

REPORT ON JOINT STATE-FEDERAL DISCUSSION ON
WHITING FISHERY MONITORING AND MANAGEMENT, PARTICULARLY FOR THE
SHORE-BASED WHITING FISHERY

At its June 2006 meeting, under agenda item B.6., “Workload Priorities,” the Council asked that the three State agencies meet with the National Marine Fisheries Service (NMFS) over the summer to discuss next steps in a monitoring and management program for the shore-based whiting fishery. The Council also asked that the agencies discuss the analysis that would be needed to implement sector bycatch caps for overfished species and/or salmon taken in the three non-tribal sectors of the whiting fishery.

Technical staff from the State and Federal agencies met with each other via conference call on Monday, July 31, 2006. Technical staff then reported to and met with State and Federal agency policy staff on Wednesday, August 2, 2006. The agencies provide this report summarizing those meetings to provide background so that the Council may receive comments from its advisory bodies and the public to in support of Council guidance for moving forward on whiting fishery management.

SHORE-BASED WHITING SECTOR MONITORING AND MANAGEMENT

Need for and purpose of moving from exempted fishing permit (EFP) management to permanent regulations for the shorebased whiting fishery

The shore-based sector of the whiting fishery needs to have a catch accounting system in place to: accurately track Chinook salmon takes as required in the ESA section 7 Biological Opinion for Chinook salmon catch in the Pacific whiting fishery; provide catch data on species incidentally taken in the whiting fishery to meet the standardized reporting methodology defined by the Magnuson-Stevens Act; provide the opportunity to collect biological data on catch that would not otherwise be available if catch were sorted at sea; and create the regulatory structure necessary to efficiently manage the whiting fishery (for both the agencies and fishery participants) without an EFP.

Purpose of the moving forward with a new management regime for this fishery:

- Establish a program that benefits shore-based whiting sector participants by allowing the fishery to be prosecuted efficiently;
- Establish a program that benefits the whiting industry and buyers by allowing the whiting quality to be maintained throughout the harvesting and delivery process;
- Establish the framework for a program that minimizes discarding of catch to the extent practicable;
- Establish a standardized reporting methodology for the collection of accurate data from the shore-based whiting fishery;
- Establish a monitoring mechanism that is adequate to maintain the integrity of the maximized retention program.

