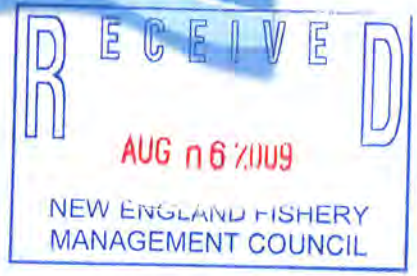


Correspondence Received & Comments
Re: Herring Catch Monitoring



August 5, 2009



VIA ELECTRIC MAIL

Frank Blount, Chairman, Herring Committee
Lori Steele, Chair, Herring Plan Development Team
New England Fishery Management Council
50 Water Street, Mill 2
Newburyport, MA 01950

RE: Developing At-Sea Catch Monitoring Alternatives for the Atlantic Herring FMP

Dear Frank and Lori:

I am writing on behalf of the Herring Alliance concerning the development of a robust set of at-sea catch monitoring alternatives for the Atlantic herring FMP. Although the Council voted to remove monitoring from amendment 4, we were encouraged by the Council's decision to formally commit to continuing work on monitoring during the summer and to deliver a fully developed set of monitoring alternatives this fall. As you well know, concerns about the way in which catch is monitored in this fishery abound, and the decision to remove monitoring from Amendment 4 has heightened these concerns. On behalf of the Herring Alliance, I ask that you take seriously your commitment to develop a strong set of monitoring alternatives this year, including at-sea monitoring. As you pursue this important work, we respectfully ask that the Committee strive to:

1. **Provide clear goals for the monitoring program.** A clear set of monitoring goals is essential to both developing and evaluating all alternatives for monitoring. These goals should be framed in terms of the results that the program will provide, not in terms of practical details of administration or execution. Without such goals, there is no firm basis for selecting alternatives, or for developing a program that draws on elements from a number of alternatives. Although the draft document does identify *goals* in section 3.2, this section fails to identify the essential results that an adequate catch monitoring plan must achieve.
2. **Develop strong at-sea monitoring alternatives with electronic technologies.** At-sea monitoring has not been adequately developed in amendment 4. Alternative 3 makes good use of at-sea electronic monitoring to ensure full retention for a well developed dock-side monitoring program but strong at-sea monitoring alternatives also need to be developed. In their present form, alternatives #1 and #2 are not strong alternatives. Electronic monitoring technologies (e.g., video, net and winch sensors, logbooks), combined with at-sea human observers, offer the best options for gathering the data

Herring Alliance
A Project of the Pew Environment Group

cc Council, LS(8/14)

needed to support a robust set of program goals while containing costs and ensuring compliance.

A clear set of monitoring goals will serve as a useful aid while developing and selecting alternatives for catch monitoring. The alternatives should each describe a set of approaches for achieving the same essential monitoring goals. Thus, the goals need to be framed in terms of the results that the program will provide. As an example, a suitable monitoring program might:

- a. Allow catch estimation of the target species to within $\pm X\%$ (e.g., 20%, see SBRM)
- b. Allow catch estimation of key non-target species with resolution that is sufficient for implementation of species-specific bycatch caps (ACLs; e.g., $\pm 20\%$, see SBRM).
- c. Provide a comprehensive record of deck operations available for audit.
- d. Provide statistically representative sampling of all catch (kept and discarded).
- e. Ensure that observed trips are statistically representative of those that are not observed.

As you work to develop strong at-sea monitoring alternatives, we hope that you will continue take full advantage of the valuable information that is available from a variety of sources including the recent the *International Fisheries Observer and Monitoring Conference* (IFOMC), held in Portland, Maine, reports from groups that design monitoring program such as Archipelago, and stakeholder input. Examples from the US Pacific shore-side hake fishery and Canadian Groundfishery in British Columbia, appear to be particularly valuable.

The Herring Alliance responded to your request for stakeholder proposals last fall by detailing some components of a comprehensive at-sea monitoring system (December 5, 2008). The proposal discussed the important role that new techniques for video-based monitoring could play, as well as other forms of electronic monitoring. The importance of improving observer sampling protocols was also discussed. The efficacy of at sea monitoring that is supported by various electronic technologies was recently reinforced at the IFOMC where successes with electronic monitoring from around the world were discussed.

