

ENFORCEMENT CONSULTANTS REPORT ON CONSIDERATION OF INSEASON ADJUSTMENTS

The Enforcement Consultants (EC) would like to take the opportunity to provide information to the Council and explain the decisions made concerning the closure of the shore-based sector of the whiting trawl fishery.

During the 2008 season, approximately fifteen self reported discard events occurred that were in violation of the 'maximum retention and monitoring exemption program' section of the exempted fishing permit (EFP). The terms and conditions of this EFP section stipulates, "Discard that results when more catch is taken than is necessary to fill the hold, is within the control of the vessel operator and would continue to be prohibited." Vessels are required to report these discard events and cease fishing.

Catch estimates for shore-based sector vessels were derived from three sources: electronic fishticket submissions, catch monitoring information, and an estimated bycatch rate applied to the self-reported discard events. The fisheries managers applied an extrapolated bycatch rate to the self reported discard amounts which was added to the documented shoreside landings and the projection indicated the canary rockfish by catch limit had been reached.

All but one of the self-reported discard events involved second tows where the vessels filled their holds and could not hold the remaining fish on the deck. The vessel operators reported estimated quantities of dumped fish ranging from 5,000 to 35,000 pounds. The dumping events are being investigated by NOAA Enforcement. Additional information has revealed possible electronic monitoring irregularities during fishing trips that may have concealed other illegal discard events. The electronic monitoring system data and video is currently being reviewed by Archipelago and NOAA Enforcement. All illegal discarding events will be investigated and violations submitted for prosecution.

The monitoring of the Pacific whiting primary season shore-based sector during 2008 appears to have improved catch accounting. The EFP terms and conditions were successful in reducing excessive discards. The continued fine tuning of electronic monitoring systems, a strong enforcement presence, and the catch monitoring program requirements should improve compliance in this fishery.

PFMC
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