



## New England Fishery Management Council

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## MEETING SUMMARY

### Groundfish Plan Development Team

Webinar

Wednesday May 29, 2019

The Groundfish Plan Development Team (PDT) met to discuss Amendment 23/Groundfish Monitoring and other business, as necessary. The primary focus of the meeting was to continue to develop revisions to the draft alternatives for Amendment 23.

***Meeting Attendance on Wednesday May 29:*** Jamie M. Cournane PhD (Chair), Chad Demarest, Dan Caless, Dan Linden, PhD, Katherine McArdle, Mark Grant, Matthew Cutler, PhD, Melissa Errend, Robin Frede, and Paul Nitschke; Matthew Cieri, PhD; and Libby Etrie and Rick Bellavance (Groundfish Committee members); and the audience included Amanda Cousart, Alison Lorenc, Jackie Odell, Jeff Taylor, and Maggie Raymond.

The meeting began at 10 am.

#### ***Key Outcomes:***

- The PDT reviewed revisions to the draft Amendment 23 alternatives following the Committee meeting on May 21.
- The PDT reviewed tasking from the Committee and Council.
- The PDT provided additional clarification on the observer effects analysis following the joint Groundfish Committee/Groundfish Advisory Panel (GAP)/PDT meeting on May 20-21, 2019.

#### **Amendment 23/Groundfish Monitoring**

##### **Revisions to the draft alternatives**

The PDT discussed revisions to the draft alternatives in response to the Groundfish Committee's recommendations at the joint Groundfish Committee/GAP/PDT meeting on May 20-21, 2019. Please see the latest version of the draft alternatives (*Amendment 23/Groundfish Monitoring-draft alternatives, May 31, 2019*). Some highlights from the PDT discussion include:

1. Addition of a review process – To address a Committee task, the PDT developed an option in Section 4.1 Fishery Program Administration as Section 4.1.1.4 Review Process for Monitoring Coverage Levels. This review would be at the overall program level and the metrics would be developed upon selection by the Council of the final preferred alternative.

2. Fishery operations if funds for monitoring shoreside costs are unavailable – The PDT developed an option as Section 4.1.1.5 to address concerns over how the fishery would operate if there is insufficient funding for NMFS’ monitoring shoreside costs for the specified coverage level, which is a concern that has similarly been addressed in the Industry-Funded Monitoring (IFM) amendment. GARFO staff will follow-up with NOAA General Counsel on a target versus a required coverage rate – and the interaction (or not) with the IFM Amendment.
3. Dockside monitoring (DSM) – The PDT discussed considerations for DSM program design in Section 4.2.1.1 for how dealers/vessels would contract with a dockside monitor provider and how a provider is selected. The PDT discussed how there are different models – 1) one modeled after the current system in which sectors or dealers would individually contract with providers approved by NMFS, or 2) a system in which there is one program administered by NMFS that all dealers/vessels would use to contract with providers approved by NMFS. GARFO staff will follow up with NOAA General Counsel on the requirements of a NMFS-administered program.
4. Sector monitoring plans to ensure sectors meet monitoring standards – To address a Committee task, the PDT developed an option in Section 4.2.2.2 Sector Monitoring Tools as Section 4.2.2.2.4 Monitoring Plans.
  - The PDT did not understand what the “set standard” would be and had difficulty understanding the Committee’s intent of this addition. Some members of the PDT interpreted the “set standard” to be whichever monitoring standard the Council selects as the final preferred alternative in Section 4.2.2.1 Sector Monitoring Standards, while others interpreted this as a new standard related to reducing observer bias. Further, some PDT members interpreted the intent of this addition as using the PDT’s observer bias work to determine a threshold for observer effect to use as the standard but noted that the analyses do not support vessel-level information.
  - The PDT developed this option in the alternatives so that the “set standard” would be whichever monitoring standard the Council selects as the final preferred alternative in Section 4.2.2.1 Sector Monitoring Standards.
  - Also, the PDT is concerned that correcting for “the problem” related to sectors not achieving the monitoring standard would be too vague. The PDT does not know what the sectors are interested in having responsibility for with respect to “correcting the problem” of not achieving the monitoring standard.
  - The No Action description will be further revised to detail the existing range of monitoring issues within the scope of sector operations plans.

### Tasking for A23

A summary of the tasking to date for A23 from the Groundfish Committee and Council is provided, along with the status of each item. Item #5 was discussed by the PDT (see below).

