

## EXPERIMENTAL FISHING PERMIT APPLICATION

1. Date of Application

November 14, 2006

2. Applicant Name(s)

Washington Department of Fish and Wildlife  
48A Devonshire Road  
Montesano, WA 98563-9618  
Attention: Brian Culver (360) 249-1205

Oregon Department of Fish and Wildlife  
2040 SE Marine Science Drive  
Newport, OR 97365-5294  
Attention: Mark Saelens (541) 867-0300 ext 251

California Department of Fish and Game  
411 Burgess Drive  
Menlo Park, CA 94025-3488  
Attention: Mike Fukushima (415) 581-7358

3. Purposes and Goals of the Proposed Experiment

The goal of the exempted fishery is to implement an observation program at the request of the Pacific Fishery Management Council to enumerate the bycatch in Pacific hake harvests delivered to shoreside processing plants for 10 – 15 percent of all EFP deliveries. The program also seeks to minimize the amount of bycatch in the fishery, including the amount of excess catch experienced due to exceeding the capacity of the vessel.

Pacific hake must be handled quickly to ensure quality, and as a result many vessels dump tows directly into the hold and are unable to sort their catch. The technical purpose of the EFP is to allow delayed (non) sorting from mid-water trawl catches of Pacific hake until the catch is unloaded at a shoreside processing plant. Additionally, in order to sample unsorted total catch shoreside, the EFP must include provisions to allow for potential overages in groundfish trip limits as well as the retention of prohibited species (e.g. salmon and halibut) until offloading. The amounts of groundfish exceeding current trip limits will be forfeited to the state in which the delivery is made and payment made at the port price.

The EFP is also necessary to authorize retention of prohibited species (e.g. salmon and halibut) until shoreside delivery by vessels participating in the observation program.

Current groundfish regulations at 50 CFR 663.7(b) stipulate that prohibited species must be returned to the sea as soon as practicable with a minimum of injury when caught and brought aboard. The EFP would be valid only for landings by permitted vessels at processing plants that have been designated by the States of Washington, Oregon, or California as participants in the observation program. Designated processing plants will have signed agreements with their state, agreeing to set aside prohibited species for biological sampling and disposition, and allow sampling of Pacific hake landings and groundfish bycatch. Participating vessel/operator combinations will also undergo a state and federal violations check to exclude significant fisheries violators from participating in an exempted fishery.

There are two options for disposal of incidentally caught prohibited species brought ashore: (1) donate to a local food share or other appropriate charitable organization, or (2) reduction in the fish meal plant. Option 1 is preferred, but salmon caught by trawls are often in poor condition, and they are also very perishable. In addition to enumerating each prohibited species, other data to be collected include length, sex, and weight. Salmon snouts from appropriately marked fish will be collected for coded wire tag retrieval.

Another goal of this EFP fishery is to document the bycatch of other groundfish species encountered while target fishing for Pacific hake. Biological data (age, weight, length, otoliths, and sex) will be collected for Pacific hake, sablefish, yellowtail rockfish, widow rockfish, Pacific mackerel, and jack mackerel, and other species as needed and available.

#### 4. Justification

The EFP is requested so that an accurate count of incidentally caught salmon can be generated, and estimates of groundfish bycatch rates can be obtained from shoreside deliveries of Pacific hake. An EFP provides legal protection for trawlers and processors that have possession of incidentally caught prohibited species, and also provides legal protection from overages of groundfish resulting from targeted fishing trips for hake.

#### 5. Statement of Project Significance

Enumeration of incidentally caught species is the primary purpose for this EFP. Monitoring the bycatch of salmon in the Pacific hake fishery and is also a requirement of the ESA Section 7 consultation. Estimation of groundfish bycatch and collection of biological information to support stock assessment work is an additional purpose. Results from this project will be used to develop regulations for managing and monitoring this fishery without the need for an EFP each year.

#### 6. Vessels to be covered by the EFP

List to be provided at a later date.