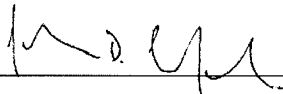
There are important uses for video-based monitoring, even in situations where video records may not allow species identification for major components of the catch (e.g., for classifying herring species in a high-volume fishery). For example, video records can be used to document large-scale discarding (i.e., slippage), to ensure that catch is not discharged to the sea without sampling during observed trips, and to record bycatch of larger animals, including fish, mammals, birds, and reptiles. Other electronic technologies can be deployed to estimate the weight of the hauled net prior to pumping or discarding, useful for full accounting of the catch.

The monitoring section (3) of the draft Amendment 4 document (12 June 2009) remains under-developed, particularly where at-sea data collection is concerned. The draft is

relatively strong on dockside monitoring approaches. Of the three alternatives provided so far, only alternative 3 provides a well developed section on the appropriate use of video for at-sea monitoring to ensure retention of catch for dockside sampling. While alternatives #1 and #2 both include important elements, neither is yet developed enough to stand as a strong alternative. Alternative #1 depends upon near-full retention of catch but does not provide a developed plan for ensuring full retention. Alternative #2 is weak on protocols to ensure reliable sampling of all catch, particularly discarded catch (see section on this issue 3.7.7.3).

Thank you for your attention to these concerns and your hard work on developing strong at-sea monitoring alternatives for the Atlantic herring fishery. A strong monitoring program will clearly be essential to the success of the ACL program that you are now focusing on in Amendment 4.

Sincerely,



John D. Crawford, PhD
Pew Environment Group

cc

Paul Howard, Executive Director - NEFMC
John Pappalardo, Council Chair



Coalition for the Atlantic Herring Fishery's Orderly, Informed and Responsible Long Term Development

July 31, 2009

Frank Blount, Chair
NEFMC Herring Committee
PO Box 3274, 33 State Street
Narragansett, RI 02883

RE: August 6th Herring Committee Meeting

Dear Frank,

I am writing on behalf of the CHOIR Coalition to comment on the direction of the upcoming Herring Committee meeting on August 6th. While we understand the much of the meeting may be spent on Specifications, there may be time towards the end to work on monitoring and so we wanted to speak to that issue.

While the Committee has spent a great deal of time on the catch monitoring alternatives already, much of the effort has gone into working on Alternative 3, while Alternatives 1 and 2 have seen little to no discussion at this point in time. We were pleased to see the Council staff acknowledging the need for more work on these two alternatives and are excited to see the Committee spending some time working on them as there is much to do. While there is work that also needs to be done on Alternative 3, it is far ahead of the game in terms of the level of discussion and analysis that has been done in comparison to the other two alternatives.

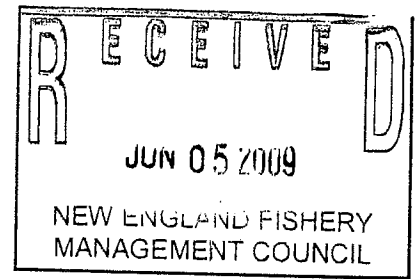
For example, Alternative 2 relies heavily on the use of the Study Fleet technology, but at the Herring Committee meeting on June 5th, John Hoey presented information that brings into question the readiness of this technology in the herring fleet. He highlighted multiple issues that need to be addressed: the fact that the equipment is not tamper-proof, that the equipment is still in the testing phase and has also never been used with midwater trawl gear, and lastly that there may be some potential legal issues. While this technology may prove useful in the future, there is a lot of work that needs to be done to determine what role it can play in the herring fishery.

The lack of analysis on the Study Fleet technology is just one example of the parts of Alternatives 1 and 2 that need to be fleshed out, but there are many others. We feel it is key that the Committee spends its time working out these problems before doing more work on Alternative 3.

Thanks for your time,

A handwritten signature in cursive script that reads "Stephen B. Weiner".

