

## GROUND FISH ADVISORY SUBPANEL STATEMENT ON PACIFIC WHITING MANAGEMENT

After discussion with the Groundfish Management Team (GMT), review of pertinent assessment documents, and receipt of comments from the public, including informal remarks from a representative of Canada's Department of Fisheries and Oceans, the Groundfish Advisory Subpanel (GAP) makes the following recommendations for management specifications for Pacific Whiting in 2005:

1. Establish a coastwide acceptable biological catch (ABC) based on an assessment modeling result using an assumption of a value of acoustic  $q=.8$  and a harvest rate of  $F_{40\%}$ .
2. Establish a U.S. total catch optimum yield (OY) using the same principles (estimated by the GMT as 316,904 mt).
3. Maintain the published "caps" on the 2005 whiting fishery **only** of 7.3 mt of canary rockfish and 231.8 mt of widow rockfish.
4. Allow the whiting fishery to proceed as normal using the existing fishing sector allocations and starting dates until either the OY is reached, or one of the two rockfish caps is reached, at which point the entire fishery will be closed.
5. Encourage fisheries participants to take all steps necessary to avoid incidental catch of non-whiting species, to voluntarily regulate incidental take of non-whiting species, and to establish an informal reporting system that provides as near as possible real-time information on incidental catch to fisheries managers.

### **SETTING THE ABC AND OY**

Scientific advice provided by the Scientific and Statistical Committee and the Pacific Whiting Stock Assessment Review Panel indicates that the value of acoustic "q" is bounded by values of 1 and .6, with neither likely to be the true value. This was the same advice provided in 2004 when the last full assessment and assessment review of Pacific whiting were undertaken. The Council did not need to make a choice of q values in 2004, as the U.S. OY level was already artificially constrained by the analysis of the whiting fishery provided under the National Environmental Policy Act. We now need to make a choice, at least for this year. For management purposes, it is logical to choose a value in between the bounds, which is  $q=.8$ . This same choice is being recommended by Canada's Department of Fisheries and Oceans in their analysis of the assessment results.

The agreement on Pacific Hake/Whiting between the U.S. and Canada calls for joint establishment of a coastwide ABC. That agreement also mandates the use of a harvest rate of  $F_{40\%}$  unless scientific advice indicates use of an alternative rate. Such scientific advice has not been forwarded to our two governments. Although the agreement has been signed by the U.S., but not ratified and implemented through domestic procedures, the U.S. has committed to

comply with the provisions of the agreement to the extent possible. Setting the ABC at the level recommended by the GAP is a scientifically sound decision and fulfills our commitment under the agreement.

The GAP notes that concerns have been expressed about future biomass predictions using the decision table provided in the whiting stock assessment. The Council should be aware that these predictions are largely based on a single year's result of the NMFS Southwest Fisheries Science Center juvenile survey. A companion survey conducted cooperatively by the NMFS Northwest Fisheries Science Center and the Pacific Whiting Conservation Cooperative yielded a different, higher value for that year (2003), due to an apparent northward movement of juvenile whiting. Because this year's assessment was an update assessment, the alternative value could not be considered, as it would have represented a new data source and a substantial change in the assessment model. In reality, the results from that single year using an alternative survey provide a much more optimistic view of the near future of the whiting biomass. Further, as noted in the GAP comments under Agenda Item F.3, trying to provide a 10-year biomass prediction for a species such as whiting with highly variable recruitment is an exercise in wishful thinking. We believe the Council can and should proceed with setting an ABC as we recommend.

#### **MAINTAINING BYCATCH CAPS**

There are many members of the GAP and the public who believe that setting caps for the entire whiting fishery is impractical, and realistic sub-caps should be set for each sub-sector of the fishery. There is also concern the caps on canary rockfish and widow rockfish that were set this year will somehow become fixed, and thus, not induce efforts to reduce bycatch. Nevertheless, the legal, analytical, and regulatory work necessary to change the caps this year or to convert them to sub-sector caps cannot be accomplished prior to the start of the whiting season in approximately three weeks. The GAP, therefore, believes the caps should stand, and the industry should find ways to stay within them. The GAP notes that in the 2004 fishery, in spite of the well-known "disaster tow" early in the year, the entire whiting fishery stayed within these numbers (see Agenda Item F.2.a, Supplemental NMFS Report, "2004 Pacific Whiting Fishery Summary, All Sectors").

#### **INDUSTRY EFFORTS**

The Pacific whiting fishery has for several years adopted voluntary measures to reduce or avoid bycatch, including a modern reporting system and observers in the at-sea sector; observers and real counts in the tribal sector; and a "penalty box," and more recently, a camera monitoring system to bolster shoreside sampling in the on-shore sector. Much of this is paid for by the industry itself. Informal discussions with major participants in the on-shore processing sector indicate that rapid reporting of bycatch could be accomplished if a regulatory entity could be identified to receive the reports. The GAP encourages establishing such a system. While we run the risk of a race for fish based on a desire to avoid a shut-down due to bycatch caps, existing industry practices, scheduling in conjunction with other fisheries, and the demonstrated ability to stay with the caps established all indicate that the risk will be minimal.

In sum, the GAP believes that its recommendations are both reasonable and scientifically sound. We urge the Council to adopt them