

# **Amendment 23/ Groundfish Monitoring**

**Groundfish Advisory Panel/  
Groundfish Committee**

**September 21-22, 2020**



New England  
Fishery Management Council

# Overview of Alternatives

# Goal of Amendment 23

## Improve catch accounting

Intent - maximize the value of collected data and minimize the costs.

*This action does not propose any changes to the federally-funded monitoring program (Northeast Fisheries Observer Program (NEFOP)).*



Image: NOAA Fisheries

# A23: Commercial Groundfish Monitoring Program

AT – SEA  
(Sectors only)

ASM standard (target coverage level)

ASM Tools

If 100% coverage target, eliminate MU buffer?

Should certain vessels be removed from groundfish monitoring requirements (ASM and/or DSM)?  
If yes, formal review process?

DOCKSIDE  
(Sectors and Common Pool)

Mandatory DSM  
Yes or No?

DSM Funding

Options for lower DSM coverage

Options for fish hold inspection

Handful of Administrative Measures

# At-Sea Monitoring (Sectors only)

*Target coverage levels are combined NEFOP and ASM.*

## 1. ASM Standard (target coverage level) (Sec. 4.1.1)

No Action  
(30% CV)

Percentage of trips  
(25%, 50%, 75%, 100%)

Percentage of catch  
(25%, 50%, 75%, 100%)

## 2. Additional ASM Tools (Sec. 4.1.2)

EM instead of  
ASM

EM: Audit Model

EM: Max Retention

## 3. Eliminate Management Uncertainty Buffer, if 100% standard selected (Sec. 4.5)

No Action  
(maintain buffers)

Eliminate buffers

# Dockside Monitoring (Sectors and common pool)

## 4. Dockside Monitoring Program DSM (Sec. 4.2.1)

No Action  
(No DSM)

Mandatory DSM

## 5. DSM Funding (Sec. 4.2.2.1)

Dealer pays

Vessel pays

## 6. Lower DSM coverage levels (20%) (Sec. 4.2.2.3)

Low volume  
ports

Low volume  
vessels

## 7. Fish hold inspections (Sec. 4.2.2.4)

Inspection by  
human monitor

Inspection  
approved by  
camera

No Inspection-  
captain affidavit

# Overall (Sectors and/or common pool)

## 8. Vessels removed from groundfish monitoring requirements (Sec. 4.6)

No Action  
(current  
exemptions  
from ASM  
coverage  
remain)

West of 72 30  
W (Remove  
from ASM or  
DSM)

West of 71 30  
W (Remove  
from ASM or  
DSM)

Review  
process for  
vessels  
removed from  
monitoring  
requirements

## 9. Administrative measures

Timing of  
coverage level  
(Sec. 4.1.3)

Review process  
for coverage level  
(Sec. 4.1.4)

Framework items  
(Sec. 4.1.5)

Sector reporting  
(Sec. 4.3)

Funding /  
operational  
provisions  
(Sec. 4.4)

DSM program  
administration  
(Sec 4.2.2.2)

