters deeper than 120 feet on days that halibut and lingcod is open.

Marine Areas 6 – 10: It is unlawful for halibut anglers to retain lingcod and Pacific cod caught while fishing for halibut in waters deeper than 120 feet on days that halibut fishing is open.

Marine Areas 1-10: Daily bag limit of one halibut per angler, with no minimum size limit. Annual limit of four. All catch must be recorded on WDFW catch record card. Possession limits remain the same.

Changes to the CSP

WDFW provides draft language for the CSP below in underline/strikethrough to reflect the above recommendations and some minor edits for clarity. Although proposed changes are shown below, WDFW will work with NMFS and Council staff to refine and finalize the CSP language to meet the intent of the Council discussion and decisions. Finally, many of the recommended changes to the CSP rely on flexible inseason management and WDFW is committed to working with NMFS staff to implement changes to the CSP that supports this flexibility.

6.9 Washington Coast subareas

Washington sport fisheries are allocated 35.6 percent of the total non-tribal FCEY. This allocation is shared between three subareas within the State, plus the Columbia River subarea receives a portion of this allocation, as it is in concurrent waters of Washington and Oregon.

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

In addition, if certain conditions are met (as described in section 5.8.1) a portion of the Washington sport fishery allocation will be distributed to the commercial primary directed sablefish fishery north of Point Chehalis, WA. The formula for distributing the Washington sport fishery allocation to the four subareas remains unchanged regardless of any distribution to the sablefish fishery.

6.9.1 *Puget Sound subarea*

a. Subarea allocation

This sport fishery subarea is allocated 23.5 percent of the first 130,845 lbs allocated to the Washington sport fishery, and 32 percent of the Washington sport allocation between 130,845 lbs and 224,110 lbs, except as provided in section 5.8.1.

b. Geographic location

This subarea is defined as all U.S. waters east of the mouth of the Sekiu River, as defined by a line extending from 48°17.30' N. lat., 124°23.70' W. long. north to 48°24.10' N. lat., 124°23.70' W. long., including Puget Sound.

c. Management objectives

None identified in this document.

d. Season structure

Season dates will be developed by the end of November each year for the following year. Seasons will open in early May. Flexibility to open in April is allowed. During April, May, and June season structure may include periodic closures to assess the remaining quota for the subarea. Seasons may be open up to ~~three~~ five days per week in April and May which may include at least one weekday and one weekend day and up to seven days per week in June. If sufficient quota remains after the final open day in June, additional openings may be implemented in August and September up to ~~five~~ seven days per week. The fishery will continue until the quota is projected to be taken, or September 30, whichever is earlier.

e. Landing restrictions

The daily bag limit is one fish per person, with no size limit.

f. Inseason adjustments Consistent with section 6.8.

If the Puget Sound subarea season is closed prior to September 30, and there is insufficient quota for an additional fishing day, then any remaining Puget Sound subarea quota may be transferred inseason to another Washington coastal subarea by NMFS via an update to the recreational halibut hotline. The daily bag limit in all fisheries is one halibut per person with no size limit.

g. Groundfish regulations

None specified in this document.

h. Closed Conservation Areas None specified in this document.

6.9.2 *North Coast subarea*

a. Subarea allocation

This sport fishery subarea is allocated 62.2 percent of the first 130,845 lbs allocated to the Washington sport fishery, and 32 percent of the Washington sport allocation between 130,845 lbs and 224,110 lbs, except as provided in section 5.8.1.

b. Geographic location

This subarea is defined as all U.S. waters west of the mouth of the Sekiu River, as defined above in section 6.9.1.b, and north of the Queets River (47°31.70' N. lat.).

c. Management objectives

None specified in this document.

d. Season structure

Season dates will be developed by the end of November each year for the following year. Seasons will open in early May, with the flexibility to open on April 30 in years when April 30 falls on a Thursday. During April, May, and June seasons may be open up to three days per week which may include at least one weekday and one weekend day. Season structure may include periodic closures to assess the remaining quota for the subarea. If sufficient quota remains after the final open day in June, additional openings may be implemented in August and September up to ~~five~~ seven days per week. The fishery will continue until the quota is projected to be taken, or September 30, whichever is earlier.

e. Landing restrictions

The daily bag limit is one fish per person, with no size limit.

f. Inseason adjustments Consistent with section 6.8.

If the fishery is closed prior to September 30, and there is insufficient quota remaining to reopen for another fishing day, then any remaining quota may be transferred inseason to another Washington coastal subarea by NMFS via an update to the recreational halibut hotline. The daily bag limit in all fisheries is one halibut per person with no size limit.

g. Groundfish regulations

Recreational fishing for groundfish and halibut is prohibited within the North Coast Recreational Yelloweye Rockfish Conservation Area (YRCA).

h. Closed conservation areas

Recreational fishing for groundfish and halibut is prohibited within the North Coast Recreational Yelloweye Rockfish Conservation Area (YRCA). The North Coast Recreational YRCA is a C-shaped area off the northern Washington coast and is defined by straight lines connecting latitude and longitude coordinates. Coordinates for the North Coast Recreational YRCA are specified in groundfish regulations at 50 CFR 660.70(b) and will be described annually in federal halibut regulations published in the *Federal Register*.

6.9.3 South coast subarea.

a. Subarea allocation

This sport fishery is allocated 12.3 percent of the first 130,845 lbs allocated to the Washington sport fishery, and 32 percent of the Washington sport allocation between 130,845 lbs and 224,110 lbs except as provided in section 5.8.

b. Geographic location

This subarea is defined as waters south of the Queets River (47°31.70' N. lat.) and north of Leadbetter Point (46°38.17' N. lat.).

