

Draft Revisions to Tracking and Monitoring Program Alternatives.

Description of the Proposed Action (3/11/08 draft)

The proposed action is to develop a tracking and monitoring program for managing the catch of groundfish relative to allocations made to individuals or groups (Co-ops) as part of a rationalization program being proposed for the Pacific Coast groundfish limited entry trawl fishery. The proposed tracking and monitoring programs are intended to provide the information needed to meet the Magnuson-Stevens Act requirements; to encourage a high level of compliance with the provisions of the rationalization program; to allow participating businesses flexibility that will allow for efficient operations; and, to allow the fishery to be operated in a manner that is consistent with the Endangered Species Act and with the International Pacific Halibut Treaty. (Note—The discussion below needs to be expanded to address co-ops. Generally speaking, the term “Co-op” can be substituted for the term “IQ”)

The Purpose and Need for a Tracking and Monitoring Program

A tracking and monitoring program is needed to maintain the integrity of the rationalization program such that: each individual (or group of individuals quota share in the case of co-ops) holder is held responsible for keeping the total catch of ITQ or IBQ species within the species quota shares allocated or held by them during each defined period and for each defined area; individuals do not acquire more than the allowed proportion of shares; and, the overall total catch of each groundfish species or species group taken by vessels registered to limited entry trawl permits can be managed to stay within the annual trawl fishery allocations such that the risk of exceeding a groundfish species OYs is reduced.

The Objectives of the Tracking and Monitoring Program are:

1. To allow for the enforcement of clear and concise supporting regulations for catch accounting, including: monitoring, sorting, weighing, and reporting.
2. To provide adequate data so that the total catch of IQ and IBQ species or species groups is accurately reported and that there is accurate estimation of prohibited species catch.
3. To provide data that is adequate to hold the IQ holder responsible if IQs are exceeded and adequate shares are not obtained within 30 days to cover overages.
4. To provide IQ species data that is adequate for enforcement purposes such that there is a high rate of detection of illegal activities, including: discarding of catch without required monitoring and documentation, misreporting IQ species or species groups, reporting inaccurate weights for IQ species or species groups, or in accurately reporting IQ species or species groups.
5. For the cost of monitoring to be offset by the increased benefits of IQ.
6. For State and Federal enforcement agreements that allow the exchange of relevant data to ensure compliance with IQ quotas.
7. To provide for the mandatory socio-economic data collection and other data necessary to monitor the long-term effectiveness of the rationalization program.
8. To provide verification and reporting procedures that instill a high level of confidence by the industry and the public that the program is well managed and resulting information and data is accurate.

The data necessary for tracking and monitoring need to be sufficiently accurate and available for detecting illegal activities such that it effectively deters such activities. When illegal activities are not deterred, the program needs to provide data that is adequate to support prompt enforcement of violations.

A tracking and monitoring program is needed to collect socioeconomic data from harvesters and processors. Socioeconomic data is necessary to monitor the long-term effectiveness of the rationalization program relative to the Magnuson-Steven's Act requirements (sec. 303A (c)(1)(J)).

The information gathered under the monitoring program needs to be sufficiently accurate and available such that fishers and processors can use the information to make informed business decisions that reduced their risk of exceeding their ITQ, IBQ, or bycatch species quota shares and to provide flexibility in where and when fishing is conducted or catch is delivered.

Alternative Programs for Tracking and Monitoring Total Catch in ITQ Trawl Fisheries

Alternative Program 1: Discarding of ITQ species <i>allowed</i> in limited entry non-whiting trawl fisheries	Alternative Program 2: Discarding of ITQ species <i>prohibited</i> in limited entry non-whiting trawl fisheries
<p><u>Non-whiting</u></p> <ul style="list-style-type: none"> • <i>Discarding of ITQ allowed</i> • Discarding of IBQ required • Discarding of non-groundfish species allowed <p><u>Shoreside whiting</u></p> <p><i>Maximized retention vessels:</i></p> <ul style="list-style-type: none"> • Discarding of ITQ, IBQ, and non-groundfish species prohibited <p><i>Vessels sorting at sea:</i></p> <ul style="list-style-type: none"> • Discarding of ITQ allowed • Discarding of IBQ required • Discarding of non-groundfish species allowed <p><u>At-sea whiting</u></p> <ul style="list-style-type: none"> • Discarding of ITQ allowed by processors • Discarding of IBQ required by processors • Discarding of non-groundfish species allowed by processors • Mothership catcher vessels prohibited from discarding catch 	<p><u>Non-whiting</u></p> <ul style="list-style-type: none"> • <i>Discarding of ITQ species prohibited</i> • Discarding of IBQ required • Discarding of non-groundfish species allowed <p><u>Shoreside whiting</u></p> <ul style="list-style-type: none"> • Same as Program 1 <p><u>At-sea whiting</u></p> <ul style="list-style-type: none"> • Same as Program 1

