

Amendment 114 to the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area

1. In Table ES-2, row “Observer Program”, replace existing text with the following:

All groundfish and halibut vessels and processors may be required to accommodate one or more NMFS-certified observers or an electronic monitoring system, in order to verify catch composition and quantity, including catch discarded at sea, and to collect biological information on marine resources. Vessels and processors are included in one of two coverage categories: partial and full. Vessels and processors in the partial coverage category are subject to an ex-vessel value-based fee not to exceed 2%, and are required to carry an observer or electronic monitoring system as determined by NMFS through an Annual Deployment Plan. Vessels and processors in the full observer coverage category are required to obtain observer coverage by contracting directly with observer providers to meet coverage requirements in regulation.

2. In Section 3.2.4 Accountability Measures, add text marked with underline, as follows:

The Magnuson-Stevens Act requires FMPs to include accountability measures to ensure that overfishing does not occur in the fishery. The following subsections describe some of the accountability measures in place for the BSAI groundfish fishery. Accountability measures have been used and further developed for the management of the BSAI groundfish fisheries since the inception of this FMP. These accountability measures serve many purposes, including prevention of overfishing and assessing the amount and type of bycatch occurring in the fishery. Further details regarding monitoring and reporting requirements are provided in Section 3.9.

3. In Section 3.2.4.1 Observer Program, replace this section with this paragraph, as follows:

At the core of the North Pacific fisheries monitoring system is a comprehensive, industry-funded, at sea and on shore Observer Program, coupled with requirements for total weight measurement of most fish harvested. All sectors of the groundfish fishery and the commercial halibut sector are included in the Observer Program and may be required to carry one or more observers or an electronic monitoring system for at least a portion of their fishing time. Further details regarding the Observer Program are provided in Section 3.9.2.

4. In Section 3.2.4.2 Catch Accounting System, replace this section with two paragraphs, as follows:

The purpose of the Alaska Catch Accounting System (CAS) is to quantify total catch in the groundfish and halibut fisheries to allow the inseason monitoring and management of the groundfish fishery. The CAS uses information from the standardized reporting methodology to assess the amount of catch and bycatch occurring in the fishery and provides an integrated data source for fisheries monitoring and inseason decision making. The standardized reporting methodology is described in Section 3.9.

Each year, accounts are established in the CAS that match the categories listed in the annual harvest specification tables. A combination of observer data, electronic monitoring system data, dealer landing reports, and at-sea production reports are used to generate estimates of total catch, including prohibited species catch and at-sea discards. An important aspect of the CAS is to provide near real-time delivery of accurate data for inseason management decisions. To meet this objective, data from industry are reported through the Electronic Reporting System and fed into the NMFS database every half-hour. Data from observers and electronic monitoring systems are integrated into the Alaska Fisheries Science Center database as soon as they become available, and are incorporated into the CAS every night.

5. In Section 3.9 Monitoring and Reporting, add two introductory paragraphs, as follows:

The Council and NMFS must have the best available biological and socioeconomic information with which to carry out their responsibilities for conserving and managing groundfish resources, as well as other fish resources, such as crab, halibut, and salmon, which are incidentally caught in the groundfish fishery. This catch monitoring and reporting information is used for making inseason and inter-season management decisions that affect these resources as well as the fishing industry that utilize them. Information collected from industry reports and through the Observer Program constitutes the standardized reporting methodology for the BSAI groundfish fishery. The standardized reporting methodology means established, consistent procedures used to collect, record, and report catch and bycatch in the fisheries. One of the purposes of industry reports and the Observer Program is to collect, record, and report bycatch data in the fisheries that are used to assess the amount of type of bycatch occurring in the fishery and inform the development of conservation and management measures that, to the extent practicable, minimize bycatch and bycatch mortality.

Scientific evaluation of the information that is collected through the Observer Program is used to adjust the sampling plan for observer and electronic monitoring system deployment. Monitoring and reporting information is also used to judge the effectiveness of regulations guiding standardized reporting methodology. The Council will recommend changes to regulations when necessary on the basis of such information.

6. In Section 3.9.2 Observer Program, replace this entire section with four paragraphs, as follows:

The Council and NMFS must have the best available biological and socioeconomic information with which to carry out their responsibilities for conserving and managing groundfish resources. The purpose of the Observer Program is to verify catch composition and quantity, including catch discarded at sea, and collect biological information on marine resources. Used in conjunction with reporting and weighing requirements, the information collected by observers or electronic monitoring systems provides the foundation for inseason management and for tracking species-specific catch and bycatch amounts. Scientists use information collected by observers or electronic monitoring systems for stock assessments and marine ecosystem research.

To address management and scientific information needs, all vessels fishing for groundfish with a Federal Fishing Permit in Federal waters or in a State of Alaska parallel fishery, and all vessels fishing halibut or sablefish IFQ in Federal or State waters, and shoreside processors that have a Federal Processor Permit or Registered Buyer Permit are included in the Observer Program. All these vessels and processors may be required to accommodate one or more NMFS-certified observers or an electronic monitoring system. Provisions of the North Pacific Observer Program are developed in consultation with the Council and established in regulations.

All groundfish and halibut vessels and processors are included in one of two coverage categories: partial and full. Generally, catcher vessels and shoreside processors, when not participating in a catch share program with a transferrable PSC limit, are in the partial coverage category. Catcher processors and motherships, and catcher vessels and processors when participating in a catch share program with a transferrable PSC limit, generally are in the full observer coverage category. Some exceptions to these classifications are detailed in regulation.

Vessels and processors in the partial coverage category are subject to an ex-vessel value based fee not to exceed 2%, as implemented and revised through regulations, and are required to carry an observer or electronic monitoring system as determined by NMFS. NMFS develops an Annual Deployment Plan and makes adjustments to the plan after scientific evaluation of data collected

under the Observer Program. Vessels and processors in the full observer coverage category are required to obtain observer coverage by contracting directly with observer providers to meet coverage requirements in regulation.

7. In Appendix A, add the following:

Amendment 114, implemented on (*insert effective date of amendment*), revised Amendment 86:

Authorizes NMFS to place electronic monitoring systems for collecting at-sea data on vessels in the partial coverage category of the North Pacific Observer Program.