

## OREGON DEPARTMENT OF FISH AND WILDLIFE REPORT ON PROPOSED CHANGES TO THE PACIFIC HALIBUT CATCH SHARING PLAN FOR THE 2013 FISHERY

The Oregon Department of Fish and Wildlife (ODFW) solicited public comment on the Pacific Fishery Management Council (PFMC) approved proposals for changes to the Pacific Halibut Catch Sharing Plan (CSP) for fisheries in 2013. To gather public input on proposals, ODFW hosted public meetings in Newport (Sept. 24) and Brookings (Sept. 25) and used an online survey for those who could not attend the public meetings; 214 people took the online survey. Anglers were limited to providing input on fisheries they currently participate in or plan to in 2013 (survey questions were conditional upon responses). For example, anglers were asked if they fish or plan to fish the Columbia River Sub-area, and if they answered no, then they did not receive questions about that sub-area. Input was focused on the specific items put forward by PFMC in September, with some additional input on things to look at for the future.

### **Proposed Changes to the CSP:**

#### **Columbia River Subarea**

##### **Spring all-depth open days per week**

**Status quo: Thursdays-Saturdays**

**Proposed: Fridays-Sundays**

In 2012, the spring fishery closed by regulation prior to the allocation being harvested, the remaining allocation was transferred into the summer season. Changing the open days each week from Thursday through Saturday to Friday through Sunday is intended to allow for more fishing opportunity on weekend days, when effort is usually higher. Additionally, this change would make the days open each week consistent between the spring and summer season.

In order to provide opportunity to the most people in that area, **ODFW recommends changing the days of the week for the spring fishery to Friday through Sunday.** No input was received from Oregon anglers that fish the Columbia River Sub-area at public meetings and there was not clear opposition from the 16 survey participants that indicated they fished or intended to fish the area in 2013.

##### **Remove the spring all-depth regulatory closure**

**Status quo: closes 3<sup>rd</sup> Sunday in July if quota has not been attained**

**Proposed: remain open until summer all-depth season begins if sufficient quota**

In 2012, the spring season allocation was not reached prior to the regulatory closure of the 3<sup>rd</sup> Sunday in July, resulting in 2 weeks being closed to fishing, prior to the start of the summer season. The remaining allocation from the spring season was rolled into the summer season.

This change would keep the spring season open longer, if allocation remains, providing more opportunity to fully attain the spring allocation.

Sixty nine percent of survey participants that fish the Columbia River Sub-area supported removing the regulatory closure date. **Therefore, based on the survey support and the rationale above, ODFW recommends removing the provision that closes the spring season on the 3<sup>rd</sup> Sunday of July.**

## **Central Coast Subarea**

### **Reduce the open days per week in the nearshore fishery**

**Status quo: 7 day per week**

**Proposal: 3 day per week (Thursdays-Saturdays)**

The nearshore fishery has closed in July each year since 2009 due to attainment of quota, but in prior years was generally open until the regulatory closure date (October 31; early closures were due to overages from other fisheries). The vast majority of comments received in recent years (since 2009) have regarded taking actions to ensure that the nearshore fishery lasts at least through the summer (i.e., end of August or Labor Day), if not all the way until October 31.

There has been substantial growth each year in the nearshore fishery since 2009, which is best described by fitting cumulative harvest curves by week for each year and comparing the slopes (Figure 1). If the same level of growth continues, and the quota and season structure remains the same as in 2012, the fishery is projected to last only five-and-a-half weeks in 2013 and four weeks in 2014.

Some anglers are concerned that a reduction in the number of days per week could result in underutilization of the quota if the fish become more difficult to catch (lesser catch rates), which they claim has been the norm historically. If halibut fishing is slow, then harvest rates would decrease and associated effort could decrease.

