

** Natural Resources Defense Council ** The Ocean Conservancy **
** Oceana ** Pacific Marine Conservation Council **

April 2, 2004

Mr. Don Hansen, Chair
Pacific Fishery Management Council
7700 NE Ambassador Place NE, Suite 200
Portland, OR 97220-1384

Re: Agenda Item C.13: Bycatch Environmental Impact Statement (EIS)

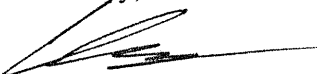
Dear Mr. Hansen:

Please find enclosed a draft proposal for counting and minimizing bycatch in the Pacific groundfish fishery. This draft proposal is a modification of Alternative 4 in the Groundfish Bycatch Environmental Impact Statement (EIS) issued by NOAA Fisheries in February 2004. We ask that the Pacific Fishery Management Council (PFMC) recommend that NOAA Fisheries analyze this modification of Alternative 4 in the final EIS. Furthermore, we ask that the PFMC adopt this option as its preferred alternative.

This proposed alternative (we'll call it 4b) combines sector caps with continued use of spatial management to minimize bycatch. It provides incentives, in the form of a higher trip limit provided from a reserved portion of the optimum yield, to fishermen who want individual caps and will fund their own observer coverage. Furthermore, the proposal details a standardized reporting methodology to assess the amount and type of bycatch in the fishery.

Our proposal focuses on an effective alternative that provides accountability and that can be readily implemented. We thank the PFMC for considering our request and would be happy to answer any questions about our proposal.

Sincerely,



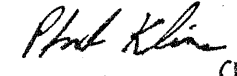
Chris Dorsett
The Ocean Conservancy



Karen Garrison
Natural Resources Defense Council



Peter Huhtala
Pacific Marine Conservation Council



Phil Kline
Oceana

Attachment

Draft Proposal for Counting and Minimizing Bycatch in the West Coast Groundfish Fishery

March 31, 2004

This proposal to count and minimize bycatch relies on enhanced bycatch observation in the groundfish fishery, the use of bycatch caps for sectors of the groundfish fishery, and the continued use of spatial management to reduce bycatch. The sectors referred to in this document match those currently used in the Council's "bycatch scorecard" and can be further subdivided by area. We propose that a statistically adequate reporting methodology to assess the amount and type of bycatch occurring in each fishery be established using the criteria contained in "Evaluating Bycatch: A National Approach to Standardized Bycatch Monitoring Programs" (Powers Report) and "How Much Observer Coverage is Enough to Adequately Estimate Bycatch" (Pikitch report). Implementation will be phased in over time based on a ranking of need and feasibility consistent with these reports.

Proposed Alternative to Minimize Bycatch in the Groundfish Fishery

The proposed alternative is a modification of Alternative 4 in the Bycatch EIS. This proposed alternative would combine sector caps with continued use of spatial management to minimize bycatch. The groundfish fishery will initially be subdivided into the sectors defined by gear type (limited entry trawl, fixed gear, etc), as used in the bycatch scorecard (attached). These sectors may be further subdivided by the Cape Mendocino line (40-10) into North and South components and by the RCA, into fishing zones seaward and landward of the RCA. Vessel operators who want to fish both seaward and landward of the RCA must provide proof of past fishing in both of these areas using catch history for that vessel over the past three years. Upon further analysis, these sectors may be further subdivided into geographical areas to fit area-based management initiatives.

Caps on total mortality of each overfished species will be established for each sector, and a sector will be closed to fishing upon attainment of any of these caps. Additional management measures will be employed to ensure that the total mortality of every managed species stays within its OY.

Boats from within a sector can opt out of the sector cap, thereby preserving the opportunity to continue fishing if their sector is shut down, by meeting some established criteria such as funding 100% observer coverage for one's vessel. Upon opting out, a commercial vessel would get individual bycatch caps and incentives such as higher trip limits from a reserved portion of target species OY. This cap would be deducted from that of the vessel's sector. Vessels that opt out of sector allocations can form collectives to pool bycatch quotas amongst collective members. The entire collective is prohibited from further fishing once a collective bycatch cap is met.

Furthermore, vessels are permitted to switch to another sector by changing gear type. Similar to those vessels that opt for individual bycatch caps, bycatch cap amounts will transfer with the vessel to the new sector.

The initial bycatch caps will be for those species identified on the bycatch scorecard (bocaccio, canary rockfish, etc.), and the most current bycatch scorecard will be used to apportion the OY of each species among the sectors. The Council will review bycatch rates for other managed species not contained on the bycatch scorecard. If bycatch rates for these species are higher than an established threshold, a bycatch cap will be set for those species, and gradually reduced over time. As OY levels increase for the capped species, the increase beyond what may be needed as a buffer will be allocated to operators with the lowest bycatch rates among those with individual caps, and through other means that provide incentives for bycatch reduction individually, by sector and within collectives.

For species without set OYs (for example, unassessed species), information will be collected through a standardized reporting methodology for bycatch. After a to-be-determined time period of data collection, a bycatch cap will be established for individual species or species groups if bycatch of any unmanaged species is found to increase or decrease by 10% or more relative to the previous year. After a set number of years (e.g. five) after establishment of a bycatch cap, bycatch would be reduced by some set percentage (10%, for example) per time period through reductions in the caps, while providing incentives for those most successful at avoiding bycatch. In the interim, bycatch of unassessed and other species will be minimized by use of the RCA and additional spatial management measures as needed (for example, on the slope).

Establishing a Standardized Reporting Methodology for Bycatch

A bycatch reporting methodology will be established consistent with the criteria in the Powers and Pikitch reports. Groundfish fishing sectors will be analyzed consistent with these reports within the following categories: status of current reporting methodologies and bycatch interaction (fish, endangered animals and marine mammals). The sectors will then be ranked within the two categories. After consultation with appropriate NMFS and PSMFC staff, decisions will be made as to which sectors should be considered priorities for an enhanced reporting methodology. A timeline will be developed for establishment of this reporting methodology for each sector.

Reference Documents

Powers report: http://www.nmfs.noaa.gov/by_catch/EvalBycatch.pdf

Bycatch EIS: <http://www.pcouncil.org/groundfish/gfbdpeis.html>

Pikitch report: <http://www.oceana.org/uploads/BabcockPikitchGray2003FinalReport.pdf>