<p>Alternative Program 1: Discarding of ITQ species <i>allowed</i> in limited entry non-whiting trawl fisheries</p>	<p>Alternative Program 2: Discarding of ITQ species <i>prohibited</i> in limited entry non-whiting trawl fisheries</p>
<p>At Sea Catch Monitoring</p> <p><i>The purpose is to:</i> monitor catch sorting; monitor catch retention when it's required; and, monitor weighing of ITQ and IBQ species when discarding is allowed or required.</p>	
<p><u>Non-whiting</u> The sorting, weighing and discarding of any ITQ or IBQ species must be monitored by an observer with supplemental video monitoring.</p>	<p><u>Non-whiting</u> The sorting of catch must be monitored by an observer. The weighing and discarding of any IBQ species must be monitored by an observer. The retention of ITQ species monitored by the observer.</p>
<p><u>Shoreside whiting</u> <i>For maximized retention vessels:</i> video monitoring as proposed under Amendment 10¹</p> <p><i>For vessels that sort at sea:</i> The sorting, weighing and discarding of any ITQ or IBQ species must be monitored by an observer with supplemental video monitoring.</p>	
<p><u>At-sea whiting</u> <i>Motherships, catcher vessels and catcher/processors:</i> The sorting, weighing and discarding of any ITQ or IBQ species must be monitored by an observer with supplemental video monitoring on all catcher vessels. Supplemental video monitoring on processors may also be used.</p>	
<p>Shoreside Catch Monitoring</p> <p><i>The purpose is to:</i> verify that: the catch was sorted to the correct species; the catch was weighed accurately; and, the catch was reported correctly.</p>	
<p><u>Non-whiting</u> The sorting, weighing and reporting of any ITQ or IBQ species must be monitored by a catch monitor or qualified observer.</p>	
<p><u>Shoreside whiting</u> The sorting, weighing and reporting of any ITQ or IBQ species must be monitored by a catch monitor.</p>	

¹ Amendment 10 requires the retention of all catch at-sea with the exception of animals over 6' in length and operational discards of Pacific whiting not to exceed one basket.

Alternative Program 1: Discarding of ITQ species *allowed* in limited entry non-whiting trawl fisheries

Alternative Program 2: Discarding of ITQ species *prohibited* in limited entry non-whiting trawl fisheries

Catch Tracking Mechanisms (tools necessary under each alternative)

*Electronic vessel logbook report*² - For tracking fishing activity by location and for IQ fishers to document catch by species

Vessel landing declaration report - Advance notice of landing to allow enforcement to better monitor IQ deliveries

Electronic ITQ landing report - Used for tracking IQ landings in real time³

Processor production report – Used to collect socioeconomic data and for catch verification

Electronic vessel logbook report

Non-whiting, shoreside whiting and at-sea whiting

VMS based electronic logbook required to be transmitted from vessel. At sea entry by vessel personnel required including catch weight by species and if retained or discarded

Vessel landing declaration report

Non-whiting and shoreside whiting

Mandatory declaration reports

Electronic ITQ landing report

Non-whiting and shoreside whiting

Mandatory reports completed by processors and similar to electronic fish ticket report

Processor production report

Non-whiting, shoreside whiting and at-sea whiting

Mandatory reports

² Sensors -winch sensors may be used to start and stop video recording and for documenting fishing location in logbook system

³ Real time means that preliminary catch weights would be available in a central database within a relatively short period of time from the date the was catch landed

Alternative Program 1: Discarding of ITQ species *allowed* in limited entry non-whiting trawl fisheries

Alternative Program 2: Discarding of ITQ species *prohibited* in limited entry non-whiting trawl fisheries

Control Mechanisms

Landing hour restrictions - To allow enforcement to better focus resources.

Site licenses - To allow only processors that meet the specific monitoring requirements to take deliveries with ITQ species

Vessel Certification- To allow only vessels that meet the specific monitoring requirements to take ITQ species

Landing hour restrictions

Non-whiting and shoreside whiting
Landing hours not limited

Landing hour restrictions

Non-whiting and shoreside whiting
Limit landing hours

Site licenses

Non-whiting and shoreside whiting
Mandatory license, can be issued to any site that meets the monitoring requirements

Vessel Certification

Non-whiting, shoreside whiting and at-sea whiting
Mandatory certification, can be issued to any vessel that meets the monitoring requirements

Alternative Program 1: Discarding of ITQ species *allowed* in limited entry non-whiting trawl fisheries

Alternative Program 2: Discarding of ITQ species *prohibited* in limited entry non-whiting trawl fisheries

Integrate into the Program, mandatory data collection and other procedures that allow evaluation of the effectiveness of the rationalization program relative to MSA requirements.

