

GROUND FISH ADVISORY SUBPANEL REPORT ON IMPLEMENTATION OF THE 2013  
PACIFIC WHITING FISHERY UNDER THE U.S.-CANADA PACIFIC WHITING  
AGREEMENT

The Groundfish Advisory Subpanel (GAP) was briefed about the 2013 Total Allowable Catch (TAC) determination by the Whiting Agreement Joint Management Committee (JMC). The JMC process addressed issues relevant to setting the 2013 TAC and reached a consensus recommendation, which was forwarded to the Parties for implementation. Given that the JMC provided a consensus recommendation, the GAP has identified two issues for the Council.

The first is to establish a set-aside amount for incidental catches of whiting in non-whiting fisheries and catches in research surveys. The GAP recommends 2,000 mt be established as the 2013 set-aside to accommodate research and incidental catch. This is the same amount as in 2012. Presumably, it is adequate to cover research and incidental catches, which were about 1,565 mt in 2011 (that is, 220 mt non-whiting IFQ; 1.6 mt fixed gear; 282 mt pink shrimp trawl; and 1062 mt research – based on Bellman et al. 2012. *Estimated discard and catch of groundfish species in the 2011 U.S. west coast fisheries*).

Secondly, the GAP reviewed the National Marine Fisheries Service (NMFS) letter about the tribal whiting fishery included under Agenda Item D.4. Specific to determination of the 2013 tribal whiting set-aside, the GAP strongly believes that NMFS is obligated to make a good faith determination of the actual amount the tribes could realistically harvest. This should include past performance in catching requested amounts and tangible tribal fishery management plans that describe how each tribe will manage their respective fisheries. Information should also be provided about how bycatch and impacts on protected species will be minimized. For example, the Makah tribe has a long history in the fishery, including documented fishery management plans, monitoring and enforcement programs, and dedicated vessels and crew. In stark contrast, NMFS provides no evidence that the Quileute tribe, which has no experience in the tribal whiting fishery, will have viable fishing operations in 2013 or demonstrable fishery management plans.

Related to the amount provided to the tribal fishery is the issue of NMFS authority to reapportion tribal whiting to the non-tribal whiting sectors. The GAP recommends that the Council request NMFS be prepared to exercise the reapportionment authority in a timely and effective manner. In 2012, reapportionment to the shoreside quota share fishery was delayed because NMFS, apparently, was not prepared to provide reapportioned whiting to the quota share program. Moreover, almost 20,000 mt of tribal fish was stranded in 2012. Noting that the tribal set-aside for 2013 could be as high as 63,000 mt; NMFS should anticipate that the tribes would likely not catch their entire set-aside. Therefore, the GAP recommends the Council request NMFS act swiftly and effectively to reapportion tribal whiting on (or soon after) September 15.