7. Species and Amounts to be Harvested

The target species to be harvested is Pacific hake (*Merluccius productus*). The preliminary U.S. Pacific hake harvest guideline in 2007 will be determined at the March 2007 council meeting based on the February assessment. In both 2005 and 2006, the U.S. Pacific hake fishery was allocated an optimum yield of 265,069 mt. The corresponding shore-based allocation was 97,469 mt. According to current federal management specifications for 2007 and 2008, the entire Pacific hake fishery will be conducted under a cap of 4.7 mt of canary rockfish (subject to change based on Council action taken in November, 2006), and 200 mt of widow rockfish in 2007. Based on bycatch information from our EFP program during 2005 (**bold**) and 2006, the following table shows catches of salmon, overfished species of rockfish, sablefish, and other species that would be expected in the shoreside sector in 2007. These expected bycatch totals would need adjustment if the 2007 shores-based allocation were decreased or increased from the current level.

<u>Species/Species Group</u>	<u>Bycatch Rate (no/mt.)</u>	<u>Expected Bycatch (number)</u>
Chinook salmon	0.009- <b>0.041</b>	839- <b>4,018</b>
Halibut	<b>0.0005</b> -0.0007	46-71

  

<u>Species/Species Group</u>	<u>Bycatch Rate (kilograms)</u>	<u>Expected Bycatch (kg)</u>
Sablefish	0.114- <b>0.230</b>	11,123- <b>22,419</b>
Widow Rockfish	0.507- <b>0.793</b>	49,376- <b>77,153</b>
Yellowtail Rockfish	1.600- <b>1.750</b>	155,355- <b>170,434</b>
Canary Rockfish	0.016- <b>0.023</b>	1,628- <b>2,223</b>
Yelloweye Rockfish	0.000077- <b>0.000092</b>	9-75
Darkblotched Rockfish	0.023- <b>0.055</b>	2,277- <b>5,337</b>
Boccacio Rockfish	<b>0.0018</b> -0.0027	<b>176</b> -264
Lingcod	<b>0.060</b>	<b>5,868</b> -5,870
POP	0.0014- <b>0.0053</b>	139- <b>517</b>
*Misc. Rockfish	0.172- <b>0.319</b>	16,798- <b>31,063</b>
Mackerel	0.065- <b>0.846</b>	6,343- <b>82,430</b>
Walleye Pollock	0.0000020- <b>1.930</b>	2- <b>187,897</b>
American shad	0.385- <b>1.633</b>	37,509- <b>159,050</b>
Pacific herring	<b>0.0075</b> -0.155	<b>7,340</b> -15,092
Spiny dogfish	0.352- <b>0.971</b>	34,317- <b>94,553</b>
**Other Misc. Fish	0.090- <b>0.255</b>	8,733- <b>24,840</b>

\*Misc rockfish includes market categories of nearshore, shelf, and slope rockfish, and shortbelly rockfish, and chilipepper rockfish.

\*\*Other misc. fish include: Pacific cod, shark, squid, octopus, flatfish (other than halibut), and skates.

## 8. Conduct of Fishing Experiment

Fishing will occur in the exclusive economic zone (EEZ) in the International North Pacific Fisheries Commission (INPFC) Eureka, Columbia and Vancouver areas. Ports of interest are Ilwaco and Westport, WA; Astoria, Newport and Charleston, OR; and Crescent City and Eureka, CA. Trawls, which conform to current legal requirements for midwater trawls, will be used to capture the target species. The season will open June 15, 2007 (April 1 off northern California), and will likely run through late-July or early-August depending on optimum yield. The EFP should be valid through the end of December, to allow for any delay in shore-based allocation attainment.

As in 2005 and 2006, the fishery will use electronic monitoring (on board video) to ensure compliance with the maximized retention stipulations of the permit. Shoreside sampling will provide accurate estimates of the total catch for each fishing trip. Electronic monitoring will also allow gross estimation of the amount of hake discard and provides an evaluation tool for vessel operators to use to minimize their excess catch.

The program will continue to rely on industry funding to pay for plant observers, part of the salary for a coordinator and data analyst assistant, supplies, and travel to processing plants and meetings. This is funded by processors that pay into a PSMFC fund based on their projected relative landings of hake in the 2007 fishery. At this time, funding for electronic monitoring is uncertain.