

Agenda Item Summary

BACKGROUND

GENERAL FEDERAL AND STATE REGULATIONS

State rules governing the Pacific sardine and Pacific halibut fisheries are based on rules adopted federally. The Pacific Fishery Management Council (Council) conducts a significant public process when determining the Pacific sardine harvest guideline (HG) and regulatory recommendations, which are considered and implemented (occasionally with adjustments) by the National Marine Fisheries Service (NMFS).

Similarly, the International Pacific Halibut Commission (IPHC) conducts an annual public process when determining catch limit and regulatory recommendations for Pacific halibut fisheries, which are considered and implemented by NMFS.

For both Pacific sardine and Pacific halibut fisheries, the Oregon Fish and Wildlife Commission (Commission) incorporates federal regulations annually, but the states may impose additional or more conservative regulations adopted through the state process (e.g. the state has the latitude to adopt concurrent or more conservative regulations, not more liberal).

Two issues are set forth here for the Commission to consider: 1) adopting concurrent or more conservative harvest limits for 2011 Pacific sardine fisheries; and 2) adopting concurrent or more conservative management measures for 2011 Pacific halibut fisheries.

PUBLIC INVOLVEMENT

A significant public process was conducted by the Council in development of the 2011 harvest specifications for Pacific sardine fisheries. A significant public process was also held during the development of federal Pacific halibut regulations for 2011. In addition to two Council meetings and one IPHC meeting, the department held three public meetings in Newport on August 17, 2010, October 6, 2010, and February 7, 2011

The goal of these meetings was to discuss proposed changes to the Halibut Catch Sharing Plan and open dates for the spring all-depth sport fishery off Central Oregon. A news release was also published asking for input on proposed changes.

ISSUE 1

ANNUAL HARVEST SPECIFICATIONS AND MANAGEMENT MEASURES FOR THE COMMERCIAL PACIFIC SARDINE FISHERY

ANALYSIS

The recommended federal HG for the 2011 Pacific sardine fishery off Oregon, Washington and California was adopted by the Council at the November 2010 meeting (Attachment 4, page 3) and is expected to be published in the Federal Register in February. The coastwide maximum HG for the sardine fishery in 2011 was set at 50,526 metric tons (mt)

which is a 30% decrease from 2010. The decrease was due primarily to a reduction in biomass estimated in the stock assessment. The biomass has been on a downward trend for several years. The Council set aside 4,200 mt for industry sponsored research to be considered in the spring of 2011, leaving 46,326 mt to be allocated across three pre-set fishing periods (seasonal allocation). An additional 1,000 mt was set aside in each fishing period for incidental catch in other fisheries, and a management uncertainty buffer of 2,000 mt was set aside to be available during the third period. The seasonal allocations are shown in the following table:

	Period 1	Period 2	Period 3	Total
	Jan 1 - Jun 30	Jul 1 – Sep 15	Sep 15- Dec 31	
Seasonal Allocation (mt)	16,214	18,530	11,582	46,326
Incidental Set Aside (mt)	1,000	1,000	1,000	3,000
Management Uncertainty Buffer (mt)			2,000	2,000
Initial Directed Fishery Allocation (mt)	15,214	17,530	8,582	41,326

NMFS will take automatic in-season actions to adjust allocations in a subsequent period resulting from actual harvests over or under the allowed harvest during a fishing period.

OPTIONS

1. Adopt concurrent rules for Pacific sardine fisheries as shown in Attachment 5.
2. Adopt more conservative measures.

STAFF RECOMMENDATION

1. Option 1

ISSUE 2

ANNUAL CATCH LIMITS AND MANAGEMENT MEASURES FOR SPORT AND COMMERCIAL PACIFIC HALIBUT FISHERIES

ANALYSIS

The catch limits for 2011 Pacific halibut fisheries were proposed in January by the IPHC (Attachment 6, page 2). For area 2A (Washington, Oregon, and Northern California) a catch limit of 910,000 pounds for all retention fisheries was proposed, which is an increase of approximately 12% from 2010. This increase was the result of increased weight per unit effort seen in the annual halibut survey, and an expected decrease in trawl bycatch of halibut due to implementation of Individual Bycatch Quotas. As per the Council's Pacific Halibut Catch Sharing Plan, the 2A catch limit will be allocated as follows:

- Tribal fishery (WA) – 318,500 lbs (35%)
- Commercial fishery (WA/OR/CA) – 187,506 lbs (20.6%)
- Sport fishery (WA) – 216,489 lbs (23.8%)

Sport fishery (OR/CA) – 187,506 (20.6%)

The Council and IPHC adopted one change to the Pacific Halibut Catch Sharing Plan that affects the 2011 sport fishery off Oregon (Attachment 4, page 2), which shifts 2% of the Oregon central coast subarea sport fishery allocation (172,505 lbs) from the spring all-depth fishery (currently 69%) to the summer all-depth fishery (currently 23%) resulting in the following sub-allocation:

Spring all-depth fishery– 115,578 lbs (67%)
Summer all-depth fishery – 43,126 lbs (25%)
Nearshore fishery – 13,800 lbs (8%)

These amounts may be automatically adjusted during the year in the event that the entire allocation for a given fishery is projected not to be taken.

The final rule, including annual management measures for the Pacific halibut fishery and approval of the 2011 Catch Sharing Plan, will be published in the Federal Register. Details of proposed catch limits and seasons for all Oregon sport halibut fisheries are given in Attachment 7.

OPTIONS

1. Adopt concurrent rules for Pacific halibut fisheries as shown in Attachment 5.
2. Adopt more conservative measures.

STAFF RECOMMENDATION

1. Option 1

DRAFT MOTION	I move to adopt the recommendations for 2011 Pacific sardine and Pacific halibut fisheries as proposed in Attachment 5.
	Upon filing.
EFFECTIVE DATE	