

Agenda Item Summary

BACKGROUND

Internationally and federally-established catch limits and regulations (management measures) for sport and commercial Pacific Halibut fisheries are adopted annually into state rule, by reference. The Oregon Fish and Wildlife Commission may adopt concurrent or more conservative regulations, but not more liberal, such as adopting higher catch limits.

The catch limit for the entire Pacific Halibut stock (i.e., from Alaska to California) and regional catch limits are determined by the International Pacific Halibut Commission (IPHC). Oregon occurs within IPHC region Area 2A, which also encompasses Washington and California.

Allocation rules, catch limits, and regulations for Area 2A fisheries are determined by the Pacific Fishery Management Council (Council) and the National Marine Fisheries Service (NMFS) and are documented in the Pacific Halibut Catch Sharing Plan (CSP).

The issue for the Oregon Fish and Wildlife Commission's consideration is whether to adopt concurrent catch limits and regulations for the 2017 commercial and sport Pacific Halibut fisheries and the setting of open dates for the sport fishery.

PUBLIC INVOLVEMENT

Significant public process is conducted prior to establishment of catch limits and regulations for Pacific Halibut fisheries.

Prior to establishing regional catch limits, the IPHC utilizes public input to balance the trade-offs between productivity of the stock and economic impacts to communities and fisheries for several alternative catch limits. To inform the IPHC of potential impacts to Oregon communities, ODFW submits an annual economic analysis of the commercial and sport Pacific Halibut fisheries (http://www.iphc.int/meetings/2017am/IPHC-2017-AM093-AR06_Rev_1.pdf).

Changes to catch limits and regulations for Oregon-based Pacific Halibut fisheries are considered by ODFW (in conjunction with the Council) using a three-step public input process.

First, the public proposes changes to any of the federal regulations during an open public comment period. To discuss potential changes for 2017, ODFW held meetings in August 2016 in Brookings, Newport and North Bend, and in October 2016 in Newport, supplemented with an online survey and the Newport meetings being available via webcast.

Second, public proposals are reviewed by ODFW and the Council and provided for public comment (solicited via on-line survey and additional public meetings). Successful proposals are adopted into

federal rule for the upcoming year.

Third, ODFW seeks public input (solicited via online survey and a February public meeting in Newport) on sport seasons for the Central Coast subarea.

ISSUE 1

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

ANALYSIS

The 2017 catch limit for all Area 2A Pacific Halibut fisheries is 1,330,000 pounds, as established by the IPHC (Attachment 4). This is seventeen percent greater than the 2016 catch limit. As per the Council's Pacific Halibut Catch Sharing Plan (CSP), catch limits for individual fisheries in Area 2A are as follows:

Tribal fisheries (WA): 465,000 lbs. (35% of Area 2A)
Commercial fishery (WA/OR/CA): 265,402 lbs. (20%)
WA sport fishery: 237,762 lbs. (23%)
OR sport fishery: 256,757 lbs. (19%)
CA sport fishery: 34,580 lbs. (3%)

There are no changes to the CSP that affect area 2A commercial fisheries. Area allocations and directed commercial fishery regulations in area 2A are set by the IPHC, promulgated by NMFS (Attachment 5), and adopted into OAR by reference by the Commission.

There are three changes to the CSP and Oregon regulations from 2016 that will affect Oregon sport Pacific Halibut fisheries for 2017, as described below (and in Attachment 6). For further detail on the proposed catch limits and seasons for all Oregon sport Pacific Halibut fisheries, please see Attachment 7.

1. For all Oregon subareas, in-season modifications to the sport halibut seasons may be considered based on yelloweye rockfish impacts. Previously, in-season modifications to sport halibut seasons were only allowed based on catch of halibut. The sport halibut fishery was essentially held harmless for its impacts to yelloweye rockfish, and only the sport bottomfish fishery could be modified to limit impacts to yelloweye rockfish.
2. For the Central Coast Subarea Nearshore fishery, retention of other species of flatfish when fishing outside of the seasonal bottomfish depth restriction is allowed. This allows for some additional opportunities and aligns the nearshore and all-depth fishery regulations.
3. For the Central Coast Subarea All-Depth fishery, retention of bottomfish species is allowed if the sport bottomfish fishery is also open to all depths. This would allow anglers to retain some additional species when both fisheries are open to all depth, with

minimal potential additional impacts to yelloweye rockfish. Staff recommends that the Commission adopt, without modification, the federal catch limits and regulations for all Pacific Halibut fisheries into Oregon Administrative Rule, by reference.

Additionally, staff recommends that descending devices be mandatory for sport fishing of Pacific Halibut, similar to what was adopted for the bottomfish fishery in December 2016. In addition to amending the rule so that it applies to sport halibut fisheries, staff recommends minor rephrasing to this rule intended to clarify when a descending device is required to be onboard a vessel and descending devices are required to be used. These changes do not change the intent of these rules.

OPTIONS

1. Amend rules as shown in Attachment 3 to both incorporate by reference the federal catch limits and regulations for all Pacific Halibut fisheries as well as to include the mandatory use of descending devices in the sport Pacific Halibut fishery.
2. Amend rules to incorporate by reference only the federal catch limits and regulations for all Pacific Halibut fisheries.
3. Amend rules to adopt more conservative catch limits or regulations, or both, for all Pacific Halibut fisheries.

STAFF RECOMMENDATION

Option 1

DRAFT MOTION	I move to adopt the staff recommendation for the 2017 sport and commercial Pacific Halibut fisheries as shown in Attachment 3.
EFFECTIVE DATE	Upon filing with the Secretary of State after incorporating appropriate Federal Register Citation.