Steve Weiner, Chair



To: NEFMC Herring Committee and Plan Development Team Members

From: Tom Rudolph, Cape Cod Commercial Hook Fishermen's Association
(On behalf of the CHOIR Coalition)

RE: Herring PDT Report for 5/26/09 (Response to questions and concerns on Maximized Retention)

Date: 6/5/2009

The PDT report dated 5/26/09 contains a great many questions about maximized retention (MR). While many of these questions are actually already addressed or answered in the text of Alternative 3, others may warrant further clarification. Both categories are addressed below. In addition, the CHOIR Coalition, as the stakeholder group which submitted the monitoring proposal from which Alternative 3 was adapted, has submitted a suite of suggested additions and modifications to Alternative 3 which further address some of the questions and concerns raised in the PDT memo (see CHOIR letter to Herring OSC dated 6/1/2009).

- The PDT states that it is "unclear what the goal/expectation of a maximized retention program may be"
 - Alternative 3 as incorporated into the Amendment 4 Discussion Document contains a set of detailed goals and objectives for the proposed MR program, which includes many specific explanations of why MR is likely to be more efficient and effective than other program designs
 - The overall goal is to ensure that industry participants, managers, and stakeholders know what is caught in the fishery in close to real time
 - In addition, a key objective of MR is to minimize wasteful discarding. Herring fishery discards may appear small as a percentage of the overall herring catch, but the high-volume nature of the fishery masks the fact that the total discards, in tons, are actually quite large and wasteful. CHOIR fully supports this additional objective.
- The PDT asks whether the goal of MR is to obtain a census of all bycatch or to improve the precision and accuracy of bycatch estimates
 - Alternative 3 lays out options for both. The preferred option is to cover landings events with dockside monitoring (DSM) on a census basis (all events) but there is another option that would cover less than 100% of landings events, at a level that would cover enough events to allow extrapolation across all landings events. This would constitute an improvement in the precision and accuracy of bycatch events relative to the current monitoring program in the fishery.
- The PDT asks whether MR is being considered because there is uncertainty about the accuracy of sea sampling data, and while recognizing that coverage levels should be increased, whether there is a lack of faith in the sea sampling data that are collected
 - The answer to both is yes, but this should not be construed as a criticism of the Northeast Observer Program (NEFOP) or on the credibility of Federal observers. Current regulations allow for the dumping of unsampled catch on observed trips, negating over 15% of the tows on these trips in the most recent year for which data are available (2007) and biasing the data. NEFOP itself classifies these tows as "unobserved" and sets the data aside. In addition, there are not enough observers to achieve precision or

noted at the Herring OSC Mtg.

accuracy in discard estimates, much less monitor catch limits. Finally, coverage levels are so low that an observer effect is likely present.

- The PDT asks whether MR is being considered because of concerns that:
 - Observed trips are not representative of the entire fleet
 - The answer is yes. Current coverage does not allow for fleetwide extrapolation. MR is proposed as an option that may allow for the collection of enough data to achieve statistical significance
 - Observed trips are biased by an “observer effect”
 - The answer is yes. Coverage rates are so low that multiple observer effects are likely present. standard minimum coverage rates to negate observer effects are considered to be 50% for fisheries like the herring fishery which feature rare but significant bycatch events
 - Precision around discard estimates are too low
 - The answer is yes. There is not enough coverage and MR with Dockside Monitoring (DSM) should, in the long term, be more cost effective and allow for a greater coverage rate
 - A census may provide better estimates of catch than statistical sampling
 - The answer is yes. This fishery features rare but significant bycatch events and warrants high coverage to achieve precision and accuracy and derive catch estimates suitable for monitoring catch limits
- The PDT asks whether the vessels would separate the target harvest and unwanted catch at-sea
 - Under Alternative 3 this would be up to each individual vessel or vessel owner to determine and describe through that vessel’s Catch Monitoring and Control Plan (CMCP).
- The PDT asks would the unwanted/discarded portion of the catch be fully sampled (high volume) or counted (very low volume)
 - This would be up to the Dockside Monitors to determine based on their assessment of what was feasible and their observer protocols, just as such decisions are often left to observers and dockside monitors currently. Subsampling, as long as the data can be extrapolated, is perfectly legitimate.
- The PDT asks would all trips or just some trips be sampled at the dock for species composition
 - The preferred option in Alternative 3 is for all trips to be sampled, but there is an option to sample less than 100% provided that statistical significance is achieved and the data can be extrapolated fleetwide.
- The PDT asks would the volume of unwanted/discarded catch be measured for all vessels or only some vessels
 - This question is unclear. The preferred option for Alternative 3 is to implement MR for Category A and B vessels provided this will ensure robust monitoring on the vast majority of the catch in the fishery (it is based on an assumption that this would capture >95% of the catch in the fishery)
- The PDT expresses concern that separating the harvest from the unwanted catch may be difficult for some vessels and could reduce vessel capacity
 - Unwanted catch needs to be separated from harvest whether MR is implemented or not. The only thing different about MR is that the unwanted catch would need to be brought to shore instead of discarded at sea

