

APPLICATION FOR ISSUANCE OF AN EXEMPTED (EXPERIMENTAL) FISHING
PERMIT FOR POLLOCK

- A. Date of application: August 19, 2003
- B. Applicant's names, mailing addresses, and telephone numbers:

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- C. A statement of the purpose and goals of the experiment for which an EFP is needed, including a general description of the arrangements for the disposition of all species harvested under the EFP.

Pollock are not part of the Pacific Fishery Management Council's groundfish fishery management plan (FMP); however, the State of Washington plans to pursue including pollock in the FMP in the near future. In the interim, the purpose of the experiment is to assist the Pacific Fishery Management Council and the State of Washington in achieving the goals of the FMP which are to:

1. Prevent overfishing by managing for appropriate harvest levels and prevent any net loss of the habitat of living marine resources.
2. Maximize the value of the groundfish resource as a whole.
3. Achieve the maximum biological yield of the overall groundfish fishery, promote year-round availability of quality seafood to the consumer, and promote recreational fishing opportunities.

by collecting bycatch data on overfished stocks and other species of fish to allow for informed management decisions in setting appropriate trip limits to maximize safe harvest levels of healthy stocks.

Specifically, the goals of the experiment are to:

- Measure bycatch rates for rockfish, whiting, and prohibited species associated with the midwater trawl pollock fishery through an at-sea observer program, and
- To allow participating fishers to land unsorted groundfish catches.

With regard to the disposition of the species harvested under the EFP:

- Species caught within current trip limits as published in the Federal Register, may be retained by the vessel.
- Groundfish caught in excess of current trip limits, but required to be retained under the EFP, will be sold at fair market value and the revenue will be forfeited to the state.

D. Valid justification explaining why issuance of an EFP is warranted:

In July 2002, there were three midwater trawl vessels who participated in the coastal whiting fishery that discovered harvestable quantities of pollock off the northern coast of Washington. This stock is primarily located off the West Coast of Vancouver Island, and occasionally moves south to be available off Washington approximately every five to seven years. The length of time that they are available south of the U.S./Canada border is unknown.

The nature of the midwater pollock fishery is similar to the whiting fishery in that sorting catches at sea is difficult, at best. While fishers are targeting pollock (state managed species), there are encounters with non-target species, such as yellowtail rockfish and whiting (federally managed species). One of the primary problems associated with these incidental catches is that the federal species are, at times, either prohibited or subject to a trip limit. Because the nature of the fishery makes it difficult to comply with these federal regulations, the Washington Department of Fish and Wildlife adopted an emergency regulation in September 2002 to close the state pollock fishery. Therefore, while the pollock resource is available off the Washington coast, fishers are not able to target them and economically profit from the opportunity.

Additionally, the State of Washington is pursuing adding pollock to the list of management unit species under the West Coast groundfish fishery management plan. If this occurs over the long-term, then the EFP would have allowed us to collect much-needed bycatch data on this fishery prior to it becoming federally managed. Fishery dependent data that is needed includes amount of total catch and catch location, as well as biological data (e.g., age and sex). The data collected under this EFP will include total catch (amount and species composition) data, catch location, bycatch data on associated species, and biological data. These data can then be used to assess bycatch rates in the directed pollock fishery which in turn may be used to establish trip limits in the future that maximize fishing opportunities on healthy stocks while meeting conservation goals for depleted stocks.

Without this EFP vessels would not be allowed to fish for pollock, as the sorting requirements would not be feasible.

E. A statement of whether the proposed experimental fishing has broader significance than the applicant's individual goals.

The applicant of this EFP believes that the information collected during this experiment will have broader significance than the applicant's individual goals by:

- Producing data on the amount and location of rockfish and whiting bycatch in the midwater trawl pollock fishery, which can be used to set appropriate management measures in the future (e.g., trip limits, area closures)
- Providing valuable and accurate data catch composition by species of the midwater trawl pollock fishery off the Washington coast, and
- Provide a pilot program for assessing the feasibility of the retention of groundfish overages.

- Age and sex data may also be collected to aid in future groundfish stock assessments.

These data could allow the Council to establish trip limits in the future that maximize fishing opportunities on healthy stocks while meeting conservation goals for depleted stocks.