Performance Measures

- Cost, earnings and profitability
- Economic efficiency and stability
- Capacity measures
- Net benefits to society
- Distribution of net benefits
- Product quality
- Functioning of quota market
- Incentives to reduce bycatch
- Market power
- Spillover effects into other fisheries
- Contribution to regional economies (income and employment)
- Distributional effects/Community Impacts
- Employment-seafood catching and processing
- Safety
- Bycatch and discards
- Administrative, enforcement, and management costs

Alternative Programs for Tracking and Monitoring

Alternative Program 1: *Discarding of ITQ species allowed in limited entry non-whiting trawl fisheries*

Under Alternative Program 1, non-whiting vessels: would be allowed to discard unwanted ITQ species at sea; would be required to discard all IBQ species, and could choose to retain or discard non-groundfish species. Vessels participating in the Pacific whiting shoreside fishery would be subject to a maximized retention program that allows minor discard events associated with large animals (>6ft in length) and minor levels of operational discard.⁴ Pacific whiting shoreside fishery vessels that meet qualifying criteria may be permitted to sort catch at sea and discard unwanted ITQ species. Whiting vessels that sort at sea would be required to discard IBQ species, but could choose to retain or discard unwanted non-groundfish species. At-sea processing vessels would be allowed to discard unwanted ITQ species at sea; would be required to discard all IBQ species, and could choose to retain or discard non-groundfish species. Other than minor amounts of operational discard, catcher vessels in the mothership sector would be prohibited from discarding catch before delivery to a mothership.

Monitoring mechanisms.

Under this alternative all non-whiting vessels would be required to carry an adequate number of observers for monitoring the sorting of all catch and the weighing and discarding of any ITQ or IBQ species. A supplemental video-based monitoring system, focused on the sorting and weighing area would be used to deter unobserved sorting of catch and difficult or unobservable discard events. A supplemental video-based monitoring system could also be used to resolve disputes between vessel and observer reported information.

Pacific whiting shoreside vessels participating under the maximized retention program would be required to retain all catch and to use an EMS video-base monitoring system as specified in the regulations implementing Amendment 10 of the groundfish FMP. Pacific whiting shoreside vessels that sort at sea would be required to carry an adequate number of observers for monitoring the sorting of all catch and the weighing and discarding of any ITQ or IBQ species with a supplemental video-based monitoring system.

All at-sea whiting processors would be required to carry an adequate number of observers for monitoring the sorting of all catch and the weighing of any ITQ or IBQ species. A supplemental video-based monitoring system, focused on the deck could be used to deter unobserved sorting of catch and difficult or unobservable discard events. Catcher vessels in the mothership fishery would be required to have a video-based monitoring systems.

Catch tracking mechanisms

All vessels that fish for ITQ species would be required have and use a VMS based electronic logbook and to transmit the required data from the vessel before arriving in port. Electronic logbook entries would include an accurate⁵ weight of all discarded ITQ and IBQ catch by species or species group. Estimated weights for retained ITQ species and non-groundfish species may be allowed. The submission of a declaration report using a NMFS-approved method would be required. Individuals at sites that receive ITQ landings⁶ and Pacific whiting shoreside fishery first receivers that accept deliveries containing ITQ species, would be required to use an electronic ITQ

⁴ Operational discard is whiting that has been caught in the net mesh or lost when a codend is separated from the intermediate section of the net to a it to be transferred to the mothership processor.

⁵ An accurate weight is a weight derived from a scale that is appropriate for use under the conditions, is in good working order, has been adequately tested for accuracy, and is being used as intended by the manufacture.

⁶ Sites could be located at individual processor or a shared site sponsored by several processors or a community.

landing report to submit catch information to NMFS within 24 hours of the date of landing. All processors (including at-sea processing sectors), and first receivers would be required to submit processor production reports.

Control mechanisms

Under this alternative there would be no ITQ landing hour restrictions. However, landing locations for non-whiting and shoreside whiting would be restricted to licensed sites. Facilities would be approved for a site license by NMFS following the submission of a monitoring plan and verification that specific monitoring requirements can be met that allow for accurate sorting, weighing and reporting of landed ITQ species. Similarly, vessel certifications would be given by NMFS following the submission of a monitoring plan and verification that specific monitoring requirements can be met that allow for accurate sorting, weighing and reporting of landed ITQ species at sea.