- Vessel capacity may be preserved by allowing vessels to discard at sea if they chose, by instituting a cap system and assumed discard amount. Under Alternative 3 as currently proposed because vessels would still be able to discard at-sea if they chose, within a cap system.
- The PDT expresses a concern that many boats take trips with the intention of bringing back a specific quantity of herring to fill a market, but that they may reach this quantity before a bag is fully pumped. The PDT is also concerned about the potential for landing poor quality/unmarketable fish under MR
 - Again, the MR program in Alternative 3 would make an allowance for discarding these mistakes at sea, but would cap this practice to encourage compliance with the MR program and reduce such wasteful discarding. CHOIR suggests that a gradual reduction of the cap on at-sea discarding over a two to four year period will help facilitate the process of identifying and eliminating these practices.
- The PDT asks how “test tows” are addressed, and specifically whether “test tows” would be prohibited under MR
 - Again, the decision over whether to retain or discard the catch on a “test tow” would be left to the captain but if his decision was to discard there would be tonnage charged against the cap.
 - To be clear, CHOIR questions the validity of the notion of “test tows” unless the fish are brought aboard for inspection and sampling. These tows cannot be considered a “test” in any sense of the word unless the test is “graded” i.e. the catch is sampled.
- The PDT asks how the unwanted catch will be sampled and also asks about the eventual disposition of the unwanted catch, for instance will it need to be brought back out to sea for disposal
 - The former is simple: that catch will be sampled upon offload according to the vessel CMCP
 - The latter is indeed a challenge for which several options have been proposed (market the catch and develop a way to backfill funding for the program, utilize existing state enforcement protocols to help dispense it, donate to food-banks etc.). Additional discussion is likely necessary.
- The PDT asks what would prevent non-observed vessels from discarding at sea
 - Under Alternative 3 there would not be any MR vessels without a verification system aboard. Less than 100% verification has been determined to be inadequate by managers in the West Coast U.S. Shore-Based Hake MR program. The PDT is correct in that MR would only be effective with an observer or video camera on the boat.
- The PDT asks whether or not the same goals as those of MR could be achieved just by increasing observer coverage and getting better information about slipped catch
 - The answer is yes, some of those goals could be achieved, including those of deriving catch estimates. But others could not, such as minimizing long-term costs, sampling ashore instead of in the challenging at-sea environment, reducing discarding, and utilizing the existing dockside monitoring programs
- The PDT asks whether there are safety concerns with requiring maximized retention and putting everything in the hold, as well as possible product quality concerns.
 - Safety is addressed in Alternative 3 by the discarding cap system. Vessels could still discard at sea when necessary. In addition, CHOIR has proposed additional safety-related measures for Alternative 3, such as a trip termination regulation.