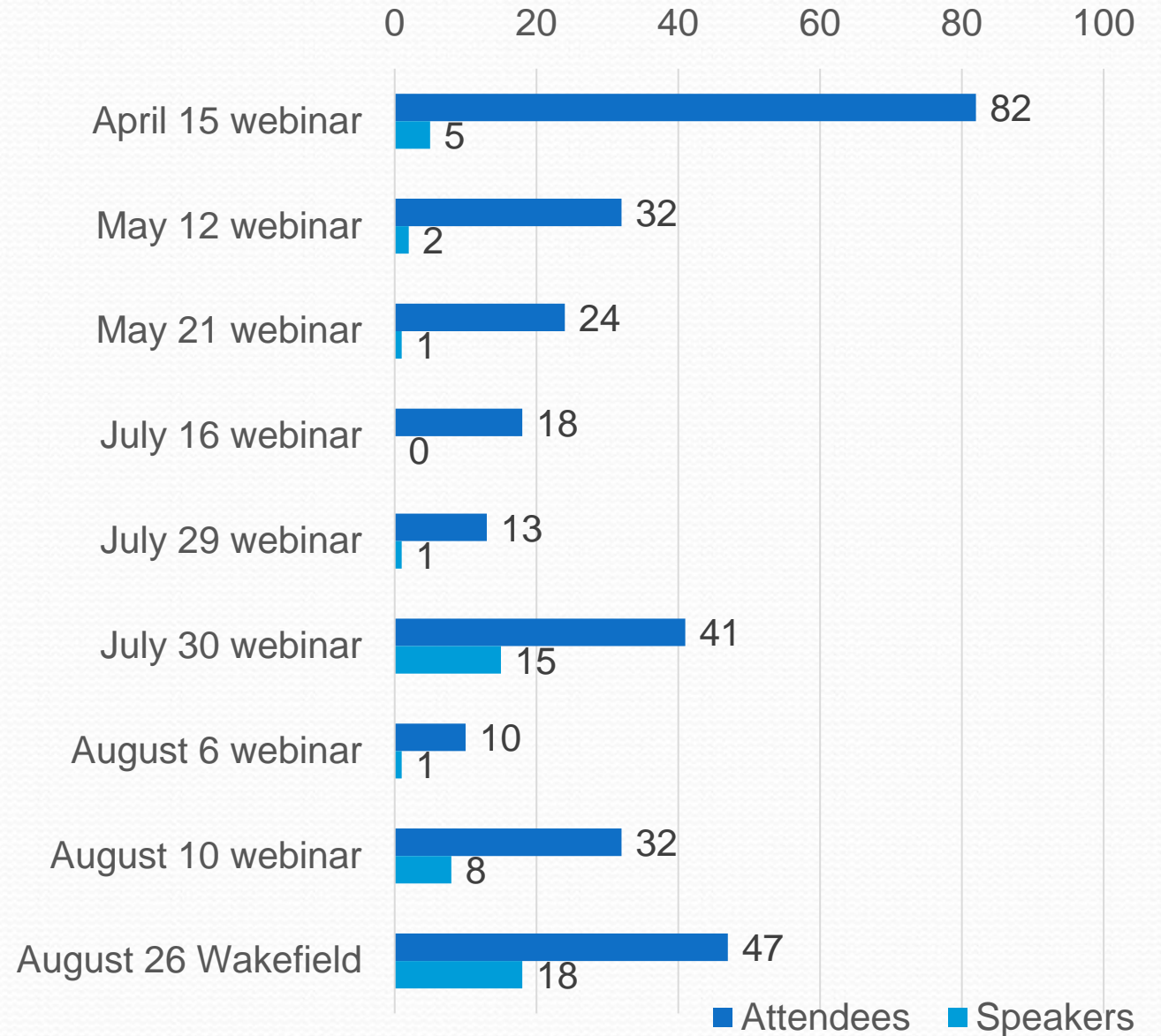
**NEFMC Preferred Alternatives (Jan 2020)**

