

## OREGON DEPARTMENT OF FISH AND WILDLIFE REPORT ON PROPOSED CHANGES TO THE PACIFIC HALIBUT CATCH SHARING PLAN FOR THE 2011 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 sport fisheries off Oregon in 2011. ODFW published a news release on September 27, 2010 asking the public to provide comments by October 8, 2010.

Public input was somewhat less than expected and consisted of 12 e-mails, 14 phone calls, and comments from five recreational halibut fishermen at a public meeting. Much of the public input was directed to issues other than the three possible changes to the catch sharing plan, such as gross area allocation, the development of a lottery based tag system or a reduction in bag limits.

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

Columbia River Subarea – *No proposed changes*

Central Coast Subarea –

*Adjust the nearshore fishery from seven days per week to four days per week, if on July 15 (August 1) effort and harvest are low, the fishery can then re-open to seven days per week.*

Adjust the number of open days per week in the nearshore fishery from seven to four to begin the season. If harvest and effort have been low, after July 15 the nearshore fishery can be expanded to seven days per week. The number of open days will remain at four per week if harvest and effort are high.

In 2010 the effort and harvest in the nearshore halibut fishery was much greater than in previous years. The quota was fully attained for the first time and the fishery was closed in mid-July. Reducing the nearshore fishery from seven days to four days per week to begin the season is intended to extend the duration of the nearshore fishery and help prevent the same situation from occurring in the future. Adding an examination of the fishery after July 15 allows for inseason flexibility if the fishery is progressing slowly.

The majority of people who commented on the nearshore fishery are in favor of reducing the open days per week in order to extend the season, as long as the open number of days per week is not less than four and as long as at least one weekend day is open. The nearshore fishery appears to be very popular, especially among locals, despite having lower catch rates than the spring all-depth and summer all-depth fisheries. There were a minority of people who expressed concerns that this proposal seemed reactionary to what happened last year, and was not looking at the recent past performance of this fishery. There was also concern about making regulations complicated with a possible change to days of the week open inseason.

Those anglers who favor a reduction in nearshore open days per week also expressed a desire for greater allocation of total quota to the nearshore fishery under the belief that the total number of days fished would increase. This would consequently benefit the coastal economy. They also believe that interactions with yelloweye rockfish would be reduced because the yelloweye rockfish are caught less frequently in the nearshore fishery than in the all-depth fisheries.

***Adjust the spring all-depth fishery from three days per week to two days per week if there are nine or fewer “fixed days”***

The total number of open days and the number of “fixed days” in the spring all-depth halibut fishery have been decreasing due to decreases in the overall 2A total allowable halibut catch and due to increases in angler effort. The length of the spring all-depth halibut season in past years has consequently decreased because the number of open days per week has remained at three. To prevent future reductions to the length of spring all-depth seasons, a reduction in the number of open days from three to two days per week has been proposed, if there are projected to be fewer than nine “fixed days”. Although this proposal would not increase the total number of open days per season it will extend the season further into the summer months, which may benefit anglers because ocean conditions are generally calmer and more favorable for fishing later in the season.

This proposal has been favored by the majority of respondents with the hope a reduction in open days per week will allow the spring all-depth season to continue into June and possibly July, when the ocean is generally calmer. Of those who opposed this proposal, one private angler lives far from the coast and does not believe that two open days per week is enough to justify a long drive when there is a possibility that the ocean could be too rough to fish on one of the two open days; a charter operator expressed similar concerns that with three open days, there are more chances for the weather to be calm enough to allow for fishing.

***Adjust the quota allocation percentages between the spring all-depth, summer all-depth, and nearshore fisheries***

The total number of open days in the summer all-depth halibut season has also been decreasing due to reductions in the overall 2A total allowable catch and due to increases in angler effort. The fishery was only open for three days in 2009, two days in 2010, and could be open for as little as one day in future years if the quota continues to decrease and effort continues to increase. Short summer all-depth halibut seasons are problematic because they create “derby fisheries” with great numbers of boaters. “Derby fisheries” can overrun the infrastructure of port facilities and can be dangerous due to crowding of boats on the halibut grounds. Short seasons can also be dangerous to anglers if the ocean is rough during an opening because anglers may fish in conditions in which they normally would not because they do not want to miss out on the fishery. A short summer all-depth halibut season is also unfavorable to halibut fishery managers because catches can be highly variable, which can lead to substantial underages or overages in quota. In order to increase the number of summer all-depth halibut open days, a shift of quota from the spring all-depth fishery to the summer all-depth fishery has been proposed.

The proposal to redistribute the percentage of total quota allocated to the spring all-depth, summer all-depth, and nearshore fisheries was initially favored by most private anglers. These anglers supported a reduction in the spring all-depth quota from 69% of the total quota to 45%, an increase in the summer all-depth quota from 23% of the total quota to 45%, and an increase in the nearshore quota from 8% of the total quota to 10%. However, those anglers who supported this change and attended the public meeting switched their support back to the status quo after learning that a shift in summer quota from 23% to 45% would likely increase catches of yelloweye rockfish resulting in early closures of bottomfish fisheries. It is unknown whether other supporters who did not attend the public meeting would continue to favor a shift of spring all-depth quota to the summer all-depth quota if they were presented with the same yelloweye rockfish information that was supplied to the anglers who attended the meeting. All charter operators that provided input were in favor of status quo allocations. They noted that the spring fishery harvest was primarily by charter anglers in the early years of the fishery. In recent years, the level of harvest by private anglers in the spring fishery has increased greatly, accounting for 65% or more of the harvest. They believe that this increase in harvest by private anglers in the spring all-depth fishery demonstrates that the weather in the spring does not prevent private anglers from being able to fish.

Support for a shift of quota to the summer all-depth fishery occurred because anglers were upset that the season was limited to three days in 2009 and two days in 2010, because anglers prefer the generally calmer ocean conditions during summer months, and because they believe more summer all-depth quota would increase the number of fishable days alleviating the “derby fisheries” that have occurred during the previous two years.

#### South of Humbug Subarea—*no proposed changes*

### **ODFW proposed changes to the Catch Sharing Plan (CSP) language**

#### (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. 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. Any poundage remaining unharvested in the Spring all-depth subquota will be added to the Summer all-depth sub-quota. 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 660.390 and will be specifically defined 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 opens on May 1, only in waters inside the 40-fathom (73 m) curve, and continues **daily four days per week (Sunday through Wednesday)** until the subquota (8 percent of the subarea quota) 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. **If after July 15, 50 percent or more of the subquota remains, and if determined to be appropriate through joint consultation between IPHC, NMFS, and ODFW, the fishery can open seven days per week, until the subquota is taken or October 31, whichever is earlier. Notice of the change in open dates will be announced by NMFS via an update to the recreational halibut hotline.**

B. The second season is an all-depth fishery with two potential openings and is allocated ~~67~~<sup>69</sup> percent of the subarea quota. 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 season** will be structured for 2 days per week (Friday and Saturday) if the ~~season~~ **the number of fixed season days** is for ~~4~~<sup>9</sup> or fewer fishing days. The fishery will be structured for 3 days per week (Thursday through Saturday) if the ~~season~~ **the number of fixed season days** is for ~~5~~<sup>10</sup> or more fishing days. The fixed season dates will occur in consecutive weeks starting the second Thursday in May (if the season is ~~5~~<sup>10</sup> or more fishing days) or second Friday in May (if the season is ~~4~~<sup>9</sup> 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~~ dates 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.

C. The last season is an all-depth fishery that begins on the first Friday in August and is allocated ~~25~~<sup>3</sup> percent of the subarea quota. 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.