Alternative Program 2: *Discarding of ITQ species prohibited in limited entry non-whiting trawl fisheries*

Under Alternative Program 2, non whiting vessels would be prohibited from discarding unwanted ITQ species at sea; would be required to discard all IBQ species, and could choose to retain or discard non-groundfish species. Vessels participating in the Pacific whiting shoreside fishery would be subject to a maximized retention program, in which case only minor amounts of operational discard or very large non-ITQ or non-IBQ species animals could be discarded at sea (> 6 ft). Pacific whiting shoreside fishery vessels that meet qualifying criteria may be permitted to sort catch at sea and discard unwanted ITQ species. Whiting vessels that sort at sea would be required to discard IBQ species, but could choose to retain or discard unwanted non-groundfish species. At-sea processing vessels would be allowed to discard unwanted ITQ species at sea; would be required to discard all IBQ species, and could choose to retain or discard non-groundfish species. Other than minor amounts of operational discard, catcher vessels in the mothership sector would be prohibited from discarding catch before delivery to a mothership.

Monitoring mechanisms.

Under this alternative all non-whiting vessels would be required to carry an adequate number of observers for monitoring the sorting of all catch and the weighing and discarding of any IBQ and the retention of ITQ species.

Pacific whiting shoreside vessels participating under the maximized retention program would be required to retain all catch and use an EMS video-base monitoring system as specified under regulations implementing Amendment 10 to the groundfish FMP. Pacific whiting shoreside vessels that sort at sea would be required to carry an adequate number of observers for monitoring the sorting of all catch and the weighing and discarding of any ITQ or IBQ species with a supplemental video-based monitoring system.

All at-sea whiting processors would be required to carry an adequate number of observers for monitoring the sorting of all catch and the weighing of any ITQ or IBQ species. A supplemental video-based monitoring system, focused on the deck could be used to deter unobserved sorting of catch and difficult or unobservable discard events. Catcher vessels in the mothership fishery would be required to have a video-based monitoring system.

Catch tracking mechanisms

All vessels that fish for ITQ species would be required have and use a VMS based electronic logbook and to transmit the required data from the vessel before arriving in port. Electronic logbook entries would include an accurate weight of all discarded IBQ species. Estimated weights for retained ITQ species and non-groundfish species may be allowed. The submission of a declaration report using a NMFS-approved method would be required. Individuals at sites that receive ITQ landings and Pacific whiting shoreside fishery first receivers that accept deliveries containing ITQ species, would be required to use an electronic ITQ landing report to submit catch information to NMFS within 24 hours of the date of landing. All processors (including at-sea processing sectors), and first receivers would be required to submit processor production reports.

Control mechanisms

Under this alternative there would be ITQ landing hour restrictions. Restricting landing hours allows enforcement resources to be used efficiently. Landing locations for non-whiting and shoreside whiting would be restricted to licensed sites. Facilities would be approved for a site license by NMFS following the submission of a monitoring plan and verification that specific monitoring requirements can be met that allow for accurate sorting, weighing and reporting of landed ITQ species. Similarly, vessel certifications would be given by NMFS following the submission of a monitoring plan and verification that specific monitoring requirements can be met that allow for accurate sorting, weighing and reporting of landed ITQ species.

Other Issues to be considered—1) tracking of codends lost during transfers; 2) tracking of emergency dumping events; 3) tracking of fish unprocessed fish between first receivers who do not process fish and the actual processor. 4) Incorporation of co-op specific monitoring, tracking, and control mechanisms.

Alternatives considered but not analyzed

Three additional alternatives programs were initially considered. Two of these programs were excluded from the analysis because they did not meet the stated purpose and need for the tracking and monitoring program, or the stated objectives. One alternative considered partial observer coverage for monitoring non-whiting vessels at sea and the other considered no observer coverage or at-sea monitoring. The integrity of the rationalization program would be difficult to maintain with partial or no monitoring at sea and on shore. Accurate data on ITQ catch are needed to effectively detect and deter prohibited activities. When prohibited activities are not detected, the information needed to support prompt enforcement of violations is inadequate. If prompt enforcement action cannot be taken, others may choose to engaging in prohibited activities because they perceive a low risk of being caught and penalized. Provisions that would allow small or unsafe vessels to be exempt from at-sea monitoring by observers was not analyzed for the same reasons as the alternatives based on no or partial observer coverage. Providing such an exception could result in a shift to smaller or less safe vessels to avoid monitoring.

The third monitoring program considered but not analyzed was a hybrid approach between Alternative Program 1 and Program 2. The hybrid alternative would have allowed vessels to choose if they wanted to discard ITQ catch at sea and incur more burdensome at-sea monitoring or if they wanted to retain ITQ species and have lower monitoring costs. The intent of the hybrid program was to provide the maximum flexibility to the ITQ Holder. However, during initial discussions it was determined that effect of Alternatives 1 and 3 were essentially the same because nothing under Alternative 1 precludes a vessels from retaining all ITQ catch. Therefore, the hybrid alternative was not given further consideration in the analysis.