F. Vessels covered under the EFP:

Fishers covered under the EFP will include those who have historically participated in the targeted pollock fishery off Washington. These fishers must:

- Have landed pollock from directed midwater trips into Washington in 2002;
- Have completed and mailed the Washington Department of Fish and Wildlife EFP application form by October 3, 2003, and
- Have a valid Washington delivery permit

There are three vessels that meet this criteria. A list of the fishers (and their designated vessels) that meet these criteria is attached.

G. A description of the species (target and incidental) to be harvested under the EFP and the amount(s) of such harvest necessary to conduct the experiment:

The targeted species is pollock which would not be subject to a monthly trip limit, but which would be constrained by the measured bycatch allowance of canary and widow rockfish. Under the EFP, the bycatch allowances for canary and widow rockfish would be divided as follows:

- Individual vessels would be limited to 500 lbs/month of widow rockfish for tows that are identified as directed pollock tows by the skipper of the vessel (in advance) and all tows within the federal rockfish conservation area (RCA) for trawl. Once the 500 lbs of widow rockfish are caught, the vessel cannot have any directed pollock tows for the rest of the month.
- An individual bycatch cap of 200 lbs. of canary rockfish will also apply to each vessel. Once this cap has been reached by an individual vessel in directed tows, the vessel will not be allowed to continue to fish under the EFP.
- All tows conducted within the federal RCA for trawl will be considered "directed" tows.
- For all fishing under the EFP overall bycatch amounts would be as follows:
Canary rockfish - 0.1 mt
Widow rockfish - 3.0 mt
Yelloweye rockfish - 0.1 mt
Pacific whiting - 1,000 mt

Once one or more of these bycatch caps has been reached, the EFP will be terminated.

- Expected amounts of targeted species taken in the pollock EFP are:
Pollock - 9,000 mt

In addition, rockfish species taken in directed EFP tows and forfeited to the state as required (above trip limit or non-market size) are anticipated as follows:
Yellowtail rockfish - 5.0 mt

Fish above trip limits taken in non-EFP tows would be consistent with fishing activities of the fleet at large and will be estimated separately.

- Other species could be landed under current trip limit levels; however, it is not anticipated that the participating vessels will fish for groundfish other than pollock for the duration of the EFP. There is not expected to be any interactions with protected species (e.g., seabirds), ESA-listed species, nor marine mammals.

General

- Incidental catches of all groundfish (except spiny dogfish) in excess of the trip limit must be retained.

- H. For each vessel covered by the EFP, the approximate time(s) and place(s) fishing will take place, and the type, size, and amount of gear to be used:

The EFP will be valid in Pacific Ocean waters adjacent to Washington, outside three miles. Vessels must fish north of 46°16'00" north latitude for all of their fishing strategies during the months of the EFP.

Approximate time for the experimental fishery is August 1-October 31, 2004.
Total estimated duration of the EFP: This is year 2 of 2 (final year).

All vessels fishing under the authority of the EFP must:

- Carry a Washington Department of Fish and Wildlife-provided observer or a federal observer onboard all fishing trips. State-sponsored observers must successfully complete an observer training course that prepares them for collecting data with sampling protocols as defined in the NMFS West Coast Groundfish Observer Program manual. In addition, NMFS observer coverage requirements at 50 CFR 660.360 are independent of EFP observer requirements, so vessels that carry state-sponsored observers may also be required to carry a NMFS observer.
- Employ legal midwater trawl gear as defined in current federal regulations.
- Land all fish caught under the authority of the EFP into the State of Washington to a processor designated to participate in this program by the Washington

Department of Fish and Wildlife. In order for a processor to be able to participate in this program, it must hold a contract with the Washington Department of Fish and Wildlife and abide by the conditions listed in the contract. Failure to abide by the conditions in the contract will result in revocation of the contract by the Director of the Washington Department of Fish and Wildlife.

- Hold a contract with the Washington Department of Fish and Wildlife and abide by the conditions listed in the contract. Failure to abide by the conditions in the contract and/or to follow the provisions in the EFP will result in revocation of the contract by the Director of the Department of Fish and Wildlife. The Director of the Department of Fish and Wildlife may modify the terms of the contract based on the status of the stocks which are caught incidentally in the experimental fishery.

I. The signature of the applicant:

Washington Department of Fish and Wildlife

