

## AMENDMENT 18 (BYCATCH)

At their August meeting, the Groundfish Management Team (GMT) received a presentation on the work plan and draft management measures to implement Amendment 18 (Bycatch Mitigation Program) from Dr. Kit Dahl of the Council staff and Ms. Yvonne deReynier of National Marine Fisheries Service (NMFS). The GMT applauds the work that has been undertaken with regard to this task and continues to offer its support in moving forward with accounting for bycatch and reducing it wherever practicable.

The Council has developed a number of sophisticated fishery management tools, such as the trawl bycatch model, the bycatch scorecard, and most recently bycatch limits. To move to the use of more even sophisticated management tools will require more sophisticated monitoring tools. The precision of current groundfish catch monitoring tools is only adequate for the real-time monitoring and reporting of the at-sea whiting sectors. Consequently, using management tools that rely on real-time reporting, as provided in Amendment 18, may further compromise our ability to monitor total catches and to model behavior resulting from regulatory changes. Given the current groundfish monitoring program's accuracy and timeliness, management tools that rely on real-time data reports are not feasible without a significant augmentation of data programs. In short, the GMT believes the precision goals of our management have moved beyond our monitoring capabilities.

### Amendatory Language:

The GMT offers the following comments on the draft amendatory language:

#### Section 6.4.1.1 Monitoring Total Catch At Sea - Observer and Electronic Monitoring Programs:

The document appears to posit the use of electronic monitoring (EM) programs as a feasible alternative to human observer programs. EM has been applied for a variety of fishery information needs including: fishing time and location; gear deployment and retrieval methods; catch and by-catch handling; and effort monitoring. One of the goals of the 2004 and 2005 shore-based whiting exempted fishing permit (EFP) is to determine the utility of EM in verifying retention and quantifying discard. Data from these projects suggest that EM is useful for documenting the occurrence of retention and discard, but whether or not EM can be used to quantify retention and discard is still being evaluated. Data from the whiting EFP suggests that it is unlikely, at least for trawl fisheries, that EM could provide the type of species composition information required for most of the management alternatives being considered in the draft amendment. EM technology may be an option for collecting species composition information for longline fisheries, provided the technology is made cost effective. It would be informative to have specific uses and limitations of EM more clearly articulated in the document. Identifying where an observer program would be necessary to supply the level of detail required for different management options as early as possible would help channel our limited management resources. Therefore, the GMT also recommends revising Section 6.4.1.1 to remove the sentence that reads, "An observer program will be considered only for circumstances where other data collection methods are deemed insufficient for management of the fishery."

The GMT identified that Sector-specific and Vessel-specific Total Catch Limit Programs (Section 6.5.3.2) are measures that would require detailed total catch information that are

possible only through observer programs. Landings information alone (fish tickets) is not sufficient to monitor either sector-specific or vessel-specific total catch limits. For example, the GMT has concerns about the ability to manage the whiting sector bycatch limit when catch information for the shore-based sector is based solely on a paper-based fish ticketing system. The GMT is concerned about the inadequacy of a paper-based fish ticketing system to provide timely and precise catch information, but notes that neither the States nor NMFS have adequate funding to implement a coastwide electronic fish ticketing system. Further, the GMT believes that the level of resolution of total catch provided by current monitoring efforts, including the West Coast Groundfish Observer Program (WCGOP) is probably insufficient to monitor and respond inseason to sector specific limits for some species and/or sectors. Based on the experience of other fisheries management programs around the world, vessel-specific total catch limits would likely require full observer coverage and real time communication from the vessel and a larger shore-based staff to process and quality control the data. The observer coverage in the at-sea whiting fishery is an example of observer coverage that the GMT believes is adequate to monitor sector-specific and/or vessel-specific total catch limits. The GMT discussed at some length whether using observers to monitor compliance with either sector, or with vessel-specific total catch limits, is even possible within the provisions of the Magnuson-Stevens Fishery Conservation and Management Act, the Groundfish Fishery Management Plan, or the structure of the WCGOP. This issue has previously arisen during Council deliberations on EFP programs. The GMT believes that catch monitoring through observer programs will be a necessary and integral part not only of total catch limit programs, but also of limited access measures such as the Trawl Individual Quota (TIQ) program currently under development. If there are legal impediments to this type of observer monitoring, then that issue should be elevated and addressed in the development of both programs. The GMT recommends that the FMP be revised via Amendment 18 to explicitly allow the use of observers for real-time catch monitoring programs.