- These measures also address product-quality concerns
- There has been a particular focus on dogfish in terms of the two considerations above. Alternative 3 contains measures to mitigate the dogfish issue, and additional measures are proposed in CHOIR's letter dated 6/2/2009, which outlines suggested additions to Alternative 3 CHOIR recommends the Council incorporate.
- The PDT points out that there are additional costs to be considered, including video monitoring, dockside sampling, and disposal
 - Only the last one of the above (disposal) is not already addressed in Alternative 3. The others are estimated and discussed. Further analysis, including some on disposal, is a good idea.
- The PDT asks how carriers would be addressed under MR provisions
 - As explained in Alternative 3, catcher vessels would be defined as first receivers and would be required to design and submit for approval a CMCP. If a first receiver chooses to work with carriers, this relationship and the catch handling procedures, including all the concerns raised by the PDT, would need to be specified in the CMCP. For instance, a CMCP might specify that a carrier will also have a Video Based Electronic Monitoring (VBEM) system to verify that all catch for a given cod end transferred at sea is pumped aboard and also specify that that carrier will land under DSM coverage.

The PDT concludes with a discussion of other possible alternatives to MR. CHOIR fully supports the development of a wide array of alternatives including but not limited to MR and a careful relative comparison of the costs and benefits of each. We are however quite concerned about the 4 bullets at the bottom of page 3 of the PDT report- they contain an inconsistent and somewhat troubling message.

Specifically, bullet #2 strongly recommends stopping slippage ("it is imperative that observers be provided the opportunity to sample the contents of the entire haul"). Bullet #3, however, simply calls for more detailed self-reporting of the contents of slipped hauls. And Bullet #4 calls for an extended study of slippage to determine whether or not there is a problem.

CHOIR respectfully submits that we do not need to study slippage. We need to minimize it, cap it, and hopefully eventually eliminate it.

On behalf of the CHOIR Coalition and the CCCHFA, thanks for your time and consideration of these remarks.

Tom Rudolph
 Herring Campaign Operations Director
 CCCHFA



Coalition for the Atlantic Herring Fishery's Orderly, Informed and Responsible Long Term Development

June 1, 2009

Frank Blount, Chair
NEFMC Herring Committee
PO Box 3724
33 State Street
Narragansett, RI 02883

Re: June Herring Committee Meeting

Dear Frank,

I am writing on behalf of the CHOIR Coalition to offer our comments regarding ongoing development of Amendment 4 in advance of the June Herring Committee meeting. Specifically, we would like to offer some additional management measures for Alternative 3 that are designed to address some of the concerns that have been raised and improve the alternative in other areas. We urge the Committee to include the following options into Alternative 3 for further development and analysis.

Before going into the specific discussion regarding Alternative 3, we wanted to first highlight a certain inconsistency to the Committee in that there seems to have been a great deal of "pre-analysis" of Alternative 3 since the Council voted to include it in the document, but almost no discussion of the other three alternatives. We believe that this is primarily due to the highly detailed level to which this alternative was developed before submission in comparison to the others. While this pre-analysis has been helpful in refining the alternative, it is important to note that if the remaining alternatives were held up to the same scrutiny as Alternative 3 that many similar problems would be brought to light. We would strongly urge the Committee to continue to develop Alternative 3 while also putting more time and effort into working out the problems in the other alternatives.

Safety Issues

At both the Enforcement Committee meeting and the Herring Advisory Panel meeting last month there was discussion centered on safety concerns regarding the Maximized Retention (MR) program at the core of Alternative 3. Some believe that it is unsafe to force a captain to bring fish aboard as it could lead to the vessel being overloaded. In other words, they are saying that there will be occasions when boats are trying to top off the hold and end up with more fish than they can physically hold; if forced to pump all this fish aboard the vessel may become overloaded. While maximized retention has not been shown to be inherently dangerous in the west coast whiting fishery, we take these safety concerns very seriously and feel that there are several simple solutions to this potential problem. The first addition is a Trip Termination exception and we feel that it is something that should be formally added to Alternative 3.

Trip termination has actually been considered by the Council's Ad-Hoc Bycatch Committee during the deliberations that ultimately led to Framework 43 to the Multispecies Plan, and the Council may find useful language and/or analysis by consulting these records. But basically, we recommend that the Committee include for analysis in Alternative 3 a measure that would require a herring vessel to terminate its trip and return to port in the event that a dumping event takes place. This measure would enhance vessel safety by ensuring that herring vessels are not repeatedly exposed to any unsafe loading and/or sea state conditions that require dumping unsampled catch. Furthermore, it would ensure that herring captains do not take advantage of a safety exception in order to dump fish.

