

TRIBAL COMMENT ON CHANGES TO THE
HALIBUT ALLOCATION TO TRAWL FISHERIES

There are thirteen tribes with treaty rights to Pacific halibut. As with all other directed fisheries for halibut in the PFMC's Catch Sharing Plan (CSP), our allocation is reduced by the amount estimated for, among other things, trawl bycatch. This bycatch has been generally declining in recent years, and we hope to see that trend accelerate as envisioned under trawl rationalization. However, recent reductions in the Area 2A (i.e., all waters off Washington, Oregon, and California) Total Allowable Catch (TAC) have highlighted the need to reduce bycatch to offset restrictions on the directed fisheries. As such, directly allocating a portion of the Constant Exploitation Yield (CEY) that equates to near status quo levels of bycatch is not acceptable. It has been our understanding throughout the Council's Amendment 20 and 21 processes that what was proposed and ultimately adopted represented a significant reduction in bycatch with incentives to continue those reductions for the rationalized trawl fishery.

It is also not appropriate to alter the amount of individual bycatch quota (IBQ) available to the trawl fleet in response to alternate interpretations of how the set aside should be calculated. This is not consistent with Council deliberations to date, nor would it be a fair or transparent way to conduct a public process.

In adopting the IBQ system the Council recognized the need to account for both legal and sublegal fish. From the final preferred alternative:

Consideration was given to requiring IBQ only for legal sized halibut. However, this option would not encourage harvesters to avoid sub-legal sized halibut and would not do as good a job of achieving the objective of reducing bycatch and bycatch mortality.

The PFMC was also aware of the problems with tying IBQ to CEY. The IPHC even suggested that IBQ be represented as a portion of recent average bycatch. They also noted the confusion of converting from net pounds to round pounds ([Agenda Item G.3.c, Supplemental IPHC Report, March 2009](#)).

Likewise, in June 2009 under clarifications and trailing actions for IQ it was noted that 130,000 lbs of legal-sized bycatch would not be much of a change from status quo and that in order to make some progress toward bycatch reduction, the cap must apply to both legal and sublegal (from the June 2009 minutes):

Mr. Anderson spoke to the issue of the allocation of halibut to cover bycatch in the trawl fishery. The WDFW recommendations were developed with the intent of achieving a reduction in the bycatch and bycatch mortality of halibut, similar to what resulted from the halibut individual bycatch quota (IBQ) established for the Canadian trawl fishery. There are a number of ways that individual trawl vessels might achieve these reductions. In April the Council approved the lesser of 15 percent of the constant exploitation yield (CEY) or 130,000 lbs. With respect to the possibility that the CEY might increase, capping the trawl fishery at 130,000 lbs, Mr. Anderson noted that there was very little correlation between the CEY and total bycatch. With respect to the issue of legals and sublegals, because size at age has dramatically decreased over the decade and most males never get to legal size, they felt that looking at legals and sublegals was the appropriate way to assess bycatch. The 130,000 lbs value is about 15 percent of 870,000 lbs. The 2004-2007 average legal size mortality is 154,000 lbs. At 130,000 lbs, you would not make much progress. However, if you look at the total (legals and sublegals) and leave out one outlier, you find that the 130,000 lb cap represents a 55 percent reduction in bycatch mortality of legal size halibut. Mr. Anderson enumerated a number of methods available to trawlers to achieve such a reduction and noted the importance of individual

fishermen accountability for this approach. Individual fishers that do a good job of handling fish on deck and avoid high halibut bycatch areas will benefit.

In its final action under Amendment 21, the Council decided to “allocate” 15 percent of the Area 2A total CEY of Pacific halibut to the LE trawl sector, not to exceed 130,000 for the first four years and not to exceed 100,000 pounds for years five and beyond of the trawl rationalization program ([see Section 4.4.4 of the Amendment 21 FEIS](#)).

The allocation for IBQ can be revisited every two years as currently specified. There is no need to undergo the time and effort to revise the amount available to the trawl fleet a year early. One of the stated goals of the IQ program is to reduce bycatch. For halibut, which is taken off the top prior to allocation among all 2A sectors, including treaty tribes, it is vital that the bycatch of halibut start being reduced. This is especially true in light of recent steep reductions in the TAC for our area. Relaxing the performance measure adopted by the Council early in the implementation of the rationalized fishery is the wrong approach. The Council had several opportunities to consider this issue, and in fact, have already raised the overall allocation from what was originally proposed. The example from British Columbia shows that with individual accountability, significant reductions to halibut mortality can be realized. It does not make sense to second guess previous decisions that have already been deemed and clarified based on changing perceptions of how successful the fleet can be at avoiding halibut bycatch.