TECHNICAL STAFF MEETING SUMMARY FOR SHORE-BASED WHITING MONITORING AND MANAGEMENT ISSUES

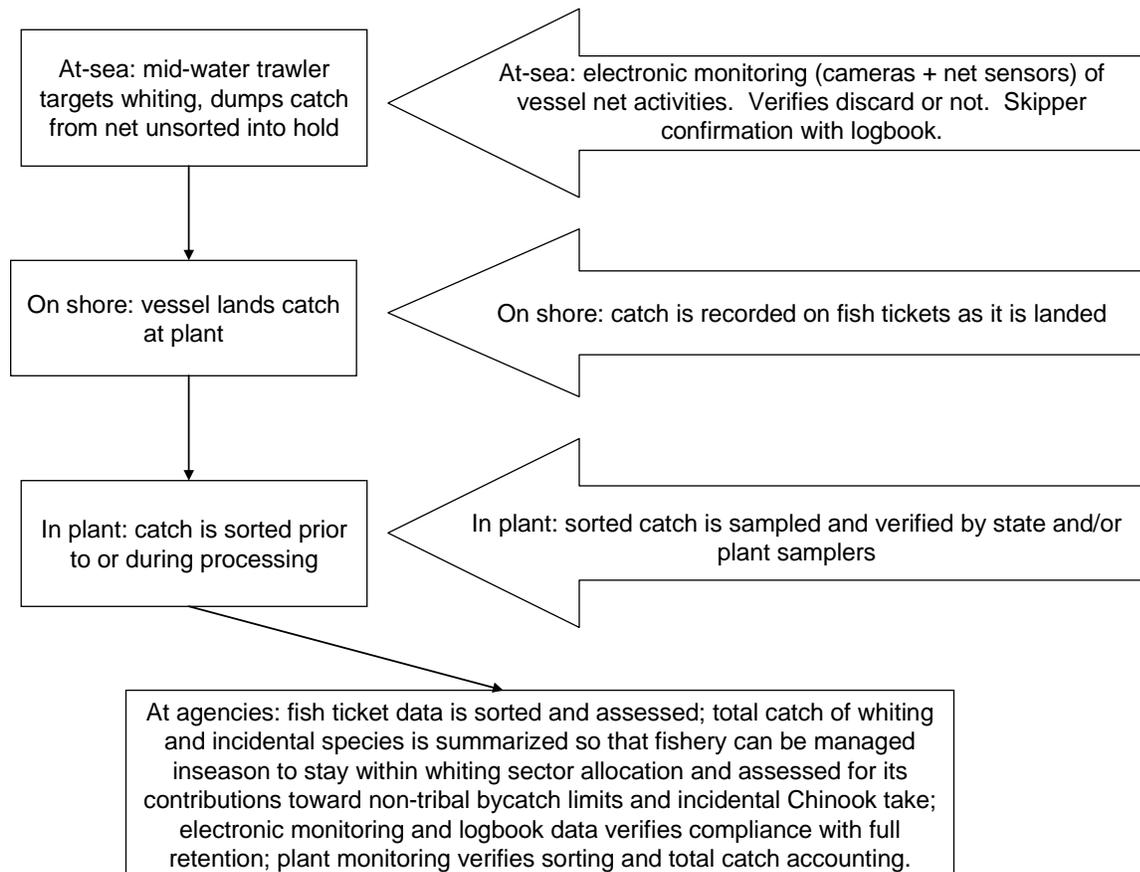
State and Federal agency staff met via conference call on July 31, 2006, to discuss procedures for and challenges with monitoring and assessing catch from the shore-based whiting sector after it is brought to shore. Call participants assumed that the fishery would continue to be managed as a maximized retention fishery – that is, as much catch as possible would be brought to shore, and would be landed unsorted. Maximized retention at sea would continue to be verified by approved monitoring mechanisms on the vessels.

Purpose of a monitoring program is the collection of data that is adequate to:

- Measure fleet-wide total catch by species (groundfish and protected species) over the length of the season.
- Measure total catch of target and bycatch species for tracking cumulative catch on a weekly basis throughout the season.
- Track catch and disposition of salmon

Possible Future Purpose of a monitoring program: Assess data and monitoring needs to support sector bycatch limits

Current data flow in shore-based whiting fishery:



Reporting needs for this fishery: The data reporting needs (timing and species-specific accounting) are greater in this fishery than in the non-whiting groundfish fishery because the management strategy for this fishery is more flexible than that used under the non-whiting groundfish fishery.

- Management under a bycatch limit regime allows fishery participants greater access to target species OY. Therefore, the monitoring needs associated with such a regime are more demanding if fishery is to be managed to stay under target quota and bycatch species limits.
- Management under a maximized retention regime allows fishery participants to land unsorted catch in a high-volume fishery without having tracked that catch prior to offloading. Therefore, the fishery has the potential to be a greater risk to Chinook salmon and overfished groundfish species, because it is permitted to operate within the Rockfish Conservation Area.

An on-shore sampling program needs performance standard recommendations from Council and its advisory bodies. What level of sampling/verification of reporting accuracy is expected if inseason fishery management staff is to ensure that the collective non-tribal whiting fisheries do not exceed overfished species bycatch limits, such as the 2006 fleetwide limit of 4.7 mt of canary? What level of sampling/reporting accuracy would be expected if inseason fishery management staff is to ensure that one of the sectors within the collective non-tribal whiting fisheries does not exceed overfished species for the sector – for example, less than 2 mt of canary?

