

DRAFT # 2
WASHINGTON DEPARTMENT OF FISH AND WILDLIFE REPORT ON
AMENDMENT 15 AMERICAN FISHERIES ACT

With regard to the Council's preliminary action in March 2007 to address the potential adverse impacts to the Pacific whiting fishery resulting from new entrants, the Washington Department of Fish and Wildlife still believes that adopting measures that limit participation should be done through a full rule-making process and that a reasonable range of alternatives needs to be considered and fully analyzed.

Before the Council decides to move forward with Amendment 15, we need a thorough understanding of the implementation timeline for the amendment, the scope and timeline for the Trawl Rationalization Program, and the ability to extend an emergency rule (if approved by the National Marine Fisheries Service) to cover the 2008 season.

While we acknowledge the responsibility of the Council to develop conservation and management measures to protect West Coast groundfish fisheries from potential harm caused by the American Fisheries Act (AFA), we also recognize that there could be harm to the Pacific whiting fishery resulting from increased effort by non-AFA qualified vessels. To the extent that measures can be developed to address both of these issues (i.e., AFA-qualified participants entering West Coast groundfish fisheries—whiting and non-whiting—and non-AFA-qualified vessels entering the whiting fishery) we believe the Trawl Rationalization Program is the best mechanism to address these issues.

We are also concerned that initiating a new process, or resurrecting an old one, may interfere with the Council's ability to complete the development of a Trawl Rationalization Program within the two-year timeframe prescribed by Congress. Again, to the extent that the issues associated with AFA-qualified vessels can be addressed through the Trawl Rationalization Program without causing a delay in the timeline for that effort, we would advocate using that avenue, rather than beginning a new process to address Amendment 15.

With respect to the draft alternatives that were considered by the Council in 2001, and the proposed alternatives presented by the Oregon Department of Fish and Wildlife (ODFW) in Agenda Item E.3.b, ODFW Report, we propose adding another alternative.

When considering actions to limit participation, we strongly believe that the range of alternatives needs to include allowing the continued participation by vessels that have participated to date. This would provide for a comprehensive analysis of the impacts on those participants that would be affected by the different alternatives, and the ability to thoroughly see the effects of each alternative when compared to one another. To that end, we propose including the following alternative in the suite of alternatives adopted for public review and analysis:

- 2.a. Prohibit participation in the shoreside, catcher/processor, and mothership sectors of the Pacific whiting fishery by AFA-qualified vessels that do not have a historic participation record in those sectors prior to 2007 (i.e., participation in the shorebased, catcher-processor, or mothership sector by December 31, 2006).