

**Joint Oversight Committee
for the Standardized Bycatch Reporting Methodology (SBRM) Omnibus Amendment
September 6, 2006
Warwick, RI
10:00 AM – 12:45 PM**

Meeting Summary

Committee Members: Mr. Dana Rice (Chair), Ms. Laurie Nolan, Mr. Dave Simpson, Mr. Pete Jensen, and Mr. Jimmy Ruhle

NOAA/NMFS Staff: Mr. Michael Pentony (FMAT Chair), Mr. Michael Ruccio, Dr. Susan Wigley

Others: Two audience members.

The meeting opened with re-introduction of the Committee members and NOAA Fisheries Service staff. The remainder of the Committee meeting was spent discussing items on the agenda.

Update and Review of Current Progress on SBRM Omnibus Amendment

Mr. Pentony indicated that the amendment's framework is done and the background chapters and supporting materials are continuing to take shape (Chapters 1-3). He stated that the foundation for Chapter 5 is the Wigley et al paper that was reviewed by the Science and Statistical Committee (SSC). Because some of the recommendations from the SSC will require the analyses to be rerun, the tables and figures of Chapter 5 as well as some of the accompanying text explanations will be changing. Mr. Pentony indicated that the changes resulting from the SSC review would be covered in detail under a later agenda item. Chapters 4 and 6 have been completed and were distributed for review prior to the Committee meeting. Mr. Pentony indicated that the public comment draft of the amendment complete should be available for the Committee to review at their September 25 meeting so that a recommendation may be made to the full New England Fishery Management Council (NEFMC) to move the document to public hearings.

Mr. Pentony relayed that the SBRM Fishery Management Action Team (FMAT) held a meeting on August, 31, 2006, in Gloucester, MA. The primary purpose of the meeting was to discuss the recent peer review of the amendment analyses conducted by a subcommittee of both Council's SSC, to review draft chapters, and discuss remaining tasks for completing the draft amendment.

Though no formal written report from the SSC peer review was available at the time of the meeting, the FMAT was able to work from the notes taken by those in attendance at the peer review meeting. The FMAT discussed the issues and recommendations that resulted from the peer review.

In addition, the FMAT reviewed and revised drafts of Chapters 4 and 6 of the amendment. Mr. Pentony indicated that the FMAT is scheduled to meet again on September 14 to address any concerns raised by the Committee, to review additional chapters, and to address any last minute needs to prepare the draft public hearing version of the amendment for inclusion in the NEFMC mailing scheduled for September 18.

Update and Review of the SSC Review of the SBRM Amendment Analytical Sections

Mr. Pentony relayed that a subcommittee composed of two NEFMC and two Mid-Atlantic Fishery Management Council (MAFMC) SSC members met on August 22, 2006, to conduct a peer review of the SBRM analytical sections. Prior to the meeting, the SSC subcommittee was provided a written summary of the analyses by Northeast Fishery Science Center (NEFSC) staff. Mr. Pentony indicated that this written summary will be the foundation of Chapter 5 of the amendment. Mr. Pentony stated that Drs. Wigley and Rago from the NEFSC gave presentations to the SSC subcommittee during the peer review meeting. The SSC subcommittee committed to providing a written summary of their comments and recommendations to the FMAT chair. Mr. Pentony stated that the SSC subcommittee appeared to take their tasking seriously and were very engaged in the review process. An extensive dialogue occurred during the peer review meeting and Mr. Pentony indicated that the peer review had been a very positive experience that had a positive impact in further refining the amendment.

Mr. Pentony relayed that the written summary had only been received late in the day before the Committee meeting. Mr. Pentony provided a brief summary of the SSC's written comments and recommendations, as follows:

- The SSC found that the NEFSC scientists had done a commendable job of formulating a comprehensive approach to the problem of assessing bycatch in multiple fisheries
- The consensus of the SSC was that the [SBRM] program provides a rigorous objective framework for addressing the problem of bycatch monitoring while allowing for some flexibility in prioritizing needs and allocating of sampling effort
- Mr. Pentony relayed that the SSC had the following general comments:
 - They were concerned that it may not be possible to attain the CV target of 30% given current resources
 - They thought the use of imputation for missing values was appropriate but that NEFSC scientists should be aware of potential seasonal influences
 - They supported the infeasible cell (i.e., excluded grey cells) exercise to reduce the number of cells analyzed but thought that the exercise had possibly been too conservative and that more cells could have been excluded
 - They found the analytical framework to be reasonable but offered the concept of an 'importance filter'; this concept will be discussed further below

Dr. Wigley covered the technical comments raised by the SSC. She summarized these comments, as follows:

- One recommendation involves using a finite population factor that will cap the number of sea days needed to achieve the target CV within the level of days that actually occurs within the fishing fleet. Currently, in the analyses it is possible to require more sea days than the fleet

fishes to attain a target CV; this cap would keep the number of sea days at or below the number of days the fleet operates

- Another recommendation that will be implemented will account for unequal stratum size resulting in lowering the number of sea days needed to achieve the target CV of 30%

Mr. Pentony and Dr. Wigley stressed that incorporating these recommendations were very positive measures but that there would be resultant effects on the entire analysis. These changes are not corrections of errors or critical flaws; rather, they are further refinement of the analytical tools. Overall, the net change should be to reduce the number of sea days needed to attain the target CV. Dr. Wigley stated that she could not yet ascertain the magnitude of the reduction in days. Dr. Wigley also stated that making the changes to accommodate the recommendations was no small undertaking; additional code must be written, the analyses rerun, and the tables and figures redone. Mr. Pentony and Dr. Wigley indicated, despite the volume of work that needed to be conducted to incorporate these changes, that the revised analysis should be available in time for assembly of the public review draft of the amendment and subsequent Committee review on September 25. There was a general discussion amongst Committee members and some questions from the audience regarding the selection criteria for designating infeasible/unlikely combinations for ‘grey cell designation’ in the SBRM tables.

