

## Magnuson-Stevens Act FMP requirements on bycatch:

“establish a standardized reporting methodology to assess the amount and type of bycatch occurring in the fishery, and include conservation and management measures that, **to the extent practicable** and in the following priority – (A) minimize bycatch; and (B) minimize the mortality of bycatch which cannot be avoided.” .” 16 U.S.C. 1853(a)(11)

## What does “practicable” mean??

- No federal regulatory definition
- A few of the NMFS Regions have tried to define the term for their bycatch and EFH FMP amendments
- National Standard 9 (bycatch) guidelines require certain issues to be considered when looking at practicability.

# New England's Northeast Multispecies FMP

“Practicable” means “reasonable and capable of being done in light of technology and economic considerations.”

Amendment 18 is intended to not only bring tools into the FMP that the Council now uses and considers to be practicable, but which may become practicable at some future time given improved technology and economic considerations.

## Draft Practicability Analysis Contents

Consideration of practicability of reducing bycatch under Amendment 18 using National Standard 9's ten factors. The first four factors are biological issues:

- population effects for the bycatch species;
- ecological effects due to changes in the bycatch of that species (effects on other species in the ecosystem);
- changes in the bycatch of other species of fish and the resulting population and ecosystem effects;
- effects on marine mammals and birds;

# Draft Practicability Analysis Contents

The final six factors are socio-economic issues (IFQ used as example for discussion purposes):

- changes in fishing, processing, disposal, and marketing costs;
- changes in fishing practices and behavior of fishermen;
- changes in research, administration, and enforcement costs and management effectiveness;
- changes in the economic, social, or cultural value of fishing activities and non-consumptive uses of fishery resources;
- changes in the distribution of benefits and costs;
- social effects.

# Draft Practicability Analysis Contents -- Available Technology and Economic Considerations

Practicability – Funding implications for catch and bycatch monitoring programs (Table 1)

Practicability – Revenue and income perspectives under current overfished species rebuilding regime and potential future revenues

Discussion tables with monitoring tool and enforcement costs (Tables 2-5)

## Four Management Scenarios (See Table 2, p 32):

1. Status quo – costs associated with 2005 regulations
2. Sector bycatch caps – 100% observer coverage for LE trawl, SeaState-type services extended to shore-based whiting and limited entry trawl nonwhiting
3. IFQs – 100% observer coverage for LE trawl, transferability, no change in vessel numbers as a result of consolidation
4. IFQs with restrictions – same as #3, **and includes** restrictions on when vessels may participate in the fishery