- 1) [*STATUS: ADDED TO DRAFT ALTERNATIVES*] [Council] Develop options for Section 4.2.1.1 Dockside Monitoring (DSM) program that address issues identified with previous DSM programs in 2010 & 2011 and the PDT’s DSM Discussion document:

- If discrepancy between dealer and DSM report of vessel landings which is the “official record” (past decisions by NMFS have stated “DSM could not replace dealer reports as official records of landings”)?
  - Higher cost/lbs. landed for DSM in smaller less used ports and for small vessels with low harvest capacities including:
    - landings in ports that must be trucked from vessel to dealer scales for weighing
    - lower levels of DSM for these ports and vessels (e.g. spot check coverage with 20% of trips)
  - Safety and liability issues associated with DSM fish hold inspections
  - How to pay for DSM option? – include both dealers and Sector options
- 2) [*STATUS: ADDED TO DRAFT ALTERNATIVES*] [Council] In Section 4.2.2.1.3 Option 3 Coverage Level Based on a Percentage of Catch include 25 percent and 75 percent as potential options in addition to the 50 percent and 100 percent.
  - 3) [*STATUS: ADDED TO DRAFT ALTERNATIVES*] [Council] Add an additional option in Section 4.2.3.1 Option 2 Exemption for Certain Vessels Based on Fishing Locations, to exempt fishing vessels fishing exclusively west of the 71° 30” west longitude line.
  - 4) [*STATUS: TO BE COMPLETED WITH DEIS*] [Groundfish Committee] Develop an explanatory document that explains the pros/cons of decoupling NEFOP and ASM from coverage target rate satisfaction. This analysis should also include considerations in ways flexibility could be achieved if decoupling NEFOP and ASM enabled sectors to develop vessel selection criteria with their provider in their operations/monitoring plan.
  - 5) [*STATUS: ADDED TO DRAFT ALTERNATIVES*] [Groundfish Committee] Add and revise Section 4.2.2.1.3/Option 3 as “Coverage Level Based on a Percentage of Catch” and include for analysis the development of a coverage level for the sector fishery based on at least 50 percent of total catch that looks at strata such as stock, gear, area fished and fishery wide catch. The PDT should take into consideration of how catch of healthy stocks influencing any option and ways it may be considered differently.
  - 6) [*STATUS: TO BE COMPLETED WITH DEIS*] [Groundfish Committee] Review any existing exemptions from ASM to verify if the intent of the exemptions is still being met, i.e., the catch composition had little to no groundfish.
  - 7) [*STATUS: ADDED TO DRAFT ALTERNATIVES*] [Groundfish Committee] Add to the alternatives a review process to evaluate the efficacy of rates of coverage, to include metrics or indicators of how well the program improved accuracy while maximizing value and minimizing costs.
  - 8) [*STATUS: ADDED TO DRAFT ALTERNATIVES*] [Groundfish Committee] Include the Plan Development Team’s Attachment 1 (see Plan Development Team Meeting Summary from May 14, 2019) into the dockside monitoring alternative in Section 4.2.1.1.

- 9) [*STATUS: ADDED TO DRAFT ALTERNATIVES*] [Groundfish Committee] To add an option to (a) set a standard (i.e., observer bias) to measure the effectiveness of at-sea monitoring at the sector-level, and (b) if the sector is not meeting the set standard, then provide the ability in the monitoring plans to correct the problem.
- 10) [*STATUS: ADDED TO DRAFT ALTERNATIVES*] [Groundfish Committee] To include in Section 4.2.2.2 (Sector Monitoring Tools) an option that would use electronic monitoring as a replacement for human at-sea monitoring when selected for monitoring.
- 11) [*STATUS: TO BE COMPLETED WITH DEIS*] [Groundfish Committee] Analyze different stratification approaches on ways to determine coverage selection of "trips" under 4.2.2.1.2 (Option 2: Fixed Total At-Sea Monitoring Coverage Level Based on a Percentage of Trips) including but not limited to fleet-level trips, sector-level trips, and vessel-level trips.

**ITEM #5:** To assist in the discussion, the PDT wanted to know what proportion of the total dealer reported landings for each stock were observed each year. Table 1 summarizes the ratio of dealer reported landings on observed trips relative to unobserved trips for each allocated groundfish stock for fishing year 2010 to partial 2018 (as of May 8, 2019).

Additionally, the PDT also examined the same information for what proportion for the total dealer reported landings for each stock were observed each year for each sector (not provided in the meeting summary).