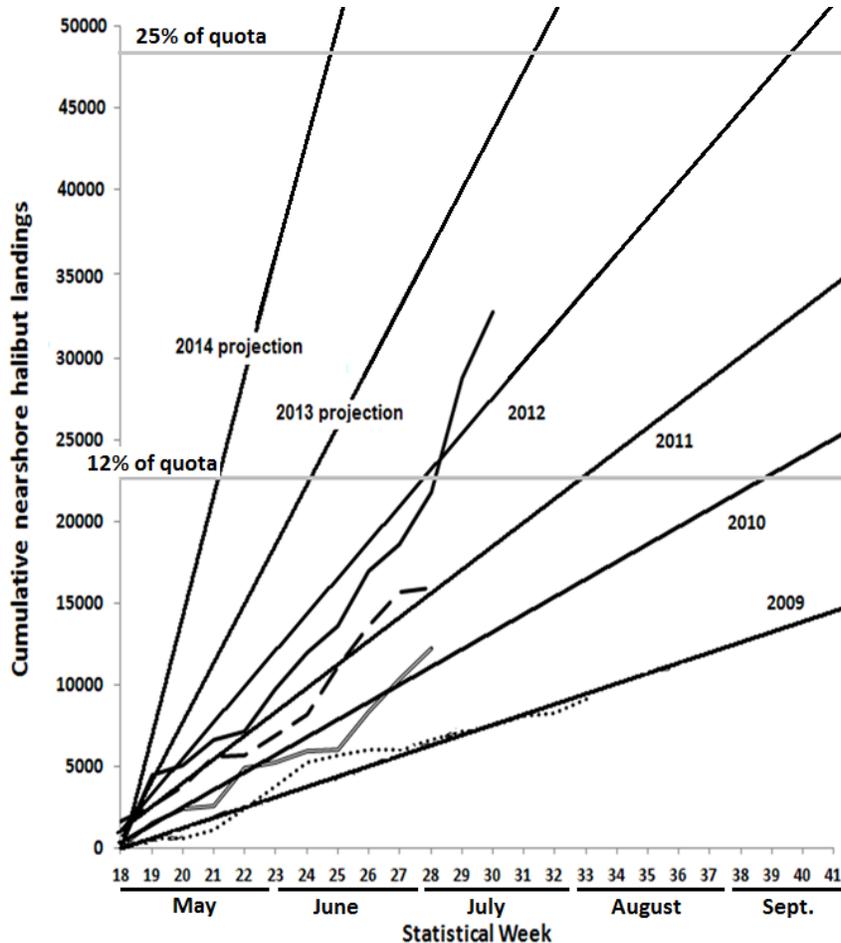


Figure 1. Projected season lengths if the annual growth in the nearshore fishery remains the same as the last several years.

To increase the length of the nearshore season, **ODFW recommends reducing the number of open days per week in the nearshore fishery from seven to three (Thursday through Saturday)**. A slim majority of anglers at the public meetings, and who participated in the online survey (57 percent) favored this change, if it will provide fishing opportunities later into the summer months. Substantial annual growth in the nearshore fishery (pounds per week) has been due to increases in weekly effort; therefore, a reduction in the number of open days per week should reduce weekly effort and thus allow the season to last longer.

Additionally, if the nearshore quota is not projected to be attained with a three day per week season structure, **ODFW, in consultation with the National Marine Fisheries Service (NMFS) and the International Pacific Halibut Commission (IPHC) will examine the fishery progress on or after 15 August to determine if the number of open days may be increased.**

### *Fishery allocations*

**Status quo: 63% spring all-depth; 25% summer all-depth; 12% nearshore**

**Proposed: 75% spring all-depth; 0% summer all-depth; 25% nearshore, triggered by 2A TAC of 700,000 pounds**

A slim majority of online survey participants (56 percent) favored transferring the summer all-depth fishery quota to the spring all-depth and nearshore fisheries given current TAC levels. Those opposed to change were very strongly against it, whereas those in favor were relatively impartial. One of the primary rationales of those supporting change was to increase the nearshore fishery season length by increasing the nearshore quota, and ODFW believes the best way to increase the season length is to reduce the number of open days per week. If the nearshore fishery continues to grow at the same rate as it has since 2009 (Figure 1), in terms of weekly harvests, then the amount of quota projected to keep the fishery open throughout summer would cause major disruptions to the all-depth fisheries. Other rationales include lesser yelloweye rockfish to halibut ratios for the spring all-depth fishery than the summer all-depth fishery and fewer non-halibut fishing opportunities during months when the spring all-depth fishery occurs than during summer months.

