

STANDARDIZED BYCATCH REPORTING METHODOLOGY INFORMATIONAL REPORT

NOAA Fisheries filed a final rule to implement a provision of the Magnuson-Stevens Fishery Conservation and Management Act (MSA). This provision requires that all fishery management plans establish a standardized reporting methodology to assess the amount and type of bycatch occurring in a fishery. The final rule establishes requirements and provides guidance to regional fishery management councils and the Secretary of Commerce regarding the development, documentation, and review of such methodologies, commonly referred to as standardized bycatch reporting methodologies (SBRMs).

At the November 2020 Council meeting ([Agenda Item C3](#)), advisory bodies conducted an initial review of their respective fishery management plans (FMP) and supporting documentation to identify potential inconsistencies with criteria in the final rule. This informational report tiers off those initial reviews to verify those findings and discuss a potential timeline for completing any amendments by the NMFS deadline. The final rule states that all FMPs must be consistent with the rule within 5 years of its effective date (deadline is February 21, 2022). To meet the deadline, the Council tentatively scheduled a scoping session for the June Council meeting, selection of preliminary preferred alternatives for September and selection of final preferred alternatives for November.

The Council's FMPs that are subject to this review are:

- 1) Coastal Pelagic Species;
- 2) Pacific Coast Groundfish;
- 3) Highly Migratory Species; and
- 4) Pacific Coast Salmon.

The SBRM review should provide information sufficient for NMFS to determine whether an FMP needs to be amended. If the Council finds a need to adjust or establish SBRMs for any FMP, it should give guidance to NMFS on how to do so to be consistent with the FMP. The review should be documented but does not need to be contained in an FMP. This information will then be transmitted to NMFS for consideration and a final decision.

Outcomes of the Preliminary Review

Council staff compiled the initial findings of the November 2020 advisory body reports (Table 1). Notes within the table identify whether the initial review found consistency with the final rule (marked with a 'yes', noting where that information can be found) and where the FMP may be inconsistent (marked with a 'no'). The list may be modified in the future as we continue to examine potential changes.

Council staff examined the reports regarding where the FMPs were marked as consistent and note that the ABs preliminary decisions are likely accurate. Council staff will continue to verify and document where the FMPs are consistent with the final rule in preparation for a June 2021 Council meeting scoping session. Council staff also examined potential deficiencies noted by the ABs in the categories of *Data Uncertainty* and *Data Use*. Please note that the recreational HMS fishery

was noted to be inconsistent under all categories of the final rule. Council staff examined these potential deficiencies to assess whether there is a need for FMP amendments. We examined the descriptions of these categories as discussed in the final rule to get a better sense of what is required. We also examined the respective FMPs and supporting documentation (e.g., Stock Assessment and Fishery Evaluation documents, Salmon Pre-assessment I & II docs, etc.) to see if the ABs preliminary decisions are accurate.

Based on the information it's possible that one or more FMP amendments may be needed. The [CPSMT report](#), [STT report](#) and [HMSMT report](#) noted some deficiencies in the categories of *Data Uncertainty* and *Data Use*; however, at this time it is unclear if an amendment for these FMPs are needed. Further discussion is needed with NMFS staff and the Teams. It's possible that supporting documents for these FMPs could be changed to address these issues rather than create an FMP amendment. As noted earlier there are inconsistencies in all categories regarding the HMS Private Recreational Boat Fishery; therefore, the HMS FMP may need to be amended. Further discussions are needed with the NMFS West Coast Region, Southwest Fisheries Science Center staff and the HMS Team to examine the issues and the workload associated with any changes. The Groundfish FMP seems to be consistent with the SBRM final rule and likely will not need an amendment; however, the [GMT report](#) noted that some information in the FMP is outdated and could be revised to update the FMP to more clearly present the current SBRMs.

Council and NMFS staff will continue to work closely with all advisory bodies prior to and during Council meetings to conduct further reviews and ensure that all FMPs are consistent, and any necessary amendments are developed through the Council process. Council staff suggest that the Council schedule the three-meeting process as noted on the [Year-At-A-Glance for 2021](#) so we can complete and transmit the SBRM reviews prior to the February 2022 deadline.

Table 1. Example of Criteria and Checklist for Each FMP. Key: ‘yes’ means the FMP meets each requirement with a reference to section number(s) in the FMP. ‘no’ means it is not found or may be inconsistent with the SBRM final rule.

