

**MEMORANDUM**

**DATE:** July 20, 2016

**TO:** New England Fishery Management Council  
Mid-Atlantic Fishery Management Council

**FROM:** Industry-Funded Monitoring Plan Development Team/Fishery Management Action Team

**SUBJECT:** Industry-Funded Monitoring (IFM) Omnibus Amendment Development

- The PDT/FMAT met by via teleconference on July 20, 2016, to consider motions made at the Mid-Atlantic Fishery Management Council (MAFMC) and the New England Fishery Management Council (NEFMC) meetings held in June 2016. PDT/FMAT participants included: Brant McAfee, Katie Richardson, Carly Bari, Carrie Nordeen, Dan Luers (NMFS GARFO); Dr. Andrew Kitts, Amy Martins (NMFS NEFSC), Jason Didden (MAFMC); Dr. Jamie Cournane, Maria Jacob, Dr. Rachel Feeney (NEFMC), Mary-Beth Tooly, Libby Etrie (NEFMC Council Members), and several members of the public.
- The MAFMC recommended that slippage consequence measures would apply to trips with At-Sea Monitoring (ASM) coverage, but not to trips with Electronic Monitoring (EM) coverage. The NEFMC recommended that slippage consequence measures apply to ASM and EM trips. Because these two recommendations conflict, NMFS interpretation is that the most restrictive measure (i.e., slippage consequence measures would apply to ASM and EM trips) would apply on trips declared into both the herring and mackerel fisheries. PDT/FMAT members are still unsure whether EM could determine when slippage events occur or the cause of slippage events. This topic will be discussed at the NMFS *West Coast Region / Greater Atlantic Region EM Workshop* in August, and will also be informed by the Midwater Trawl EM Pre-Implementation Project. PDT/FMAT members agreed that slippage consequence measures for both herring and mackerel could be altered by a Framework Adjustment action.
- The NEFMC recommended a new herring alternative for the IFM Amendment. The alternative specifies ASM coverage for Category A and B herring vessels and allows for different coverage levels (25%, 50%, 75%, or 100%) to be selected for different gear types (midwater trawl, purse seine, bottom trawl). In addition, after the NEFMC determines that EM/Portside is a viable alternative to ASM, it allows Category A and B vessels (midwater trawl, bottom trawl, purse seine) to choose between ASM or EM/Portside sampling coverage.

- The PDT/FMAT noted that when the NEFMC approved this motion (4d), it did not contain the language about Category A and B vessels that was found in previous versions (4a-4c), and discussed if this omission was purposeful. The PDT/FMAT agreed that because language in the first bullet of 4d does refer to Category A and B vessels, subsequent bullets are meant to refer to these categories as well.
- The PDT/FMAT discussed how to implement EM on purse seine and bottom trawl vessels, given that the PDT/FMAT has no data, model, or project planned to evaluate EM aboard bottom trawl and purse seine vessels. A pilot or pre-implementation study would likely be necessary to determine EM's effectiveness with those gear types. The PDT/FMAT wondered about the process for approval/implementation of EM for bottom trawl and purse seine vessels. In addition, the PDT/FMAT noted that the original goal was to have all monitoring types available with the implementation of the IFM Amendment. But it is unlikely that enough information on EM for purse seine or bottom trawl gear would be available at that time. PDT/FMAT members suggested that approval/implementation of EM on bottom trawl and purse seine vessels could be similar to the approval process for a new gear type or sector.
- The PDT/FMAT questioned how EM/Portside will replace ASM. Will the replacement be at a 1:1 ratio (e.g., 25% ASM replaced by 25% EM)? If so, this means that EM/Portside may be used at rates not previously analyzed (i.e., 25%, 75%), and thus may require additional analyses (economic). The PDT also noted that using EM/Portside as a replacement for ASM strays from the original intent of all monitoring types being available with the implementation of the IFM Amendment.
- The MAFMC recommended a new mackerel alternative for the IFM Amendment. The alternative specifies ASM coverage (25%, 50%, 75%, or 100%) for limited access midwater trawl vessels and then allows those vessels to choose between ASM or EM/Portside sampling coverage.

  - The PDT/FMAT discussed some discrepancies between the herring and mackerel motions. Under mackerel alternatives, ASM could be selected at variable coverage rates, and EM would only be applicable to midwater trawl vessels. Thus, bottom trawl vessels could not choose EM as a monitoring option. NMFS interpreted this to mean that on combined bottom trawl trips (declared into both herring and mackerel fisheries), the most restrictive policy would be used (i.e., EM would not be permitted for bottom trawl vessels on trips declared into the herring and mackerel fisheries).

- The PDT/FMAT also discussed which permit categories were affected by the new mackerel alternative and concluded that the alternative applied to all limited access vessels using midwater trawl gear.
  - Discrepancies between herring and mackerel alternatives can still be amended in the EA if they are outgrowths of the original action or come from public comment.
- The Councils voted to allow ASMs to collect additional biological information from kept and retained catch. The sampling duties will remain as they are currently described in the amendment, but the Councils could add additional sampling requirements in a future action. The PDT/FMAT agreed that this process would likely be informal, similar to the process for changing the prioritization process weighting schemes (Omnibus Alternative 2). It was noted by PDT/FMAT members that as the task load for ASMs increases, the responsibilities and costs converge with NEFO- level observers. Choosing NEFOP observers over ASMs could save NMFS in administrative costs, as there wouldn't be a need for separate trainings. PDT/FMAT members stated that ASM costs estimates (\$710/day) are long-term estimates, and are likely conservative. The PDT/FMAT believes that, in spite of potential changes in responsibilities, the estimates of \$710/day for ASM and \$818/day for NEFOP observers are the most accurate estimate we have based on the information available.
- The Councils have recommended combined coverage targets (SBRM coverage + IFM coverage = IFM coverage target) for NEFOP-level and ASM coverage. Due to large variations in annual SBRM coverage levels, the PDT/FMAT agreed that using SBRM coverage from the previous year to calculate IFM coverage for the following year will likely result in large overages/underages. In order to achieve the desired coverage levels, a dynamic inseason coverage allocation program should be developed. But inseason coverage allocation would also be difficult because the SBRM fishing year does not align with the herring and mackerel fishing years, thus confounding the process of allocating coverage. The PDT/FMAT discussed whether the PTNS system could be adapted to allocate coverage, but decided that the system was not designed to accommodate this type of coverage allocation, and that a new PTNS system would be required to accommodate combined coverage targets. The PDT/FMAT also acknowledged that implementing combined coverage targets will be very unpredictable, resulting in large swings in coverage amounts, and may not be feasible. In addition, using combined coverage targets may result in disproportionate payments for vessels. NMFS will set up a meeting with the groundfish team to discuss "lessons learned" from their implementation of a combined coverage target. The PDT/FMAT will work to have more information regarding the implementation of a combined coverage target before the Councils take final action on the IFM Amendment.

- Timeline for final action has slipped a bit. December (MAFMC) and January (NEFMC) are now the most likely dates for final action. Public hearings were recommended to be held in September and October (ideally Sept. 15-October 30). NMFS will work to draft the details of the new alternatives and get that information out to the PDT/FMAT so that the PDT/FMAT can update the impact analyses in the EA.