# Summary of Public Comments



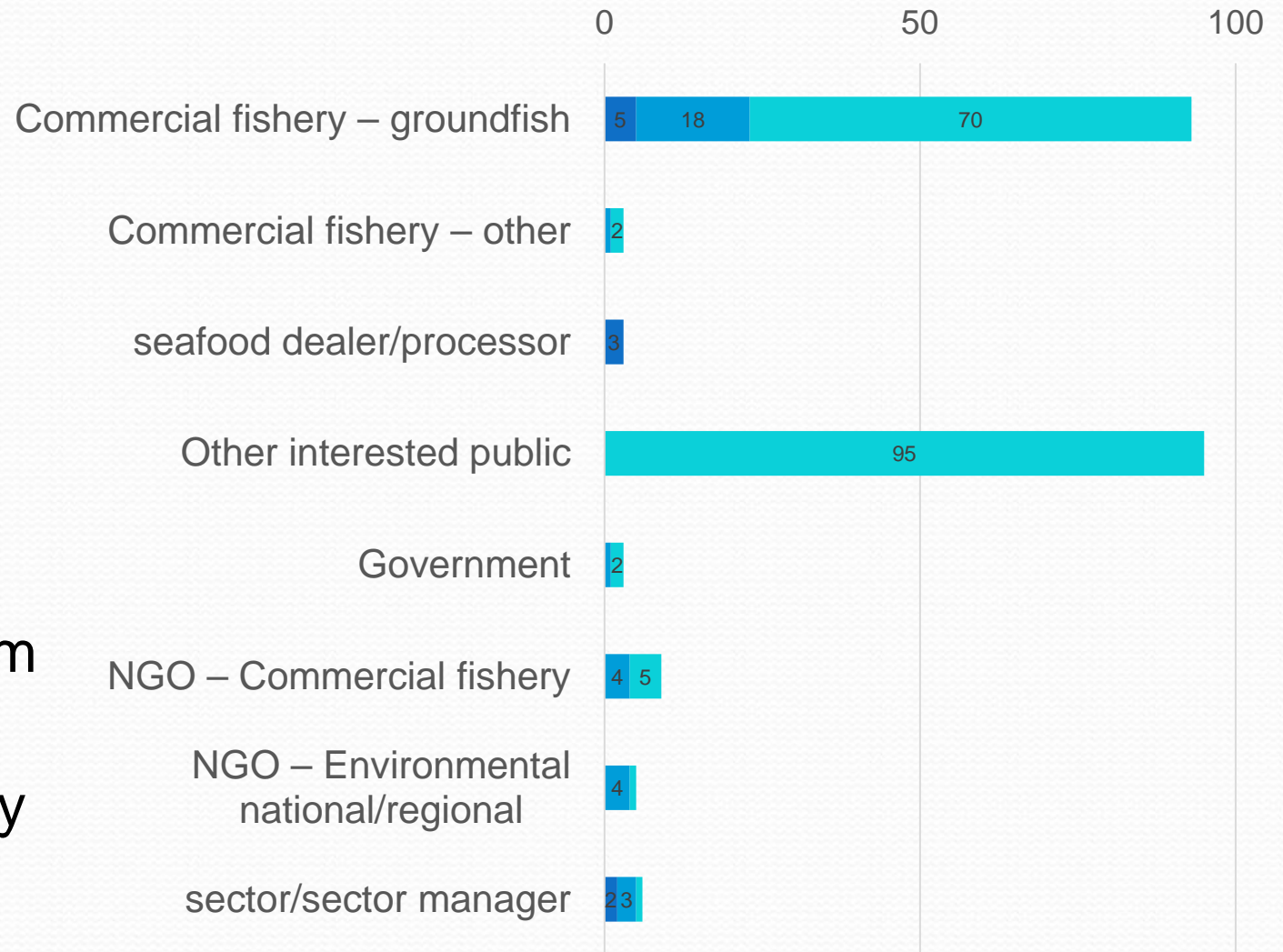
# Public Hearing Attendance

- Listening sessions supported high attendance at some webinars
- Highest number of speakers at in-person hearing



# Public Comments Overview

- 49 written comments and 51 oral comments by 217 individuals
- All were from New England (excluding form letters), primarily MA (60%).
- Two form letters:
  - 1,430 people signed CLF form letter
  - 211 people submitted industry and “off course” form letters



■ Oral only (n=10) ■ Oral & written (n=31) ■ Written only (n=176)