Discussion of “Importance Filter” Concept

Mr. Pentony described the importance filter concept that the SSC introduced during their review of the amendment analysis. He distributed a document with the elements of a conceptual importance filter, a straw man of the filter process, and several data tables. The SSC recognized that setting the days of coverage needed at the level of the species with the largest number of sea days to attain the CV goal for a particular fishery mode may not be an effective use of resources. Mr. Pentony described the multi-tiered filtering process or ‘importance filter’ that the SSC had conceptualized; the initial total number of sea days needed for a fishery mode then summed for all fishery modes would constitute an unadjusted baseline. This number is currently 52,000+ days before the updated analysis has been performed. The first filtering tier would be to exclude the unlikely/infeasible grey cells from the SBRM matrix resulting in fewer days needed to attain the target CV (46,000+; unadjusted for updated analysis), the next filtering tier(s) could be designed to consider such things as the magnitude of discards, status of species, rare occurrences, magnitude of discards relative to total catch, quota, or biomass of the species in question. Mr. Pentony stated that it would be beneficial if the filtering process could be automated but stressed that individual species or item-by-item review that allows for additional refinement could always be performed by the Councils. Mr. Pentony indicated that the purpose of the filter would be to give the Councils a better means to understand the implications in terms of costs and benefits for setting coverage levels at a specific level within a fishery or gear mode.

To illustrate how the filter process might work and what type of data might be useful in considering how to design the filter, Mr. Pentony went through several detailed examples that illustrated the types of situations the SSC had highlighted. Following his overview of the data types, Mr. Pentony offered that these data types represent the type of information that could be put into a filter to distinguish what species should be driving coverage (i.e., are important and

meet or exceed the 30% CV target) from those that should not (i.e., are not important and do not meet the 30% CV target).

Mr. Pentony introduced the straw man draft filter that the FMAT had constructed. He indicated that the actual thresholds (percentages in columns) had not been predetermined and were still under development.

The Committee discussed the various data types that Mr. Pentony had introduced and asked several questions to clarify how the importance filter may work. Some Committee members questioned if an additional filter level could be crafted to monitor the effectiveness of regulatory changes implemented to minimize bycatch. Mr. Pentony suggested that the Councils have in the past requested things such as additional observer coverage or focused monitoring as part of the implementing action that sought to minimize bycatch. Mr. Pentony stated that this approach, rather than another filter level, would be preferable to assessing effectiveness of regulatory changes relative to reducing bycatch. Dave Simpson suggested that some feedback mechanism that assesses how the CV for individual species of concern are faring within the filter protocol may be useful. He stated that this may be needed because some species assemblages may attain the 30% CV goal but individual species may not. Mr. Pentony agreed and stated that this would be discussed at the next FMAT meeting.

Review of Chapter 6 of the SBRM Amendment – Alternatives under Consideration

Mr. Pentony introduced the revised Chapter 6 that had been distributed to the Committee, stating that it is also one of the core aspects of the amendment. He said that Chapter 6 did not contain anything new and that it was a composition of everything that had been discussed in past Committee meetings with some of the organization and layout slightly different than previous iterations. Mr. Pentony then briefly described the contents of each section of the chapter for the Committee.

The Committee had a brief discussion regarding electronic monitoring as a considered but rejected alternative. Mr. Pentony stated that this was done because, though electronic monitoring was not viewed by the FMAT or Committee as mature enough for development and implementation through the amendment, it has the most potential for future applications. Including it as a full alternative will ensure that some level of analysis is conducted through the SBRM Amendment and will set the stage for future development and implementation.

The Committee and the public in attendance asked several questions regarding the level of detail available through the amendment and specific monitoring programs. Dr. Wigley and Mr. Pentony provided answers that resulted in little additional discussion or follow up questions.

Other Issues

Mr. Pentony reiterated that the next Committee meeting would be September 25, in Peabody, MA. The primary purpose of this meeting will be to review the public hearing draft of the SBRM Amendment and to discuss recommendations to the Councils for public hearings.

The Committee discussed the number and location of public hearings to be held for the amendment. After a brief discussion, the Committee adopted by consensus two public hearings, as follows:

1. In conjunction with the November NEFMC meeting in Gloucester, MA
2. In conjunction with the December MAFMC meeting in New York, NY.

The Committee expressed some desire to try and gauge the interest level for the amendment in the upcoming Council meetings to ascertain if additional meetings or locations would be necessary. Mr. Pentony cautioned the Committee that this may be difficult given the need of adequate public notice for additional public hearings. Most Committee members thought that the two public hearings listed above would be sufficient; there were no comments regarding public hearings from the public in attendance.

Mr. Pentony mentioned that the 'Super Advisory Panel' meeting originally discussed in the spring, where industry members would catalog all currently employed voluntary bycatch reduction measures, has continued to be difficult to schedule. He stated that if the Committee feels this is still a priority, that the Committee should approach the individual Council executive directors to try and move the meeting forward. Some Mid-Atlantic members of the Committee said that they had identified membership for the Super AP, but that not having a firm meeting date had hindered their ability to get commitments for participation. In the end, the original proposer of the meeting, Jim Ruhle, stated that this appendix may no longer be necessary as he now has a more clear understanding of what the amendment will cover. Therefore, the Super AP meeting is no longer being planned.

The meeting adjourned at 12:45 with all items on the agenda having been discussed.