Additionally, based on information received at the 2012 IPHC Annual Meeting concerning the retrospective analysis and the potential for significant reductions in the harvest rates, ODFW sees the need to plan for reductions in the overall 2A TAC . Given recent years' harvest rates in the summer all-depth fishery (up to 17,000 pounds per day), a minimum of 34,000 pounds is necessary for that fishery to have one two-day opening. Any quota amount less than that would result in a season of one day or less, which is not possible to manage and does not provide a meaningful season to the public. Under the current allocation structure a total 2A TAC of 700,000 pounds results in the Central Oregon Coast Sub-area summer all-depth fishery having a quota of approximately 34,000 pounds.

Therefore, **ODFW recommends including a total 2A TAC trigger of 700,000 pounds to reallocate the summer all-depth quota to the spring all-depth (75 %) and nearshore (25 %) fisheries. At any 2A TAC above 700,000 pounds, status quo allocation remains.**

### **Incidental Troll Salmon Fishery**

Since the September 2012 PFMC meeting, ODFW consulted with NMFS about the best way to implement the intent of the request to allow retention of incidentally caught halibut in the salmon troll fishery beginning April 1 (Agenda item F.2.c, Public Comment, September 2012). Regulations governing incidental halibut retention the salmon troll fishery are in both the salmon and halibut regulations, which are on different timing schedules. Halibut regulations referencing the "May/June" salmon troll fishery would need to be amended to incorporate April, during the 2013 halibut CSP process. Final action will be taken at this meeting. Additionally, in March the salmon regulations would need to be modified. ODFW will continue to work with NMFS on how and when to modify the salmon regulations over winter. In the interim, **ODFW recommends changing the halibut CSP language to allow incidental catch in the salmon troll fishery beginning in April 1 to better align with salmon seasons.**

## The proposed language modifications for the CSP are as follows:

### (e) NON-INDIAN COMMERCIAL FISHERIES

The non-Indian commercial fishery is allocated 31.7 percent of the non-Indian share of the Area 2A TAC for a directed halibut fishery and an incidental catch fishery during the salmon troll fishery. The non-Indian commercial allocation is approximately 20.6 percent of the Area 2A TAC. Incidental catch of halibut in the primary directed sablefish fishery north of Point Chehalis, WA will be authorized if the Washington sport allocation exceeds 224,110 lb (101.7 mt) as described in section (e)(3) of this Plan. The structuring and management of these three fisheries is as follows.

#### (1) Incidental halibut catch in the salmon troll fishery.

Fifteen percent of the non-Indian commercial fishery allocation is allocated to the salmon troll fishery in Area 2A as an incidental catch during salmon fisheries. The quota for this incidental catch fishery is approximately 3.1 percent of the Area 2A TAC. The primary management objective for this fishery is to harvest the troll quota as an incidental catch during the ~~April-June~~ ~~May/June~~ salmon troll fishery. The secondary management objective is to harvest the remaining troll quota as an incidental catch during the remainder of the salmon troll fishery.

- (i) The Council will recommend landing restrictions at its spring public meeting each year to control the amount of halibut caught incidentally in the troll fishery. The landing restrictions will be based on the number of incidental harvest license applications submitted to the IPHC, halibut catch rates, the amount of allocation, and other pertinent factors, and may include catch or landing ratios, landing limits, or other means to control the rate of halibut harvest. NMFS will publish the landing restrictions annually in the *Federal Register*, along with the salmon management measures.
- (ii) Inseason adjustments to the incidental halibut catch fishery.
  - (A) NMFS may make inseason adjustment to the landing restrictions, if requested by the Council Chairman, 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 Sub-Panel, and Council staff.
  - (B) Notice and effectiveness of inseason adjustments will be made by NMFS in accordance with paragraph (f)(5) of this Plan.

