

PACIFIC HALIBUT CATCH SHARING PLAN: PROPOSED CHANGES TO INSEASON FLEXIBILITY PROVISIONS

Assignment: Expand the PFMC Pacific halibut Catch Sharing Plan's flexible inseason management provisions to allow transfer of projected unused quota between all WA, OR, and CA recreational sub-areas and commercial sectors after August 15.

The following text is from the current (2023) Catch Sharing Plan (CSP) with underline and 'strike-out' to note potential changes.

- *Proposed changes to the current CSP to improve and or update inseason flexibility, inseason management actions, procedures for notice and implementation, inseason management provisions and protocols.*
- *Options for flexible inseason management protocol to allow access to the projected unused non-tribal quota after August 15 are very general at this stage, as more discussion and input is needed to provide any additional detail.*

1.1.DIRECTED HALIBUT FISHERY

(Section 5.6.6 of the current CSP)

If NMFS determines ~~enough~~ that ~~of the subquota remains~~ after the conclusion of the initial fishing period(s), a sufficient amount of the subquota remains, then NMFS may set additional 3-day (58-hour) openings—fishing periods to occur every other week, or as soon as practicable, Tuesday through Thursday, until the ~~directed fishery allocation~~ subquota is ~~obtained~~ attained.

If NMFS determines that ~~poundage remaining in the~~ remaining subquota for directed fishery is insufficient to allow for an additional 58- hour fishing period~~day~~, then the remaining halibut will be made available for incidental catch of halibut ~~in—to~~ the salmon troll fisheries ~~fishery~~ (independent of the incidental harvest allocation) as needed to conduct the incidental fishery through the planned season end date.

1.2.INCIDENTAL HALIBUT CATCH IN THE SALMON TROLL FISHERY

(Section 5.7.5 of the current CSP)

NMFS may make inseason adjustments to the landing restrictions, if requested by the Council Chair, as necessary to assure that the incidental harvest rate is appropriate for salmon and halibut availability, does not encourage target fishing on halibut, and does not increase the likelihood of exceeding the quota for this fishery. In determining whether to make such inseason adjustments, NMFS will consult with the applicable state representative(s), a representative of the Council's Salmon Advisory Subpanel, and Council staff.

If it is projected that this fishery will not utilize its quota by the season ending date, then the projected balance of the quota may be moved to another Area 2A non-tribal fishery consistent with the protocol outlined in this document.

~~Notice and effectiveness of inseason adjustments will be made by NMFS in accordance with section 6.8.5.~~

~~Landing restrictions implemented for the April-June salmon troll fishery will apply for as long as this fishery is open. Notice of the July opening of this fishery will be announced on the NMFS hotline (206) 526-6667 or (800) 662-9825.~~

~~Halibut retention in the salmon troll fishery will be allowed after June only if the opening has been announced on the NMFS hotline.~~

1.3. INCIDENTAL HALIBUT CATCH IN THE PRIMARY DIRECTED SABLEFISH FISHERY

(Section 5.8.4 of the current CSP)

If it is projected that this fishery will not utilize its quota by the season ending date, then the projected balance of the quota may be made available to another Area 2A non-tribal fishery consistent with the protocol outlined in this document.

1.4. COLUMBIA RIVER SUBAREA

(Section 6.10.f of the current CSP)

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. ~~Transfer of quota~~ Through August 15 any remaining quota would be transferred to each state in proportion to its contribution. After August 15, quota may be transferred to another Area 2A non-tribal fishery consistent with the protocol outlined in this document.

1.5. OREGON CENTRAL COAST SUBAREA

(Section 6.11.1.f of the current CSP)

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, and if after August 15, quota may be transferred to another Area 2A non-tribal fishery consistent with the protocol outlined in this document.