# General support for taking action

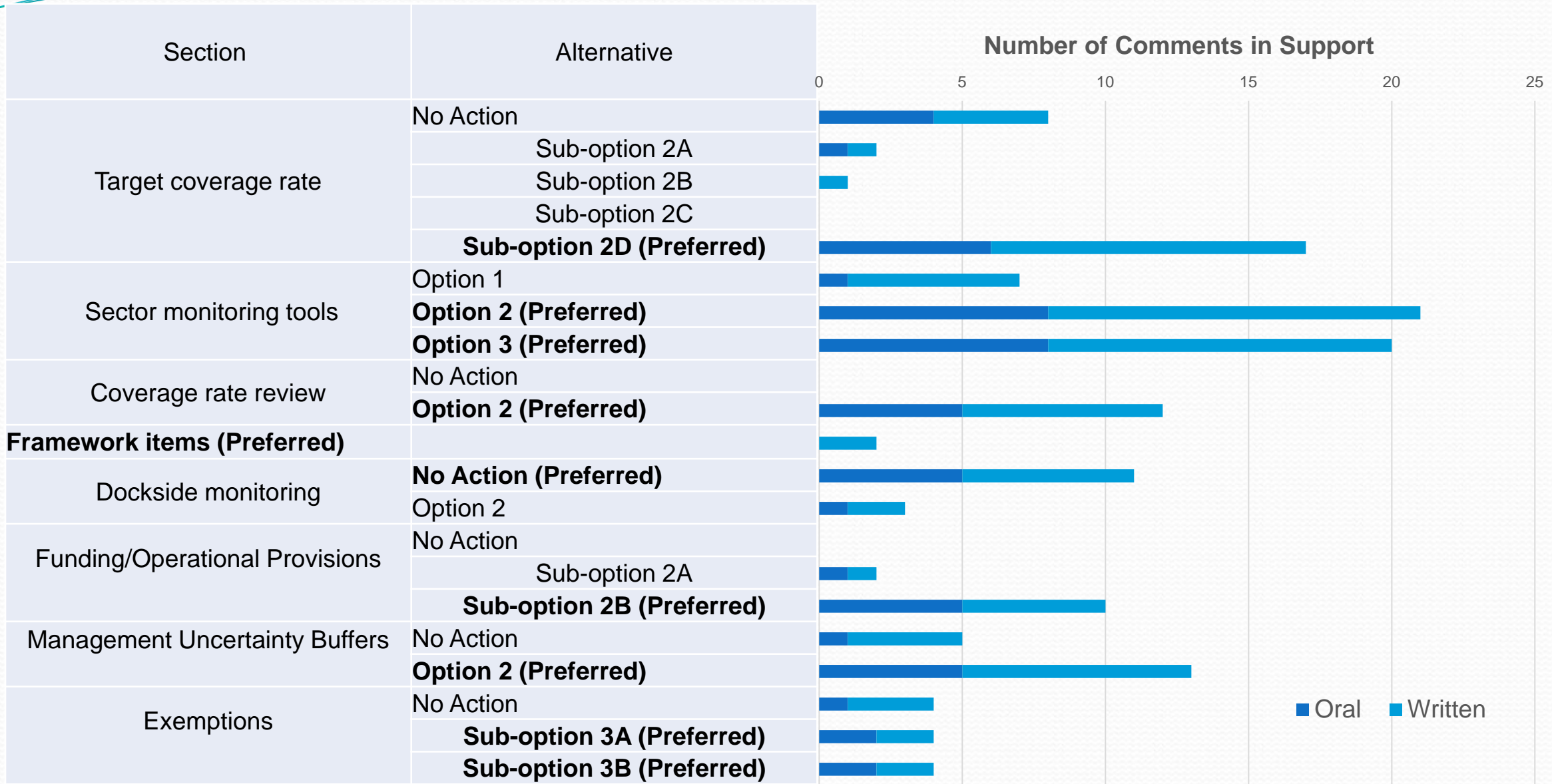
- Address the need for **timely and accurate information on catch and discards** in order to manage the groundfish fishery sustainably.
- Cited Groundfish PDT work on observer bias showing the assumptions of the current monitoring program are invalid and the coverage levels **have not been sufficient to account for all catch in the fishery.**
- Concerned about **fairness and equitability** of the groundfish monitoring program, indicating that low levels of monitoring allow for misreporting and illegal discarding, which is unfair to fishermen who follow the rules.
- Address the need for **increased flexibility** in the groundfish monitoring program, by allowing sectors to use EM in place of human at-sea monitors, which should also help **lower monitoring costs for the fishery.**
- **Long-term benefits** to the groundfish fishery through **improved monitoring of catches**, as the “cycle of using flawed data to produce flawed assessments has led to a long-term failure of the fishery to reach its full potential.”

# General support for No Action

- The current monitoring program **sufficiently provides the information necessary** to manage the fishery.
- The costs of additional monitoring would **not be sustainable** for many in the fishery.
- Concerns that higher monitoring coverage levels that industry is responsible for the costs of would **threaten the viability of many participants in the fishery**, particularly smaller vessels and dayboats, and **would threaten fleet diversity**.
- Concerned about the utility of a dockside monitoring program, **citing issues with the previous dockside monitoring program**, and supported no action for dockside monitoring.
- The action would **not address problems with assessments** because the action does not provide enough support that “imposing such an extreme cost on the fishing industry will have **any tangible benefits to science**, sustained fish stocks, or improved livelihoods from fishing.”

# General opposition to the action

- **Does not meet the purpose and need** because there is “no attempt to relate the additional costs of monitoring to any measurable benefit to our businesses or the fishery for any of the alternatives.”
- A23 “**has been hijacked from its intended original purpose** of developing a more efficient and accurate monitoring program with the new goal of trying to catch the next Carlos Rafael.”
- Concerned that the action would “**force fishermen out of business**” and threaten fleet diversity, and recommended the Council **start over in developing alternatives** that consider “the fragile economic condition of the few remaining vessels” in the fleet.
- A23 should **be put on hold** during the current pandemic “at a time when collapsed prices at the dock and **fears of COVID-19** are also stressing the fishing fleets and ports.”



# Rationales for Prelim. Preferred Alternatives

- Monitoring Coverage Rate- No Action (8):
  - The industry cannot afford higher levels of coverage, so coverage should remain at status quo.
  - “The projections that increased monitoring will produce a healthy fishery or better stock assessments is not proven by the facts. The two healthiest fisheries in the Northeast, lobster and scallops, have virtually no monitoring in the case of lobster, and certainly less than groundfish in the case of scallops. More importantly, even though the groundfish fishery has had high levels of coverage over the past ten years, the retrospective patterns have increased, more and more stock assessments have failed.”