- (iii) If the overall quota for the non-Indian, incidental commercial troll fishery has not been harvested by salmon trollers during the April-June ~~May/June~~ fishery, additional landings of halibut caught incidentally during salmon troll fisheries will be allowed in July and will continue until the amount of halibut that was initially available as quota for the troll fishery is taken or until the end of the season date for commercial halibut fishing determined by the IPHC and implemented in IPHC regulation. Landing restrictions implemented for the April-June ~~May/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.

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(f) SPORT FISHERIES

The non-Indian sport fisheries are allocated 68.3 percent of the non-Indian share, which is approximately 44.4 percent of the Area 2A TAC. The allocation is further divided as subquotas among six geographic subareas.

(iv) Columbia River subarea.

This sport fishery subarea is allocated 2.0 percent of the first 130,845 lb (59.4 mt) allocated to the Washington sport fishery, and 4.0 percent of the Washington sport allocation between 130,845 lb (59.4 mt) and 224,110 lb (101.7 mt) (except as provided in section (e)(3) of this Plan). This subarea is also allocated an amount equal to the contribution from the Washington sport allocation from the Oregon/California sport allocation. 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 fishery will open on the first ~~Thursday~~ Friday in May or May 1 if it is a ~~Friday or Saturday~~ or Sunday, 3 days per week, ~~Thursday through Saturday~~ Friday through Sunday until 80 percent of the subarea allocation is taken. ~~or until the third Sunday in July, whichever is earlier.~~ The fishery will reopen on the first Friday in August and continue 3 days per week, Friday-Sunday until the remainder of the subarea quota has been taken, or until September 30, whichever is earlier. Subsequent to this 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. The daily bag limit is one halibut per person, with no size limit. No groundfish may be taken and retained, possessed or landed, except sablefish and Pacific cod when allowed by groundfish regulations, if halibut are onboard the vessel.

(v) Oregon central coast subarea.

This subarea extends from Cape Falcon (45° 46.00' N. lat.) to Humbug Mountain, Oregon (42° 40.50' N. lat.) and is allocated 92.0 percent of the Oregon/California sport allocation

minus any amount of pounds needed to contribute to the Oregon portion of the Columbia River subarea quota. **If the overall 2A TAC is 700,000 pounds (317.5 mt) or greater,** ~~t~~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, ~~principally for charterboat and larger private boat anglers,~~ and provide a period of fishing opportunity in the summer for nearshore waters ~~for small boat anglers.~~ **If the overall 2A TAC is less than 700,000 pounds (317.5 mt), 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.** Any poundage remaining unharvested in the Spring all-depth subquota will be added to either the Summer all-depth sub-quota or the nearshore subquota based on need, determined via joint consultation between IPHC, NMFS and ODFW. **If the 2A TCA exceeds 700,000 pounds,** any poundage that is not needed to extend the inside 40-fathom (73 m) fishery through October 31 will be added to the Summer all-depth season if it can be used, and any poundage remaining unharvested from the Summer all-depth fishery will be added to the inside 40-fathom (73 m) fishery subquota, if it can be used. If inseason it is determined via joint consultation between IPHC, NMFS and ODFW, that the combined all-depth and inside 40-fathom (73 m) fisheries will not harvest the entire quota to the subarea, quota may be transferred inseason to another subarea south of Leadbetter Point, WA by NMFS via an update to the recreational halibut hotline. The daily bag limit is one halibut per person, unless otherwise specified, with no size limit. During days open to all-depth halibut fishing, no groundfish may be taken and retained, possessed or landed, except sablefish and Pacific cod when allowed by groundfish regulations, if halibut are on board the vessel.

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 (f) and will be described annually in federal halibut regulations published in the *Federal Register*.

ODFW will sponsor a public workshop shortly after the IPHC annual meeting to develop recommendations to NMFS on the open dates for each season each year. The three seasons for this subarea are as follows.