1.6. FLEXIBLE INSEASON MANAGEMENT ACTIONS

(Section 6.8.5 of the current CSP)

Inseason actions may include, but are not limited to, the following:

- a. Modification of non-tribal commercial fishing periods, landing limits, open days per calendar week, and quotas.
- b. Modification of sport fishing periods, daily bag limits, size limits, open days per calendar week, open weeks, and subarea quotas.
- c. Modification of Stonewall Bank YRCA restrictions off Oregon.
- d. Transfer of quota within non-tribal fishery commercial sectors or recreational subareas or states through August 15.
- ~~d.~~ e. Transfer of quota between any Area 2A non-tribal fisheries, after August 15.

1.7. NOTICE PROCEDURES

(Section 6.8.2 of current CSP)

Inseason actions taken by NMFS will be published in the *Federal Register*. Actual notice of inseason management actions will be provided by a telephone hotline ([206-526-6667](tel:206-526-6667) or [800-662-9825](tel:800-662-9825)) and [emailed fishery bulletins](#) administered by the West Coast Region, NMFS, at ~~206-526-6667 or 800-662-9825~~. Since provisions of these regulations may be altered by inseason actions, sport fishermen should monitor the telephone hotline [and subscribe to receive fishery bulletin emails \(https://www.fisheries.noaa.gov/region/west-coast\)](#) for current information for the area in which they are fishing.

1.8. PROCEDURES FOR IMPLEMENTATION

(Section 7.0 of the current CSP)

Each year, NMFS will publish a proposed rule with any regulatory modifications necessary to implement the Plan for the following year, with a request for public comments. The comment period will extend until after the IPHC annual meeting, so that the public will have the opportunity to consider the final Area 2A FCEY before submitting comments. After the Area 2A FCEY is known, and after NMFS reviews public comments, NMFS will implement final rules governing the [Area 2A sport fisheries and the non-tribal directed commercial fishery](#). ~~The final ratio of halibut to Chinook to be allowed as~~ [landing restrictions for](#) incidental [halibut](#) catch in the salmon troll fishery will be published with the annual salmon management measures.

1.9. FLEXIBLE INSEASON MANAGEMENT PROVISIONS

(Section 6.8 of the current CSP)

[Inseason management actions should allow for flexibility to move projected unused quota within and between all non-tribal subareas and sectors as needed to achieve but not exceed the overall Area 2A non-tribal FCEY.](#)

1.10. PROTOCOL FOR INSEASON MODIFICATIONS

(Section 6.8.1 of the current CSP)

The Regional Administrator, NMFS West Coast Region, after consultation with the Chair of the Council, the IPHC Executive Director, and the Fisheries Director(s) of the affected state(s), or their designees, is authorized to modify regulations during the season after making the following determinations:

- a. The action is necessary to allow [access to the allocation](#) ~~and/or allow the management~~ objectives to be met.
- b. The action will not result in exceeding the ~~catch limit catch limit~~ [quota](#) for the ~~a subarea and/or the Area 2A non-tribal FCEY~~.
- c. [Through August 15](#), if any of the sport fishery subareas north of Cape Falcon, OR are projected to not utilize their respective quotas by their season ending dates, NMFS may take inseason action to transfer any projected unused quota to another Washington sport subarea.
- d. [Through August 15, if](#) any of the sport fishery subareas between Leadbetter Point, WA and the OR/CA border (42° N. lat.) are projected to not utilize their respective quotas by their

season ending dates, NMFS may take inseason action to transfer any projected unused quota to another Oregon sport subarea.

1.11. FLEXIBILITY PROVIDED AFTER AUGUST 15

(New section for the CSP):

- a. Option 1: no change – status quo; implement the CSP without a set inseason quota transfer date of August 15, and remove any reference to ‘August 15’ in the proposed text.
- b. Option 2: develop inseason management flexibility protocol for use annually by August 15 to move any projected unused non-tribal quota within and between all non-tribal subareas and sectors as needed to achieve but not exceed the overall Area 2A non-tribal FCEY. The protocol would need to meet any requirements of NMFS and IPHC for regulatory implementation.

PFMC

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