# Rationales for Prelim. Preferred Alternatives

- Few comments received on Sub-options 2A (25% monitoring), 2B (50% monitoring), and 2C (75% monitoring)
- Several comments opposed any coverage level options besides Sub-option 2D (100% monitoring):
  - Setting ASM coverage levels below 100%, even at 75%, would perpetuate inaccurate catch monitoring and fail to ensure compliance with catch limits.
- One comment recommended the Council consider tradeoffs between costs and accuracy of catch information provided by 75% coverage vs. 100% coverage



# Rationales for Prelim. Preferred Alternatives

- Sub-option 2D:100% Monitoring *preferred* (17 support/30 against):
  - “100% monitoring “is the only option that completely achieves the goals of Amendment 23.”
  - “Is it necessary [to monitor] 100% of the time? As much as I hate to admit it, in my opinion the answer is yes. The reason is simple: the Council instituted a quota management plan in 2010 under Amendment 16, but never covered their bet with adequate accountability.”
  - “If this amendment is passed with the preferred alternatives, what you're going to do is you're going to accelerate the expiration date on this fishery. It's going to be dwindled down to two big companies.”
  - “Amendment 23 is a fleet killer...Though Amendment 23 may be well intended, the reality is that if the amendment is implemented, once Federal funding runs out the industry as we know it will be destroyed. It will bankrupt independent, small business, family-oriented fishermen...It is blatantly clear that small vessels cannot afford to pay 100% monitoring.”
- Several commenters supported 100% monitoring only if NMFS pays for the coverage.

# Rationales for Prelim. Preferred Alternatives

- Sector Monitoring Tools, Option 1 (7/3):
  - This option could and should be made available to any sector groundfish fisherman that can demonstrate a lack of bias between their observed and unobserved trips.”
  - This model of EM was “put in place and was developed as a proof of concept to get EM equipment on the boats, but was never designed to be statistically reliable.”
- Sector Monitoring Tools, Option 2 *preferred* (22):
  - The audit model is a proven EM technology that will provide high quality information and help reduce the costs of monitoring.
- Sector Monitoring Tools, Option 3 *preferred*(14/6):
  - The maximized retention model is a proven EM technology that will provide high quality information and help reduce the costs of monitoring.
  - Maximized retention is still in the testing phase and not suitable for a large number of vessels in the fleet.

# Rationales for Prelim. Preferred Alternatives

- Coverage rate review, Option 2 *preferred* (12):
  - “Any monitoring program put in place should have some type of review on a regular basis to determine whether or not it's meeting its goals.”
  - A monitoring program “should have a time and a mechanism to come back and see whether it's doing the job and see whether there are modifications that can be put in place. What we've seen in other catch share fisheries that have 100% observer coverage is that after they've established a baseline of information after a number of years, they've been able to ratchet down their coverage.”
- Funding Provisions- Sub Option 2b *preferred* (10):
  - “If NMFS doesn't have the funds to do the shoreside component, there's no way that the industry is going to be able to pick up the tab on both the shoreside and the at-sea side.”
  - “The flexibility included in [this sub-option] is needed to maximize at-sea monitoring while preserving flexibility which would be needed with increased or decreased funding for at-sea monitoring.”

# Rationales for Prelim. Preferred Alternatives

- Dockside Monitoring, No Action *preferred* (8):
  - The previous dockside monitoring program was a waste of money, time, effort, and provided no benefit.”
  - “If there are concerns about vertically integrated companies and supposed cheating and collusion, there should be cheaper ways to address this than putting 100% dockside monitoring on everyone.”
- Dockside Monitoring Option 2 (3):
  - “Dockside monitoring is needed to verify vessel catch of all groundfish vessels, and less than full dockside monitoring will lead to monitoring loopholes.” Full DSM is needed to reduce uncertainties in management and the assessments for the benefit of everyone involved in the groundfish fishery.
  - “Dockside monitoring is a critical part of establishing accountability and...should be required in the initial phases of EM deployment at sea, with the potential to ramp down dockside review in ensuing years. Maintaining a level of randomized dockside monitoring as an integral part of the system will be critical to ensuring accountability.”