- A. The first season (**nearshore fishery**) opens on **the first Thursday in May or May 1 if it is a Friday or Saturday, 3 days per week, Thursday through Saturday,** only in waters inside the 40-fathom (73 m) curve. **The fishery continues daily until the subquota (12 percent of the subarea quota if the 2A TAC is 700,000 pounds (317.5 mt) or greater, 25 percent of the subarea quota if the 2A TAC is less than 700,000 pounds (317.5 mt)) is taken, or until October 31, whichever is earlier. Any overage in the all-depth fisheries would not affect achievement of allocation set aside for the inside 40-fathom (73 m) curve fishery. On or after August 15, the IPHC, NMFS, and ODFW will consult to determine whether increasing the inside of 40-fathom fishery open days per week is warranted, with the intent that the subquota for the inside 40-fathom fishery is taken by October 31.**

- B. The second season (**Spring fishery**) is an all-depth fishery with two potential openings and is allocated 63 percent of the subarea quota **if the 2A TAC is 700,000 pounds (317.5 mt) or greater, or 75 percent of the subarea quota if the 2A TAC is less than 700,000 pounds (317.5 mt)**. Fixed season 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. Recent year catch rates will be used as a guideline for estimating the catch rate for the Spring fishery each year. The number of fixed season days established will be based on the projected catch per day with the intent of not exceeding the subarea subquota for this season. The first opening will be structured for 2 days per week (Friday and Saturday) if the season is for 4 or fewer fishing days. The fishery will be structured for 3 days per week (Thursday through Saturday) if the season is for 5 or more fishing days. 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, quota for this season remains unharvested, a second opening will be held. If it is determined appropriate through joint consultation between IPHC, NMFS and ODFW, fishing may be allowed on one or more additional days. Notice of the opening(s) will be announced by NMFS via an update to the recreational halibut hotline. The fishery will be open every other week on Thursday through Saturday except that week(s) may be skipped to avoid adverse tidal conditions. The potential open Thursdays through Saturdays will be identified preseason. The fishery will continue until there is insufficient quota for an additional day of fishing or July 31, whichever is earlier **if the 2A TAC is 700,000 pounds (317.5 mt) or greater. If the 2A TAC is less than 700,000 pounds (317.5 mt) the fishery will continue until there is insufficient quota for an additional day of fishing or October 31, whichever is earlier.**
- C. The last season (**Summer fishery**) is an all-depth fishery that begins on the first Friday in August and is allocated 25 percent of the subarea quota **if the 2A TAC is 700,000 pounds (317.5 mt) or greater. If the 2A TAC is less than 700,000 pounds (317.5 mt) then 0 percent of the subarea quota will be allocated to this season.** 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. The fishery will continue until there is insufficient quota remaining to reopen for another fishing day or October 31, whichever is earlier. The potential open Fridays and Saturdays will be identified preseason. If after the first scheduled open period, the remaining Cape Falcon to Humbug Mountain entire season quota (combined all-depth and inside 40-fathom (73 m) quotas) is 60,000 lb (27.2 mt) or more, the fishery will re-open on every Friday and Saturday (versus every other Friday and Saturday), if determined to be appropriate through joint consultation between IPHC, NMFS, and ODFW. The inseason action will be announced by NMFS via an update to the recreational halibut hotline. If after the Labor Day weekend, the remaining Cape Falcon to Humbug Mountain entire season

quota (combined all-depth and inside 40-fathom (73 m) quotas) is 30,000 lb (13.6 mt) or more and the fishery is not already open every Friday and Saturday, the fishery will re-open on every Friday and Saturday (versus every other Friday and Saturday), if determined to be appropriate through joint consultation between IPHC, NMFS, and ODFW. After the Labor Day weekend, the IPHC, NMFS, 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. If the quota is not taken by September 30, the season will remain open, maintaining the bag limit in effect at that time, through October 31 or quota attainment, whichever is earlier. The inseason action will be announced by NMFS via an update to the recreational halibut hotline.