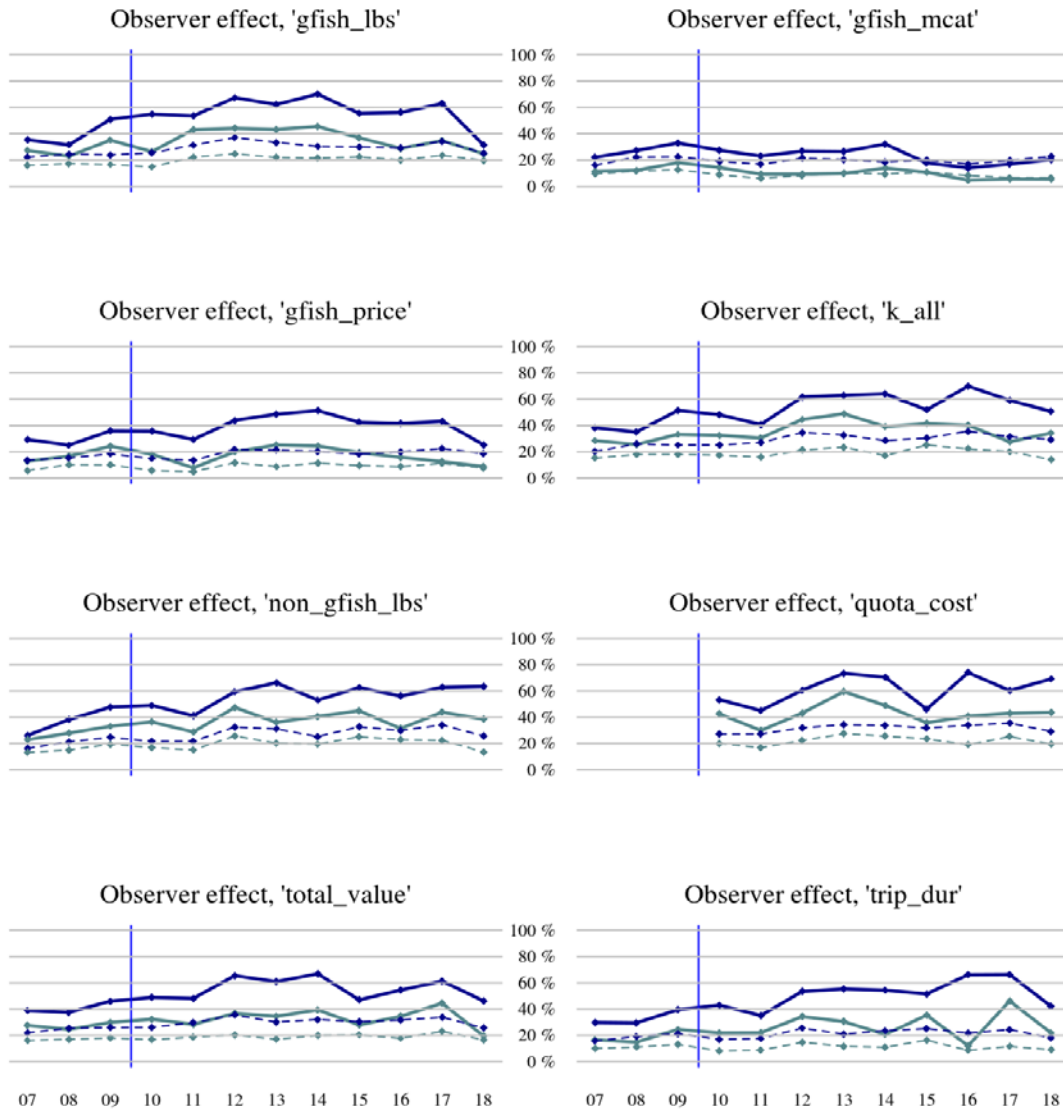
The PDT developed this option in the alternatives such that the sector sub-ACL would be the level targeted to achieve the selected coverage (as a percentage) of total catch of each allocated groundfish stock. While correspondence at the aggregate level may be informative to show differences, the PDT felt that the other criteria to consider, such as the individual sector, gear, and stock area fished levels, could explain differences. However, in thinking about how observers might be deployed to estimate the discard rate based on this standard, the PDT wondered if this level could lead to over-stratification and more targeted sampling that could become non-random depending on the strata. The PDT concluded that more work was needed to compare and contrast the CV standard to potential configurations of the percentage of catch standard, which could be done in the DEIS.

**Table 1- Ratio of dealer reported landings on observed trips relative to unobserved trips for each allocated groundfish stock 2010 to 2018. Realized (ASM + NEFOP) at-sea monitoring rate also shown, for comparison. \* denotes target rate since realized coverage level for 2018 is not yet available. \*\* Starting in 2016 quota for GB cod west was allowed to be converted into GB cod east quota, and in 2014 a similar provision allowed GB haddock west quota to be converted into GB haddock east quota (FW 55 and 51, respectively).**