The second addition to Alternative 3 that will help address the overloading issue is in response to the specific concern of pumping large amounts of dogfish aboard. All fishermen know that dogfish are often hard to avoid and members of the herring industry have made clear that this is a problem for them at times. While we never intended for this alternative to force herring vessels to pump aboard and retain large amounts of dogfish we believe that additions to the Alternative will clarify that such exceptions are allowed (but not abused) and to also lay out how managers could account for these incidents. We would like to point out that the most effective solution for this problem, hard caps on dumping for the fishery, is already outlined in Alternative 3 and we stand by it. The following are essentially a series of proposed modifications to the dumping cap concept.

Species-based options for the target of the maximized retention program should be developed, considered and analyzed. Maximized retention can mean a lot of things- it depends on what managers and stakeholders decide to maximize. For instance, there may be broad consensus to minimize retention of dogfish, and thus dogfish would not be a target of the program. We suggest laying out a variety of options which could be mixed and matched as far as what Alternative 3 might require the vessels to bring ashore for shoreside sampling, broken down as follows: Sea herring, mackerel, haddock, other large mesh regulated groundfish, small-mesh regulated groundfish, river herring/shad, dogfish, other ASMFC-managed species.

It is important to realize that maximized retention and maximized sampling are two different things. While a decision to avoid maximized retention of dogfish may be reasonable, it will still be critical to encourage and achieve an examination of a catch containing dogfish whenever possible. In other words, there is a difference between dumping and traditional discarding in that the latter provides for a positive identification and characterization of the catch. We suggest that while an overall cap on dumped tonnage might need to be adjusted to accommodate reasonable dumping of un-pumpable dogfish; this must be done carefully to prevent abuse of the exception. Alternative 3 currently targets the retention of 99.5% of the catch in the fishery with a dumping cap of 0.05%. Various options for the adjustment of this ratio should be considered if species or species groups are shifted out of the maximized retention program, but the adjustments to the ratio should be based on historic dumping and discard data. Caps should be set at historic levels or less.

Logistical Implementation Issues

Building and refining a maximized retention program will take time. CHOIR has discussed several of these issues with NMFS staff and others, and proposes the following solutions for addition to Alternative 3 and further development and analysis:

A phased-in implementation approach for maximized retention warrants serious consideration. Three potential elements should be developed:

1. *A temporal phase-in of maximized retention over two to four years which includes a gradual but steady reduction in the amount of at-sea discarding permitted as well as the dumping tonnage cap. Data from the U.S. west coast hake fishery maximized retention program show a steady reduction in at-sea discarding as unnecessary discards and bad behavior are identified and eliminated.*
2. *A spatial phase-in of maximized retention in which bycatch hotspots, for instance the previously identified river herring hotspots or groundfish closed areas, require maximized retention.*
3. *A gradual phase-in of Video Based Electronic Monitoring (VBEM) as the verification system through pilot programs. This approach is briefly mentioned in Alternative 3 now, but warrants further attention. It will be important to provide overlapping coverage with Federal observers on pilot fishing trips to ensure robust monitoring during the phase-in period while herring fishermen dial in VBEM. Though a proven application of VBEM, maximized retention verification in trawl fisheries would be new to New England.*

Landings Issues and Fish Disposition Issues

Another issue that has been raised pertains to the landing of prohibited and/or non-permitted species; that is, the landing of catch that is currently not allowed. It should be pointed out here that Alternative 3 would not require, under any circumstances, the landing of a species prohibited under the Endangered Species Act or Marine Mammal Protection Act. A second concern raised is what to do with this catch once it is accounted for onshore. We do not feel that these issues should be seen as roadblocks as there are simple solutions that will solve these and any other problems regarding the landing of catch. In fact, both the NERO and the NMFS Office of Law Enforcement (OLE) have said that they do not see these two issues as problems.

