March 1, 2000

Jim Lone, Chair
Pacific Fishery Management Council
2130 SW Fifth Avenue, Suite 224
Portland, OR 97201

Dear Chairman Lone,

RE: Support for needed changes in yellowtail bycatch of the on-shore whiting fleet

The Pacific Marine Conservation Council, whose 260 members have backgrounds including commercial, recreational and charterboat fishing, marine science and environmental activism is concerned about the increases in yellowtail bycatch in the on-shore whiting fishery.

We believe changes need to be made and suggest the Council enact as a minimum the following:

1) a yellowtail TAC reduction that is equitably distributed among the fleets; and
2) as a condition of approval of the exempted fishing permit, the Council initiate a vessel trip and vessel cumulative cap for yellowtail bycatch that would be based on an on-shore whiting fleet cap of 375 mt., and reestablishing observers as necessary to monitor bycatch;

In addition, we would also support:

1) mandating rockfish and salmon excluders in whiting nets;
2) creating sanctions against vessels which exceed vessel caps;
3) establishing an on-shore whiting fleet bycatch cap of 375 mt;
4) delaying approval of the EFP until April 2000 to allow time for further actions to be brought before the industry and the Council
5) eliminating the exempted fishing permit.

This is an issue that has been before the Council for at least two years now. PMCC testified in April of '99 and again in November '99 about its concerns. The industry has acknowledged the problem and has successfully sought
from the Council the authority to fashion its own plan. A report is to be made at the March 2000 meeting. The Groundfish Management Team has also prepared options for Council consideration.

Last year, other fisheries had to be closed because the on-shore whiting fleet, unconstrained by vessel or fleet caps, took too many yellowtail. In addition, there have been rumors that some processors, using less than ethical tactics, have “requested” that some vessels bring in larger loads of yellowtail. The intimation has been that this was a cost of that vessel’s doing business with that processor, or that the processor offered some kind of incentive if that “request” was honored, and some vessel operators felt compelled to honor the “request”. Instituting vessel bycatch caps would eliminate any pressure being placed on a vessel by a processor.

PMCC believes the problem is not fleet-wide and supports the industry attempt to fashion its own plan. However, if that plan is too difficult to craft, or if it does not address the fundamental concern of increased and unnecessary bycatch of yellowtail, then PMCC asks the Council to take the actions noted above.

Thank you for your consideration of these comments and for doing what is necessary to protect yellowtail rockfish and other fisheries which rely on their harvest, and mandated in the Sustainable Fisheries Act.

Sincerely,

Bob Eaton
Executive Director
PACIFIC FISHERIES MANAGEMENT COUNCIL

Preseason meeting between the State, Processors and Fishermen
That Intend to Process or Harvest Unsorted Whiting
In The Shoreside Whiting Fishery

Last year there was a preseason meeting for the shoreside whiting participants, this meeting was held by ODF&W. I don’t know if this same type of meeting was held by the other States or not. This year industry proposes a different approach to this meeting.

1. Preseason meeting, States will meet with fishermen and Processors that intend to process or harvest unsorted whiting.

2. States will explain by-catch rates, State and Processor permits, Processor vessel agreements and EFP’S

3. States will explain how the whiting fishery will be conducted at this meeting. The State will have an explanation page, this will show fishermen how to calculate catch and overages to come up with overage rate. Also an explanation on where trip limits stop and overages begin.

4. For a Processor to get a processing permit to process unsorted whiting, a whiting coordinator for the processor must attend the meeting.

5. For a fishing vessel to receive an EFP the captain or captains if two, must attend this meeting to receive an EFP.

6. Since EFP’s and permits are not usually available until a few days before the season starts a State prepared form could be used. This form would be signed by the Processors and vessel captains at the preseason meeting. This form would then be used as the list to issue permits and EFP’S from.

7. If a Processor or vessel enters the fishery late. They must go to the State and receive the same instructions as was given at the preseason meeting

8. Before a processor can process unsorted whiting they have to have a signed processing permit with the State they are processing in.

9. Before a vessel can fish whiting they have to have a signed processor vessel agreement

I see these as very simple steps to follow. I don’t see them as being very time consuming to any of the participants. I see this as another precautionary layer in a fishery that the participants seem to be continually changing slightly every year. If all three States could come together with identical plans and act on them the same it would be a good educational tool for all involved.
Processor Vessel By-Catch Agreement

Mandatory Agreement Between Processors That Process Unsorted Whiting. And Vessels That Deliver Unsorted Whiting With Experimental Fishing Permits

1) Processors will conduct a pre-season meeting with vessel owner and captains to discuss by-catch controls. If a vessel has two captains they are both required to attend the meeting and sign agreements. At the pre-season meeting Processors and fishermen will discuss this agreement. Also both parties will discuss different ways they can work together to keep overages at a minimum. Both Processors and Fishermen acknowledge the need to reduce overages.

2) Agreement will identify rate cap per vessel. This will be the same rate identified in the State processor permit. All vessels coast wide will have a 12 Kg/mt whiting rate. All Processors and Fishermen recognize the need to stay well below this rate. For the shoreside whiting fishery to remain a viable fishery for all, we need to all work together to keep overages at a minimum.

3) Processors will give vessels by-catch information (yellowtail, widow, salmon, sablefish and halibut). This information will be available to the vessel within 4 – 6 hours of offload. This will give the vessel adequate time to react to by-catch before next day fishing begins. This will give the captain real time information and he will be able to adjust his fishing strategies. Captains will inform their Processor how they want to receive their by-catch information (cell phone, fax, radio, TLX). Processor by-catch coordinator will log date, time, vessel name and person receiving information. The person receiving the information onboard the vessel will also log the by-catch information in the same manner. This will assure both parties that the information was given and received. With daily by-catch information and delivery weights. A vessel captain will be able to determine overages on a daily basis.
4) Vessels at the time of offload will give the processor tow information from the day that the offloaded fish was caught. This information will consist of (date, set time, latitude and longitude, bottom depth, trawl depth and the same information for hauling the trawl). The coordinator will take the tow information along with by-catch information and compile it for real time information. This information can be posted at the plant in a common area that fishermen have access to. (Some sort of mechanism needs to be put in place that allows access to this information by all fishers and processors.)

5) There will be two checkpoints during the whiting season. One when 50% of the shoreside allocation has been caught, and one with 10% of the shoreside whiting allocation remaining.

6) If a vessel is over his rate at either checkpoint he will be removed from the delivery schedule for one day for every Kg/mt of whiting over the vessels overage rate. Rate check points will be coordinated with State and Processor assigned coordinator.

Processing Plant

__________________________

Processor Coordinator

__________________________ Date _______

Fishing Vessel

__________________________

Fishing Vessel Captain

__________________________ Date _______