Given the above issues, the GMT recommends that the Amendment 18 amendatory language that goes out for public review following this Council meeting be revised so that the second through fourth paragraphs of Section 6.4.1.1 reads as follows (revisions to current draft language shown in underline/strikeout):

All fishing vessels operating in this management unit, which includes catcher/processors, at-sea processors and those vessels that directly or incidentally harvest groundfish in the waters off Washington, Oregon, and California ~~area and land in another area~~, may be required to accommodate an observer or electronic-monitoring system for the purpose of collecting scientific data or verifying catch landings and discard estimates used for scientific data collection. These vessels may also be required to accommodate an observer or electronic-monitoring system for the purpose of estimating total catch inseason to implement a sector- or vessel-specific total catch limit program. ~~An observer program will be considered only for circumstances where other data collection methods are deemed insufficient for management of the fishery.~~ Implementation of any observer ~~program~~ or electronic monitoring program will be in accordance with appropriate federal procedures . . .

The Regional Administrator will implement an observer program through a Council-approved federal regulatory framework. Details of how observer coverage will be distributed across the West Coast groundfish fleets will be described in an observer coverage plan that is appropriate to the purpose of the particular observer program goals.

An observer coverage plan designed for a scientific data collection program will likely be different from an observer coverage plan designed for a sector- or vessel-specific total catch monitoring program. NMFS will publish . . .

Electronic monitoring is an automated alternative to some human data collection systems. Electronic monitoring equipment ~~may~~ can provide accurate, timely, and verifiable information on some elements of fishing operations ~~fisheries data~~ at a lower cost than that provided by an at-sea observer. Electronic monitoring is an integrated assortment . . .

Implementation Workplan:

The GMT offers the following comments on the draft workplan:

The workplan detailing the implementation of Amendment 18 specifies interim sector total catch limits that will be evaluated as part of the 2007-2008 harvest specifications EIS and rulemaking. The GMT supports the implementation of this program; however, the GMT believes that the current monitoring programs are not sufficient to monitor harvest against sector total catch limits, and it is our understanding that the necessary enhancements to these monitoring programs will likely be costly and will not be in place in 2007-2008. Further, the identification and analyses of management measures for the 2007-2008 specifications process begins in November 2005, and the GMT is not prepared to develop sector total catch limits over the next six weeks. Issues such as intersector allocations, allocation responsiveness to new stock assessment results, and overage accounting require policy guidance from the Council in advance of the GMT's October meeting. Other issues, such as accurate and timely monitoring of groundfish catches in the different sectors, will require a significant revamping and upgrading of current monitoring programs. It is the recommendation of the GMT that sector total catch limits be implemented following the approval of the Intersector-Allocation EIS and development of appropriate monitoring programs. For the interim, however, a total catch limit program applied to a sub-sector, such as a target-strategy subsector, could serve as a pilot program in 2007-2008, to evaluate the capabilities and constraints in our current program structure in preparation for eventual broader implementation. Pending available resources, this could be built onto the existing shoreside whiting EFP already under consideration for observer and electronic monitoring comparison. Another option might be use of new electronic monitoring technology, such as that used in Alaska, in a subsector of the longline fishery, particularly if coupled with industry incentives such as access to otherwise closed areas.

GMT recommendations:

1. Adopt for public review the proposed Amendment 18 language with GMT revisions to Section 6.4.1.1.
2. Modify workplan to reflect GMT concerns over Amendment 18 implementation and adopt for public review.
3. Identify sub-sectors that may be used for a pilot program in 2007-2008.

PFMC

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