# Rationales for Prelim. Preferred Alternatives

- Management Uncertainty Buffers- Option 2 *preferred* (13):
  - “This option gives industry a benefit of the reduced uncertainty that will come with improved at-sea monitoring.”
- Management Uncertainty Buffers- No Action (5):
  - “High levels of coverage and high levels of EM will reduce management uncertainty but it won't get rid of it. There will always be unobserved tows on trips when the observer has to sleep. And, there will also be misreporting, there will be observer errors that we can't assume that high levels of observer coverage will get rid of management uncertainty. So, it needs to stay in there and removing it right now is based on a flawed assumption.”

# Rationales for Prelim. Preferred Alternatives

- **Monitoring Exemptions- Option 3A/3B *preferred* (4):**
  - “This alternative is the one of the few times that “the Council has actually recognized the fact that groundfishing in Southern New England is not the same as groundfishing in other regions, such as the Georges Bank or the Gulf of Maine region. Most groundfishing trips in this region are usually directed on other non-groundfish stocks.” These vessels are “fishing in the bait skate fishery, in the scallop trawl fishery, the monkfish fishery, the fluke fishery. These fisheries all require them for the most part to be fishing on a Groundfish Day, and there's usually very little groundfish to no groundfish as bycatch.”
- **Monitoring Exemptions- No Action (4):**
  - “This amendment is hundreds of pages long, showing that the current information about fishing behavior and catch, that it's flawed, that it's not accurate, precise, and timely. And so, to provide any exemptions based on that flawed foundation of information is unacceptable and premature. After the monitoring program has a few years, a good foundation of high quality information, that would be the appropriate time for the Council to consider exemptions for monitoring. But until then, we just don't have the information to inform those exemptions.”
  - “No vessel should be exempt from monitoring requirements if it catches overfished stocks.”

# Other Comments

- **Comments on the DEIS (42):**
  - Concerns about cost analysis assumptions
  - “The EM alternatives and analyses are inadequate.” Maximized retention isn’t ready, and should not be an option in the document.
- **Modifying A23 Alternatives (15):**
  - Suggest putting a sunset clause into the 100% coverage alternative that would set the rate back to 50% coverage if federal funds run out.
- **Additional Alternatives not in A23 (8):**
  - Deploy two observers per trip boat, eliminate the use of volume to volume method by observers
  - Better management of groundfish discards in other fisheries (common pool and lobster).
- **Other Ideas for Sector Management (8):**
  - Utilize the “self-policing and co-management” nature of sectors to address issues with monitoring and increase enforcement of existing monitoring requirements.

# Update on Additional Analyses



# Draft Report: Evaluating the Impact of Inaccurate Catch Information on New England Groundfish Management

- As it relates to A23, the Council is interested in exploring the question: how does under-reported catch in the commercial groundfish fishery affect assessments and catch advice?
- Simulation test a range of underestimated catch scenarios and evaluate the impact on the performance of the stock assessment and management.
  - Simulations were conditioned to be similar to the Gulf of Maine cod stock, assessment and management.
- **What it's NOT designed to inform:**
  - Is the current catch data biased?
  - What is the cause of bad catch data?
  - DOES NOT consider other uncertainties in science and management: bad survey data, imprecise recreational catch, inaccurate stock assessment assumptions (e.g., natural mortality), uncertain age/size composition, etc.

# Summary of Report Findings

## **Management Performance:**

- Estimated stock status was similar to true stock status determinations under constant catch bias scenarios.
- Change point catch bias scenarios exhibited instances of misperception of stock status.

## **Conclusions:**

- Improvement of catch reporting has the potential to improve stock assessment and management performance and contribute to achieving rebuilding plans.
- High to extreme bias in catch reporting was detrimental to sustainable management
- <50% catch bias had more limited impacts on assessment and management performance in the context of risk adverse management.

# SSC Panel Review - August 21

Reviewers: John Wiedenmann (Review Chair)

Chris Legault

Michael Wilberg

TORs:

1. Are the methods adequately described and based on sound analytic techniques and statistical principles?
2. Are important uncertainties identified, and are the impacts of these uncertainties on the analyses adequately described?
3. What are the strengths and weaknesses of the approach?
4. Are the conclusions supported by the results?
5. Are there recommendations for improvement?
6. Do the conclusions provide information that is relevant for the Council to consider?

# Next Steps

- Incorporate SSC review panel recommendations into report
- Final report sent to Council
- Final report to be incorporated into Amendment 23 as an appendix

# For Today

- Discuss the public comments received on Draft Amendment 23, and
- Possibly make final recommendations on preferred alternatives.

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