First, in terms of the landing of species currently prohibited under the vessel's permits and/or by a Federal or Interstate Fishery Management Plan (FMP), changes would have to be made so that herring fisherman would be formally allowed to bring in all catch. It is a given that for a maximized retention program to be feasible the vessels must be able to bring in catch without being in violation.

Our primary suggestions to solve this issue would be annual Exempted Fishing Permits (EFP) to allow maximized retention, or for the Council to implement an omnibus amendment so that it will be legal for herring fishermen to bring in their catch. NMFS has made clear that an omnibus amendment would not only be possible, but relatively easy. A third suggestion, recently endorsed by the Enforcement Committee, would be to handle this catch as it is handled currently. We support further development of the latter to facilitate a better understanding of current procedures so that all stakeholders can assess their viability going forward.

Our additional suggestion for these issues is similar to the approach outlined above: lay out a series of different options for which species and species groups will be maximized. This will break down what appears to be an insurmountable problem (amending every plan including ASMFC plans) into more manageable options. Based on the previous list of options (sea herring, mackerel, haddock, other large mesh regulated groundfish, small-mesh regulated groundfish, river herring/shad, dogfish, other ASMFC-managed species), CHOIR would suggest that the program should seek to maximize sea herring, mackerel, groundfish, and river herring. The benefit of this is easy to see. For instance, by separating river herring and shad from the other ASMFC species, you take advantage of the fact that (as far as we know) there are no ASMFC limits or prohibitions on them at this time anyway. The argument that maximized retention will result in violations or require changes to other FMP's is neatly separated from one of the main

Amendment 4 monitoring targets, one which is also most suitable for shoreside sampling (river herring). Another way to look at this specific example is that herring boats are landing river herring now at-will and with no consequences, so maximizing retention on them is no major problem.

Second, in terms of what to do with the catch once it has been accounted for onshore, there are multiple solutions. While NMFS OLE has stated that they would be able to handle these landings, we feel there are other possible answers to this question. The first solution would be to setup a system like that used in Alaska, known as SeaShare [<http://www.seashare.org/>] which is a non-profit foodbank that distributes bycatch that is landed in that part of the country. It deals with millions of pounds of catch and distributes it to the hungry. The second solution would be to work with local fish dealers- of which there are many- to find sources for these landings. And a third suggestion would be to do what is done now- to have the vessels dump the landings once it has been counted onshore. Anecdotal reports suggest that herring vessels are often forced, for market reasons, to discard large quantities of target species they intended to land and tried to land. These are just three of many potential solutions to this problem.

Other Additions. We also suggest the following additions to Alternative 3:

Utilization of vessel electronics: *Electronic capture and addition to the official monitoring database of key data streams from vessel electronics, including mesh pressure-based catch weight sensors ("eggs") and footrope height over bottom, possibly through the NMFS Study Fleet or through an approved VBEM system. Herring industry representatives have indicated support for this approach and it warrants further development. Catch weight sensors may have a powerful ability to help derive an estimated weight for discard and dumping events. It is important to recognize that these electronic sensors will not provide catch composition data and that other solutions will need to be developed to ensure that the reliance on self-reporting is eliminated with respect to the species make-up of dumped tows.*

Modifications to Catch Monitoring and Control Plan (CMCP) measures: *Discussions with Council staff indicate that use of CMCP's in other U.S. fisheries is in some cases narrowly targeted, for instance only on processors. CHOIR suggests that a series of options be developed and analyzed under which CMCP's would be required in the herring fishery for different fleet sectors (i.e. processors only, Category A and B vessels only, pump vessels only, vessels which utilize carriers, etc.)*

Conclusion

We have endeavored to examine and address the concerns about Alternative 3 expressed over the past several months by various Council bodies and by multiple stakeholders during outreach discussions. We formally request that the italicized management measures be added to Alternative 3 for consideration as Alternative 3 and the maximized retention program it describes are developed for further analysis in Amendment 4. We also urge the Committee to begin the necessary work of considering the strengths and weaknesses of the other three catch monitoring alternatives, as well as the all-important work of comparing the relative costs and benefits of the four alternatives to each other.

Thanks for your time,



Steve Weiner, Chair