The nearshore fishery takes place in the area from 47°31.70' N. lat. south to 46°58.00' N. lat. and east of a boundary line approximating the 30 fathom depth contour as defined by the following coordinates:

47°31.70' N. lat., 124°37.03' W. long.;
47°25.67' N. lat., 124°34.79' W. long.;
47°12.82' N. lat., 124°29.12' W. long.; and
46°58.00' N. lat., 124°24.24' W. long.

c. Management objectives

The south coast subarea quota will be allocated to the all-depth (primary) fishery, with a nearshore fishery to be open if sufficient quota remains.

d. Season structure

Season dates for the primary fishery will be developed by the end of November each year for the following year. The primary fishery seasons will open in early May, with the flexibility to open on April 30 in years when April 30 falls on a Thursday. During April, May, and June, seasons may be open up to three days per week which may include at least one weekday and one weekend day. Season structure may include periodic closures to assess the remaining quota for the subarea. If sufficient quota remains after the final open day in June, additional openings may be implemented in August and September up to ~~five~~ seven days per week.

If there is insufficient quota remaining to reopen the primary fishery for another fishing day, the remaining primary fishery quota will be used to open a nearshore fishery.

e. Landing restrictions

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

f. Inseason adjustments Consistent with section 6.8.

If ~~sufficient~~ quota remains but is insufficient to reopen the primary fishery for one day, the nearshore fishery will open the first Saturday subsequent to the closure of the primary fishery and will be open seven days per week until the remaining quota is projected to be taken.

If the fishery is closed prior to September 30, and there is insufficient quota remaining to reopen the nearshore areas for another fishing day, then any remaining quota may be transferred inseason to another Washington coastal subarea by NMFS via an update to the recreational halibut hotline.

g. Groundfish regulations

During days open to the primary fishery and seaward of the 30-fm line, and seaward of the deepwater lingcod closure area, lingcod may be taken, retained, and possessed when allowed by groundfish regulations.

h. Closed conservation areas

None identified in this document.

6.10 Columbia River Subarea

a. Subarea allocation

This sport fishery subarea is allocated 2.0 percent of the first 130,845 lbs allocated to the Washington sport fishery, and 4.0 percent of the Washington sport allocation between 130,845 lbs and 224,110 lbs, except as provided in section 5.8. This subarea is also allocated 2.3 percent of the Oregon sport allocation, and any quota over 8,000 lbs from the Southern Oregon Subarea.

A nearshore fishery is allocated 500 lbs of the Columbia River subarea quota. The remaining Columbia River subarea quota will be allocated to the all-depth fishery.

b. Geographic location

This subarea is defined as waters south of Leadbetter Point, WA (46°38.17' N. lat.) and north of Cape Falcon, OR (45°46.00' N. lat.).

The nearshore area is described as the area shoreward of the boundary line approximating the 30 fathom (55 m) depth contour extending from Leadbetter Point, WA (46°38.17' N. lat., 124°15.88' W. long.) to the Washington-Oregon border (46°16.00' N. lat., 124°15.88' W. long.) and from there, connecting to the boundary line approximating the 40 fathom (73 m) depth contour in Oregon. Coordinates will be specifically defined at 50 CFR 660.71 through 660.74.

c. Management objectives

This subarea typically has both an all-depth (primary) fishery and a nearshore fishery. The nearshore fishery is to allow incidental halibut retention on groundfish trips in the specific area described in section 6.10.a.

d. Season structure

The all-depth fishery will begin in May, with the flexibility to open on April 30 in years when April 30 falls on a Thursday. Open dates will be determined after consultation between Oregon and Washington Departments of Fish and Wildlife, and in time for Council final action at the November meeting. During April, May, and June, the fishery will be open up to three days per week, Thursday or Friday, and/or Sunday until the subarea allocation is taken ~~or until September 30, whichever is earlier.~~ If sufficient quota remains after the final open day in June, additional openings may be implemented in August and September up to seven days per week until September 30.

The nearshore fishery will be open Monday through Wednesday following the opening of the all-depth fishery, until the nearshore allocation is taken or September 30, whichever is earlier. On days when the all-depth halibut fishery is closed, taking, retaining, possessing, or landing halibut on groundfish trips is only allowed in the nearshore area.

e. Landing restrictions

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

f. Inseason adjustments Consistent with section 6.8.

Subsequent to the all-depth fishery closure, if there is insufficient quota remaining in the Columbia River subarea for another fishing day, then any remaining quota may be transferred inseason to another Washington and/or Oregon subarea by NMFS via an update to the recreational halibut hotline.

Any remaining quota would be transferred to each state in proportion to its contribution.

g. Groundfish regulations

When fishing **north** of the Washington-Oregon border (46° 16.00' N. lat.)

During the recreational all-depth halibut fishery, when allowed by groundfish regulations and halibut are on board the vessel, only sablefish, Pacific cod, flatfish species, lingcod, 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 fishing **south** of the Washington-Oregon border (46° 16.00' N. lat.)

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. During days open to all-depth halibut fishing when the groundfish fishery is restricted by depth and when halibut are on board the vessel, 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 if halibut are on aboard the vessel. During days open to nearshore halibut fishing, flatfish species may be taken and retained seaward of the seasonal groundfish depths restrictions, if halibut are on board the vessel.

h. Closed conservation areas

None identified in this document.