Fish ticket system and the shore-based whiting fishery:

- Ensuring accurate and swift fish ticket reporting requires intensive port biologist work with and in the fish plants; PacFIN-style fish ticket data receiving not swift enough to manage this fishery
- ODFW runs a parallel database (to PacFIN) to track total catch from fish ticket data manually collected and submitted by three states at a speed that supports inseason quota monitoring
- Fish tickets subject to a more swift checking and verification system than in non-whiting fishery – states track issues and errors with plants at time of fish ticket receipt
- During primary season, fish ticket data collected on a weekly basis
- Sorting at the point of landing is required for fish ticket accuracy. California requires processing at the site of landing and defines processing as including cutting the fish, but may need to provide for whole fish markets. California and Washington have found that bycatch that went missing during sorting is later “found” during processing, and have had mixed results in getting catch information from processors when catch is processed off-site.
- Ideas to address current incentives for plants to under-report bycatch, or to delay fish ticket submission:
 - Certified weighmaster program, as in California herring fishery, where each plant would be required to have a trained and certified weighmaster on duty throughout every whiting landing, and that weighmaster would be responsible for verifying the accuracy of landings weights/numbers/species reported by plants.
 - Whiting processor permits that would come with obligations for participating in the fishery – timely and accurate fish ticket reporting, weighmaster program

participation, certain level of catch sampling (if done by processor,) recording to species (rather than market category) on a fish ticket, etc. If processors did not meet the stated performance measures in a given year, the permit would be subject to revocation.

- Hold back a portion of the sector allocation and assess compliance mid-season. Plants that have complied get access to that held-back portion; plants that have not complied, do not.
- Implement electronic fish ticketing for shore-based whiting fishery as a pilot program for West Coast electronic ticketing with priority for implementation at largest facilities first

Plant sampling in the shore-based whiting fishery:

- In California and Washington, in-plant samplers are state employees; in Oregon, in-plant samplers are plant employees, with some monitoring by state personnel
- Sampling rates vary by plant in two ways:
 - The number of deliveries sampled out of total deliveries received at a plant varies between plants
 - Of the deliveries sampled, the percentage of the weight sampled in each delivery also varies between plants and between deliveries
- Different plants see different incentives to either sample themselves or to facilitate state sampling – some see incentives to prove that they're clean, others see incentives to hide incidental catch
- Inconsistent training of state/plant samplers and across states
- Regulations dealing with plant sampling need to ensure that plant samplers have access to the catch, as well as time and space (sorting table) to sample the catch

POLICY STAFF MEETING ISSUES FOR COUNCIL CONSIDERATION ON SHORE-BASED WHITING MONITORING AND MANAGEMENT

- EFP has still not been managed as the fishery would be if regulations were in place; need to review draft regulation in Council process so that 2007 EFP can be managed under structure as similar to anticipated regulations as possible.
- Electronic monitoring funding, both for camera placements and maintenance and for data evaluation, has come from NMFS temporary funds for bycatch-minimization experiments. Funding for permanent regulatory program uncertain.
- Some in-plant monitoring and inseason catch data assessment has come from State temporary funds. Funding for ongoing program management uncertain.
- Logbooks need to be evaluated for their applicability to this fishery. May need to design logbook specific to shore-based whiting fishery, rather than trying to use the multi-species bottom trawl logbook. Would logbook and resulting data be State or Federal? Paper or electronic?
- Current and long-term adequacy of port biologist coverage in all three states is a concern for management of all fisheries, including the shore-based whiting fishery. Port biologist program has been level-funded for several years, while program costs have increased, ultimately resulting in fewer port biologists in fewer ports. Should Council request that

Pacific States Marine Fisheries Commission evaluate the adequacy of port biologist coverage to address fishery management needs?

- If this fishery were transitioned to regulations, aligning State regulations with each other would be challenging because of the different in-state processes and requirements. Optimally, most regulatory requirements would be Federal, so that states could adopt through in-place concurring processes. May need to consider how to get issues currently addressed in state-processor agreements addressed in Federal regulations.

POLICY & TECHNICAL STAFF MEETING ISSUES FOR COUNCIL CONSIDERATION ON SECTOR-SPECIFIC BYCATCH LIMITS FOR ALL NON-TRIBAL WHITING SECTORS (CATCHER/PROCESSOR; MOTHERSHIP; SHORE-BASED)

Sampling Summary for Three Whiting Sectors

- Catcher/processor sector: industry pays for two third-party (non-government, non-industry) observers on each vessel; approximately 50% of all catch, by weight, is sampled.
- Mothership sector: industry pays for two third-party observers, who sample all of the catch that is processed; data gap on whether catcherboats delivering to motherships are maximizing their catch retention, so need monitoring mechanism for catcherboat operation. On an annual basis, about half of the catcherboats that deliver to the shore-based plants also deliver to motherships during that sector's fishery.
- Shore-based sector: industry-employed samplers combined with state samplers; sampling rates vary between plants and, within each plant, between deliveries.