<b>Fishing Year</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
<i>Realized coverage level</i>	0.32	0.27	0.22	0.20	0.26	0.20	0.15	0.14	*0.15
GB Cod East**	0.28	0.42	0.16	0.18	0.34	0.11	0.11	0.14	0.19
GB Cod West**	0.26	0.24	0.21	0.18	0.24	0.18	0.14	0.18	0.12
GB Haddock East**	0.26	0.27	0.07	0.07	0.14	0.20	0.13	0.11	0.27
GB Haddock West**	0.32	0.36	0.25	0.24	0.30	0.19	0.14	0.14	0.12
GB Winter Flounder	0.34	0.34	0.17	0.17	0.22	0.17	0.12	0.08	0.15
GB Yellowtail Flounder	0.32	0.36	0.29	0.12	0.22	0.20	0.10	0.02	0.04
GOM Cod	0.33	0.30	0.22	0.23	0.31	0.25	0.17	0.25	0.13
GOM Haddock	0.29	0.23	0.24	0.27	0.30	0.20	0.13	0.22	0.14
GOM Winter Flounder	0.24	0.28	0.19	0.17	0.24	0.22	0.10	0.14	0.11
CC/GOM Yellowtail Flounder	0.23	0.20	0.15	0.21	0.27	0.19	0.13	0.16	0.10
SNE/MA Yellowtail Flounder	0.21	0.26	0.20	0.20	0.19	0.11	0.13	0.18	0.10
SNE Winter Flounder	0.07	0.15	0.22	0.29	0.26	0.23	0.13	0.19	0.09
White Hake	0.37	0.37	0.24	0.22	0.29	0.20	0.16	0.19	0.16
Witch Flounder	0.30	0.34	0.24	0.24	0.28	0.19	0.14	0.20	0.11
Plaice	0.33	0.39	0.27	0.24	0.28	0.20	0.13	0.17	0.11
Pollock	0.34	0.34	0.21	0.23	0.28	0.20	0.14	0.20	0.15
Redfish	0.33	0.34	0.22	0.21	0.30	0.21	0.15	0.18	0.13
Mean	0.28	0.31	0.21	0.20	0.26	0.19	0.13	0.16	0.13
Median	0.30	0.34	0.22	0.21	0.28	0.20	0.13	0.18	0.12
Std. Dev.	0.07	0.07	0.05	0.05	0.05	0.04	0.02	0.05	0.05
CV	0.25	0.24	0.25	0.26	0.19	0.19	0.14	0.34	0.37

## **Clarification of Observer Effects Analysis discussed at the Joint Groundfish Committee/GAP/PDT Meeting**

At several points during the joint meeting on May 20-21, some members of the GAP and Committee stated that 70% of the fleet does not illustrate an observer effect. This is a misleading summary of the observer effects analysis. For example, the upper left-hand panel of Figure 1 displays that 40% of groundfish pounds were associated with an observer effect of +/- 15% in 2017, for those trips examined. Other levels could have been shown such as an observer effect of +/- 5% or +/- 10%. The work does not say what proportion of landings were identical, nor does it suggest what level of observer effect might constitute a significant difference. Furthermore, the observer effects analysis does not include the full population of groundfish vessels and trips, so it is impossible to quantify the observer effect for every vessel in the fishery. The PDT cautions that any prescribed threshold for an observer effect (e.g., +/- 5%, +/- 10%, or +/-15%), is unobservable in real-time, and therefore impractical for regulation. It is also unenforceable. Observed/unobserved differences may arise for any number of legal reasons, including vessels that exhibit considerable and entirely legal variation in fishing practices and outcomes. The PDT recognizes that the number of vessels exhibiting, and the proportion of catch impacted by, systematic differential responses to observer presence is an important consideration for the Council and will continue to develop analyses in an effort to better frame this issue.



*solid line*  
 Proportion of all groundfish caught by vessels exhibiting +/- 15% median annual effect  
 ... +/- 30% median annual effect

*dotted line*  
 Proportion of all vessels exhibiting +/- 15% median annual effect  
 ... +/- 30% median annual effect

**Figure 1- Proportion of vessels and catch accounted for by vessels with median annual observer effect greater than +/- 15% and 30%. Source : Reproduced from Figure 5 pp 66 of the PDT's analysis, see: [https://s3.amazonaws.com/nefmc.org/3a\\_Groundfish-PDT-monitoring-analyses-with-presentations-as-reviewed-by-the-peer-review.pdf](https://s3.amazonaws.com/nefmc.org/3a_Groundfish-PDT-monitoring-analyses-with-presentations-as-reviewed-by-the-peer-review.pdf)**

***Other Business***

No other business. Table 2 lists follow-up tasks. The Groundfish PDT meeting adjourned at approximately 12:00 p.m.

**Table 2- Follow-up tasks from May 29, 2019 Groundfish PDT meeting.**

<b>Task</b>	<b>Name(s)</b>	<b>Due Date</b>
Draft meeting summary	Jamie, Melissa	May 29, 2019
Draft updated draft A23 alternatives following PDT discussion/review	Robin, Melissa, Mark	May 30, 2019
Review draft meeting summary	PDT	May 31, 2019
Review draft A23 alternatives	PDT	June 3, 2019