

SHORE-BASED PACIFIC WHITING MONITORING PROGRAM

The shore-based whiting fishery needs a maximized retention and monitoring program in place that will: account for Chinook salmon catch as specified in the Endangered Species Act Section 7 Biological Opinion for Chinook salmon catch in the Pacific groundfish fishery; meet standardized bycatch reporting requirements specified by the Magnuson-Stevens Fishery Conservation and Management Act; collect biological data on catch that would otherwise not be available; and create the regulatory structure necessary to efficiently manage the Pacific whiting fishery. Each year since 1992, exempted fishing permits (EFPs) have been issued to vessels in the shore-based whiting fishery to allow unsorted catch to be retained and landed at shore-based processing facilities. Since the EFP process is only a temporary response, action under this agenda item would recommend a permanent monitoring program through Federal rulemaking to replace use of EFPs.

The rulemaking is intended to be implemented in the 2008 fishery. The 2007 fishery again operates through issuance of EFPs to vessels. NMFS also has issued a proposed rule to establish catch accounting requirements for shore-based whiting processors (Agenda Item E.3.b, Attachment 1, and the associated draft Environmental Assessment, Agenda Item E.3.b, Attachment 2) to be implemented in 2007 in conjunction with the EFPs. Specifically, this rule would require persons who receive, buy, or accept Pacific whiting deliveries of 4,000 pounds or more to use a NMFS-approved electronic fish ticket program and to send daily catch reports to the Pacific States Marine Fisheries Commission. This rule for shore-based processors is intended to assist in transitioning the fishery from use of EFPs to management under a maximized retention and monitoring program.

In September 2006, the Council provided initial guidance on development of draft alternatives for the maximized retention and monitoring program. In November 2006, the Council reviewed two draft action alternatives and accompanying draft regulations, which were based on the Council's initial guidance and input garnered from a Federal/state/industry meeting in late September. Interested in considering an alternative that blended parts of the "maximized retention with observers" alternative and the "maximized retention with electronic monitoring system (EMS) and catch monitors" alternative, the Council formed an ad hoc workgroup and directed it to develop the specifics of a "hybrid" alternative. The workgroup finalized its hybrid alternative and forwarded it to NMFS in January 2007. The workgroup's report (Agenda Item E.3.d, SWAG Report) details the elements of the hybrid alternative. This alternative has been added to the set analyzed and presented in the draft Environmental Assessment (Agenda Item E.3.b, Attachment 3).

Council Action:

Adopt an alternative as final action to develop a maximized retention and monitoring program for the shore-based Pacific whiting fishery.

Reference Materials:

1. Agenda Item E.3.b, Attachment 1: *Federal Register* Notice that NMFS issues a proposed rule to establish catch accounting requirements for persons who receive, buy, or accept Pacific Whiting deliveries of 4,000 pounds or more (April 9, 2007).
2. Agenda Item E.3.b, Attachment 2: Draft Environmental Assessment for Catch Accounting requirements for Processors/First Receivers participating in the Pacific Whiting Shoreside Fishery.
3. Agenda Item E.3.b, Attachment 3: Draft Environmental Assessment: A maximized retention and monitoring program for the Pacific whiting shoreside fishery, implementing Amendment 10 to the Pacific Coast Groundfish Fishery Management Plan.
4. Agenda Item E.3.d, SWAG Report: Report of the Shoreside Whiting Alternative Ad Hoc Workgroup to the Pacific Fishery Management Council.

Agenda Order:

- a. Agenda Item Overview
 - b. NMFS Report
 - c. Agency and Tribal Comments
 - d. Reports and Comments of Advisory Bodies
 - e. Public Comment
 - f. **Council Action:** Adopt Final Preferred Monitoring Program
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PFMC
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