Issues to Consider in Developing Sector-Specific Bycatch Limit Program

- Sampling protocols under sector-specific limits would have to be designed to achieve greater precision and accuracy, since we would have to find/count/estimate smaller quantities of bycatch species.
- Bycatch estimates for particular species tend to be less precise when those species are a small proportion of total catch (low bycatch rates within a high-volume fishery) – as with salmon or overfished species taken in the whiting fishery. Need to provide Council and SSC with analysis of desired precision of estimates of total catch, overfished species catch, and salmon catch to better understand how to structure monitoring for sector-specific bycatch limits.
- The cost of data collection rises with increased monitoring. Need to know what the tradeoffs are between costs of increased monitoring and precision needs for fleetwide and sector limits
- If you set sector-specific bycatch limits, would you base those limits on:
 - A proportion of the bycatch species equal to the proportional allocation of whiting, so that if a sector gets 40% of whiting, it gets 40% of canary? This could end up distributing bycatch species quantities to sectors that may or may not need those quantities.
 - OR, a historical look at bycatch species taken in each sector? This could end up “punishing” the sector with the best bycatch record by giving them the lowest bycatch limits. Different sectors have different historical sampling rates, and different associated sampling accuracy.

- OR, some other method?
- Alaska Pollock CDQ fishery has bycatch limits – sampling rates there might provide an example of how to address sampling rates for sector-specific limits in whiting fishery.
- Whiting fishery has varied in the past in terms of which bycatch species are problematic in any one year, and in terms of which sector has problematic bycatch rates in any one year. Sector-specific bycatch rates would eliminate the flexibility of moving available bycatch between sectors

2007 EXEMPTED FISHING PERMIT

The EFP program for 2007 should be designed so that its requirements are as close as possible to the regulations that would need to be in place to manage this fishery under long-term Federal regulations, rather than through an annually-issued EFP. The EFP program for the shore-based whiting fishery includes the EFP itself, which is a permit issued by NMFS to participating vessels, state agreements with participating vessels, state agreements with fish processors, and state and federal fishery monitoring. In other words, NMFS requirements affect vessel activities at sea and until the point of landing, and state requirements affect vessel activities from the point of landing and affect processor activities. Depending on guidance from the Council, the 2007 EFP itself may need to include technical protocols for electronic monitoring equipment, logbook requirements specific to this fishery, and a constraint on yellowtail rockfish bycatch, as it applies to vessels (converting the “penalty box” restrictions.) The states and NMFS will also need to work with industry to evaluate funding for these programs and to evaluate on shore processes so that fish tickets are delivered on a more regular and frequent basis, and on a consistent basis from plant to plant.

July 31, 2006 agency technical call participants:

California Department of Fish & Game: Susan Ashcraft, Mike Fukushima

Oregon Department of Fish & Wildlife: Steve Parker, Mark Saelens (Patty Burke, Gway Kirchner, and Maggie Sommer attended as policy staff, but did not participate)

Washington Department of fish & Wildlife: Brian Culver

National Marine Fisheries Service: Gretchen Arentzen, Elizabeth Clarke, Jonathan Cusick, Yvonne deReynier (facilitating,) Becky Renko

August 2, 2006 agency policy-technical call participants:

California Department of Fish & Game: Susan Ashcraft, Marija Vojkovich

Oregon Department of Fish & Wildlife: Patty Burke, Gway Kirchner, Curt Melcher, Mark Saelens, Maggie Sommer

Washington Department of fish & Wildlife: Phil Anderson, Brian Culver

National Marine Fisheries Service: Gretchen Arentzen, Elizabeth Clarke, Jonathan Cusick, Yvonne deReynier, Frank Lockhart (facilitating,) Becky Renko