

**ENFORCEMENT CONSULTANT REPORT ON NATIONAL MARINE FISHERIES
 SERVICE REPORT**

2008 Shoreside Pacific Whiting Primary Season Catch Monitoring Program.

Upon review of in-season incident reports, daily logs and interviews with the catch monitors, approximately 40 potential incidents were identified during the 19 day season.

Of these incidents,

- 3 were reported in-season via Incident Reports
- 6 were reported in-season via verbal notification
- 1 was reported to a local government by the first receiver
- 30 were identified by the interviewing agent during the debriefing process

Summary of Incidents

# Incidents	Corrected In-season	Reported In-season	Incident Type
2	1	1	Inadequate accommodations
8	N/A	4	Fail to notify of delivery
5	1		Prohibited species mishandling
4	2		Failure to sort catch
16	9	2	Fail to accurately weigh catch
1	0		Transport before weighing
2	1	1	Intimidation
1	1	1	Unlawful Discharge into bay
1	1	1	Fail to provide access to facsimile
40	16	10	Totals

The above summary includes all situations that are violations of Federal or state fishery regulations or may have resulted in violations if the catch monitor was not present and had not intervened. The incidents corrected in-season are situations that may have resulted in violations of the Exempted Fishing Permit but due to a catch monitor's actions were corrected by the first receiver.

A total of nine investigations will be generated as a result of the catch monitors' findings (one on each plant that was identified as having issues). We anticipate one investigation will be forwarded to General Counsel for Enforcement Litigation for consideration. Another being investigated will most likely result in a Written Warning. The remaining investigations are currently being followed up by Office of Law Enforcement agents. If law enforcement officers or agents find that the plants corrected the incidents during the re-opener, we anticipate the incidents will be settled through outreach, education, and verbal warnings.

Several steps have been taken to ensure that all enforcement entities are engaged in training of observers and monitoring of the fishery. The EC anticipates that the program will improve, to

include the amount of total incidents discovered by observers matching more closely with those reported to law enforcement in-season, and timely reporting. In conclusion, our initial assessment of the shoreside observer program is that it has merit and should be continued and expanded.

PFMC
11/03/08