FMP/Fishery	Contain SBRM?	Meet the Purpose?	Consider characteristics of bycatch?	Feasibility check?	Address data uncertainty?	Address data use?
HMS/Drift Gillnet Fishery for Swordfish and Sharks	Yes; FMP 6.2.3 and 6.3.1	Yes; FMP 6.3.1	Yes; Appendix C section C.3.1	Yes; Appendix C section C.3.1	No	No
HMS/North Pacific Albacore Surface Hook and Line Fishery	Yes; FMP 6.3.1 Appendix C section C.3.2	Yes; FMP 6.3.1	Yes; Appendix C section C.3.2	Yes; FMP 6.2.3 Appendix C section C.5.1.5	No	No
HMS/High Seas Deep-set Longline Fishery	Yes; FMP 6.3.1	Yes; FMP 6.3.1	Yes; Appendix C Section C.3.2	Yes; Appendix C Section C.5.1, C.5.2, C.5.5	No	No
HMS/Harpoon Swordfish Fishery	Yes; FMP 6.3.1	Yes; FMP 6.3.1	Yes; FMP 6.3	Yes; FMP 6.3	No	No
HMS/Tropical Tuna Purse Seine Fishery	Yes; FMP 6.3.1	Yes; FMP 6.3.1	Yes; Appendix C Section C.3.5	Yes; Appendix C Section C.5	No	No
HMS/Coastal Purse Seine Fishery	Yes; FMP 6.3.1	Yes; FMP 6.3.1	Yes; Appendix C Section C.3.6	Yes; Appendix C Section C.5	No	No
HMS/Recreational Party/Charter Boat Fishery	Yes; FMP 6.3.1	Yes; FMP 6.3.1	Yes; Appendix C Section C.3.7	Yes; Appendix C Section C.3.7	No	No
HMS/Private Recreational Boat Fishery	No	No	No	Maybe	No	No

FMP/Fishery	Contain SBRM?	Meet the Purpose?	Consider characteristics of bycatch?	Feasibility check?	Address data uncertainty?	Address data use?
CPS (Sardine/Squid/Mackerel)	Yes. FMP 2.2.1.1, 2.2.2.7, and 4.7 and SAFE ch.4	Yes. SAFE ch. 4	Yes SAFE ch. 4	Yes. FMP 2.2.2.7 SAFE ch. 4	No.	Yes. FMP 2.1.7, 2.2.1.1, SAFE ch. 4
Salmon/Troll	Yes (3.5)	Yes (3.5)	Yes (3.5.3)	Yes	No	Yes (FMP 3.5.3; SAFE Table I-7; Pre-II Table 6; Pre-III Table 6)
Salmon/Recreational	Yes (3.5)	Yes (3.5)	Yes (3.5.3)	Yes	No	Yes (FMP 3.5.3; SAFE Table I-7; Pre-II Table 6; Pre-III Table 6)
Groundfish/Trawl Sector	Y (6.4.1.2)	Y (6.4.1.2)	Y (6.4.1.2)	Y (6.4.1.1 & 6.4.1.2)	Y (6.4.1.2)	Y (6.5.3)
Groundfish/Limited Entry Fixed Gear	Y (6.4.1.2)	Y (6.4.1.2)	Y (6.4.1.2)	Y (6.4.1.1 & 6.4.1.2)	Y (6.4.1.2)	Y (6.5.3)
Groundfish/Open Access	Y (6.4.1.2)	Y (6.4.1.2)	Y (6.4.1.2)	Y (6.4.1.1 & 6.4.1.2)	Y (6.4.1.2)	Y (6.5.3)
Groundfish/Recreational	Y (6.4.1.3)	Y (6.4.1.3)	Y (6.4.1.3)	Y (6.4.1.3)	Y (6.4.1.3)	Y (6.5.3)

Key for Review Criteria Headers in Table 1:

Standardized reporting methodology: Does the FMP describe an established, consistent procedure or procedures used to collect, record, and report bycatch data in a fishery.

Purpose: Does the SBRM meet the purpose? The purpose of an SBRM is to collect, record, and report bycatch data in a fishery that, in conjunction with other information, are used to assess the amount and type of bycatch occurring in the fishery.

Characteristics of bycatch: Does the FMP address information about the characteristics of bycatch in the fishery when available, including, but not limited to, the amount of bycatch occurring in the fishery, the importance of bycatch in estimating the fishing mortality of fish stocks, and the effect of bycatch on ecosystems?

Feasibility: Is implementation of the SBRM feasible from cost, technical, and operational perspectives?

Data Uncertainty: Does the FMP address the uncertainty of the data resulting from the SBRM? This section also requires that an SBRM be designed so that the uncertainty associated with the resulting bycatch data can be described, quantitatively or qualitatively.

Data Use: Does the FMP address how the data resulting from an SBRM are used to assess the amount and type of bycatch occurring in the fishery?