

AMENDMENT 18 (BYCATCH) AND WORK PLAN PRACTIBILITY ANALYSIS

The National Marine Fisheries Service (NMFS) published the Pacific Coast Groundfish Fishery Management Plan (FMP) 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 September 2005 meeting, the Council reviewed a draft amendment package and directed staff to revise Objective 9 in Chapter 2 of the FMP and to incorporate the changes to Section 6.4.1.1 proposed by the Groundfish Management Team (GMT), as described in their supplemental report. Staff has also made some non-substantive editorial changes. They approved the modified text for release as a public review draft, which was made available as an electronic document on the Council's website on September 27, 2005, and is included here as Attachment 1.

As noted at the September meeting, 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.

The Council's task is to review the portions of the public review draft relevant to Amendment 18 and take final action to approve the text with any additional changes. The amendment package, with any revisions, will then be submitted to NMFS for the Secretarial review process described in §304(a) of the Magnuson-Stevens Act. If approved, the text will then be incorporated into the groundfish FMP.

At the September meeting the Council also reviewed a draft work plan, which is intended to help the Council plan future bycatch mitigation activities and inform the public about the Council's intentions. In their report at the September meeting, the GMT did not recommend implementing the elements of the work plan proposing sector total catch limits as part of the 2007-2008 groundfish harvest specifications and management measures process. (Attachment 2 excerpts the section of the work plan containing these proposals.) Instead, they recommended "a total catch limit program applied to a sub-sector, such as a target-strategy sub-sector, 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." One of the reasons the GMT did not recommend sector total catch limits at this time is because they believe current monitoring programs are not sufficient to monitor harvest against sector total catch limits, and the necessary program enhancements will not occur for the 2007-2008 cycle.

The Council may wish to discuss the future disposition of the work plan. The document provided at the September meeting was labeled draft, and no revisions have been made, pending Council direction on this matter. It should be noted that the work plan also discusses other action items for future years, such as implementing vessel-specific total catch limits.

For its Amendment 18 review process, NMFS Northwest Region is preparing a practicability analysis to address the Magnuson-Stevens Act National Standard 9 guidelines. The

practicability analysis is intended to provide background on the use of the term “practicable” in assessing bycatch minimization measures and a broad view of the practicability of some of the bycatch minimization measures envisioned in Amendment 18. NMFS plans to provide a draft of this practicability analysis as a supplemental document for this agenda item.

Council Action:

- 1. Adopt Final FMP Text.**
- 2. Review Work Plan and Identify Work Plan Elements to be Implemented Through the 2007-2008 Groundfish Harvest Specifications and Management Measures Process.**
- 3. Review and Comment on Practicability Analysis.**

Reference Materials:

1. Agenda Item H.6.a, Attachment 1: Public Review Draft Amendment 18 (Bycatch Mitigation Program) and Amendment 19 (Essential Fish Habitat) to the Pacific Coast Groundfish Fishery Management Plan.
2. Agenda Item H.6.a, Attachment 2: Draft Work Plan Excerpt.

Agenda Order:

- a. Agenda Item Overview Kit Dahl
- b. Reports and Comments of Advisory Bodies
- c. Public Comment
- d. Council Action: Adopt Final FMP Text and Review Work Plan Practicability Analysis.

PFMC
10/12/05