

## AMENDMENT 18 (BYCATCH)

The National Marine Fisheries Service (NMFS) published the Pacific Coast Groundfish Fishery Management Plan Bycatch Mitigation Program Final Environmental Impact Statement (Bycatch Mitigation Program FEIS) in September 2004, containing the Council's preferred alternative for this action. At their November 2004 meeting, the Council reviewed the substance of the preferred alternative and directed Council and NMFS staff to prepare preliminary drafts of (1) amendatory language to implement the bycatch program (Amendment 18) and (2) a work plan for implementing the management measures described in the preferred alternative.

As discussed at the November 2004 meeting, in addition to incorporating material related to the Bycatch Mitigation Program FEIS into the fishery management plan (FMP), the FMP would be updated to better reflect the current management framework. At the March 2005 meeting the Council reviewed a preliminary draft of the amendatory language and preliminary draft work plan and provided guidance to staff for further revision. In addition to incorporating the bycatch mitigation measures described in the preferred alternative, the FMP has been reorganized and updated. In particular, Chapter 6 (Management Measures) is substantially reorganized with material from Chapter 9 (Restrictions on other Fisheries) and Chapter 11 (Management Measures That Continue In Effect with Implementation of Amendment 4) incorporated into it. Section 6.6 (Essential Fish Habitat) is split off into a new chapter (Chapter 7).

Currently Amendment 18, addressing bycatch, and Amendment 19, addressing essential fish habitat (EFH), are on the same timeline. Because of this and the fact that there is substantial overlap between the parts of the FMP these two amendments address, a combined document, incorporating both Amendment 18 and Amendment 19 changes, is provided.

Attachment 1 is the draft amendatory language; pages ii through vii contain detailed information explaining and guiding the reader through the proposed changes. Key sections addressing bycatch mitigation measures from the bycatch FEIS include:

- Section 2.1, Goals and Objectives for Managing the Pacific Coast Groundfish Fishery: modification of Goal 3 and Objectives 8, 9, and 12.
- Section 2.2, Operational Definition of Terms: definition of a total catch limit.
- Section 6.4, Standardized Total Catch Reporting and Compliance Monitoring Program.
- Section 6.5, Bycatch Mitigation Program.

Other sections of Chapter 6, describing procedures for establishing and adjusting management measures (Section 6.2) and the range of measures available to the Council (Section 6.6–6.9), have broad applicability and thus may also apply to bycatch mitigation.

Attachment 2 is the draft work plan, incorporating recommendations made by the Council at the March 2005 meeting. Subject to any further recommendations, this document will help the Council plan future bycatch mitigation activities and inform the public about the Council's intentions.

At this meeting, the Council should recommend desired changes to the draft amendment language and approve the draft for public review. The revised amendment language would be brought back before the Council in November 2005 for final action. Then, subject to Council approval, it will be submitted to NMFS for review and Secretarial approval, with a final response expected by early 2006. (The Bycatch Mitigation Program FEIS satisfies National Environmental Policy Act requirements for this action.)

The Council should also consider a similar process for the draft work plan (Attachment 2). At this meeting the Council would recommend changes to the draft and then approve it for public review. Then, at the November meeting, the Council would finalize any guidance with respect to those elements of the work plan applicable to the 2007-2008 groundfish harvest specifications and management measures and, as necessary, task its advisory committees (particularly the Groundfish Allocation Committee) to further develop specific elements necessary for implementation.

### **Council Action:**

#### **Adopt Fishery Management Plan (FMP) Text and Regulatory Recommendations for Public Review.**

#### **Reference Materials:**

1. Agenda Item F.3.a, Attachment 1: Draft Amendment 18 (Bycatch Mitigation Program) and Amendment 19 (Essential Fish Habitat) to the Pacific Coast Groundfish Fishery Management Plan.
2. Agenda Item F.3.a, Attachment 2: Draft Groundfish Bycatch Mitigation Work Plan.

#### **Agenda Order:**

- a. Agenda Item Overview Kit Dahl
- b. Reports and Comments of Advisory Bodies
- c. Public Comment
- d. **Council Action:** Adopt FMP Text and Regulatory Recommendations for Public Review

PFMC  
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