New England Fishery Management Council
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DRAFT MEETING SUMMARY

Observer Policy Committee

Doubletree Hotel, Danvers, MA

January 22, 2015

The Observer Policy Committee met on January 22, 2015 in Danvers, MA to: review the draft Environmental Assessment for NMFS-led Omnibus Industry-Funded Monitoring (IFM) Amendment, which will establish provisions for industry-funded monitoring across all Council-managed fisheries and specify coverage targets for the herring and mackerel fisheries; and to discuss the details of the Omnibus IFM Amendment alternatives and develop related recommendations for the Council to consider at its January 2015 meeting.

MEETING ATTENDANCE: Terry Stockwell (Chairman), Pete Kendall, Mary Beth Tooley, Terry Alexander, Mike Sissenwine, Jeff Kaelin, Peter Christopher, Wendy Gabriel, Gerry O'Neill, Peter Hughes, Paul Parker, Rick Usher, Bruce Lambert, Doug Brander (14 of 14 Committee members present); Lori Steele (NEFMC staff); Carrie Nordeen, Aja Szumylo (NMFS GARFO staff); Mitch MacDonald (NOAA General Counsel); several members of the public in the audience.

In addition, several individuals listened to the meeting online via GoToMeeting.

KEY OUTCOMES

The Observer Committee passed two motions (both 11-0-2) related to the Draft Environmental Assessment (EA) for the Omnibus IFM Amendment. Overall, the Observer Committee agreed that the Draft EA needs to be further developed and reviewed again by the Committee and both the New England and Mid-Atlantic Councils prior to moving forward for public comment. The Observer Committee also identified specific issues related to the Draft EA that should be addressed prior to public comment and final decision-making.

Detailed minutes of the January 22, 2015 Observer Committee meeting are provided below.

PRESENTATION: OMNIBUS INDUSTRY-FUNDED MONITORING AMENDMENT– MANAGEMENT ALTERNATIVES UNDER CONSIDERATION (GARFO STAFF)

Carrie Nordeen and Aja Szumylo (NMFS GARFO/SFD staff) presented the Observer Committee with an overview of the Draft Environmental Assessment for the Omnibus Industry-Funded Monitoring Amendment. This amendment proposes to establish provisions for industry-funded monitoring (IFM) across all FMPs; it also includes options to address targets for observer coverage on Atlantic herring and mackerel vessels. The Committee members asked some

clarifying questions and agreed to develop more specific comments and recommendations following more detailed discussion of three issues (below).

- Mr. Parker asked some clarifying questions regarding the alternatives in the document and expressed serious concern that the issues raised at the August 2014 Committee meeting are not addressed by the current range of alternatives. He emphasized the need to include an alternative in the document that would allow for the industry to pay for all of the IFM monitoring costs, essentially delivering a package of data to the Council/NMFS that could inform management.
- Mr. Kaelin, Mr. O'Neill, and Ms. Tooley expressed concerns about the impact analyses provided in the draft Environmental Assessment. Mr. O'Neill and Mr. Kaelin agreed that better information could be obtained by contacting a few herring industry participants and at least clarifying/ground-truthing estimates of fixed/operating costs.

The Observer Committee discussed three issues identified by GARFO staff in more detail.

1. ***Proposed Division of Cost Responsibilities:*** GARFO staff summarized the response provided in the November 2014 letter.
2. ***Discretionary Prioritization Alternatives:*** Ms. Szumylo provided the Committee with an overview of streamlined approaches for prioritizing IFM programs under the two discretionary alternatives proposed in the document. She summarized the results of working examples using a survey that several Committee members completed. Dr. Sissenwine noted that although the weighing process proposed in the alternatives is clearly-articulated, the process is still subjective, and the math applied to determine the results does not necessarily lead to meaningful results.
3. ***Service Provider Requirements:*** GARFO staff summarized the current alternative in the omnibus amendment that addresses service provider requirements for IFM. Currently, the omnibus alternative in the IFM amendment proposes to establish service provider requirements for IFM programs (including dockside and EM) that are consistent with the observer service provider requirements in the SBRM amendment. However, the IFM amendment proposes that service provider requirements can be adjusted for specific FMPs/fisheries in the trailing actions (framework adjustment) that establish new IFM programs. Ms. Steele reminded the Committee that there may be a need to address this issue more specifically when selecting the options to address coverage for the herring and mackerel fisheries in this amendment.

Herring Committee Recommendations (January 16, 2015)

The Observer Committee reviewed/discussed the Herring Committee recommendations regarding the options for herring observer coverage targets in the IFM amendment. It was noted that although a motion to support portside sampling/EM failed at January 16 Herring Committee meeting, a very similar motion carried unanimously at the November 2014 Herring Committee meeting. It was apparent to the Observer Committee that there is a need for the Councils to clarify recommendations regarding the development of options for portside sampling/EM for the herring/mackerel fisheries in the IFM amendment.

Observer Committee Recommendations Re. Draft IFM Amendment

The Committee members provided more specific comments about the Draft EA for the Omnibus IFM Amendment and discussed possible modifications to the range of alternatives and the document prior to moving forward with the document for public comment. The Committee members agreed that more explicit consideration and additional development of options for portside sampling and EM under the herring/mackerel options is necessary.

1. MOTION: TOOLEY/HUGHES

To include in the omnibus amendment alternatives available for all FMPs for portside monitoring and electronic monitoring, and that the analysis in the document would support future framework adjustments, and to also include a portside sampling/EM program in the options for herring and mackerel coverage

Discussion on the Motion: GARFO staff advised the Committee that these options would require coverage targets similar to the observer coverage options in the Draft IFM document. Ms. Steele suggested some possible approaches to developing coverage options and agreed that the options would need to be more specific; she noted that the document may require revisions anyway and hoped that options for herring/mackerel could be better developed to allow for this approach to be further developed.

MOTION #1 carried 11-0-2.

2. MOTION: TOOLEY/ALEXANDER

That the draft omnibus IFM amendment needs more development and additional analysis, and should be reviewed by the Observer Committee and both Councils at a future meeting prior to going out for public comment

MOTION #2 carried 11-0-2.

The Observer Committee identified the following issues related to the Draft Environmental Assessment for the Omnibus IFM Amendment that should be addressed prior to public comment and final decision-making by the New England and Mid-Atlantic Councils:

- Expansion of the discussion of economic impacts – address/groundtruth fixed and operating costs for herring/mackerel vessels
- Expansion of the discussion of impacts on the Atlantic herring and mackerel fleets
- Information and analysis to support the implementation of a portside sampling program and/or EM program to be implemented through a framework adjustment (relative government costs/industry costs, comparison to at-sea costs)
- Costs differences between at-sea monitors versus observers
- Expansion of impacts of herring and mackerel options on other fisheries (groundfish stocks)
- Impacts of current observer coverage requirements for midwater trawl vessels in the groundfish closed areas