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Mr. John Bullard
Regional Administrator NMFS
Northeast Regional Office
55 Great Republic Drive
Gloucester, MA

Comments on the Draft Amendment to "The Standardized Bycatch Reporting Methodology (SBRM) Amendment"

Dear Mr. Bullard,

Notwithstanding the provisions of 303(a)(11) to include provisions to assess the amount and type of bycatch, I believe this amendment should be withdrawn and reworked for the following reasons:

1. There is nothing standardized about bycatch reporting across fisheries.
2. The standard of precision chosen (30% cv) is the wrong standard. Accuracy is more important than precision.
3. The issue of cost is not sufficiently addressed.

In addition to the SBRM document I wish to have the National Marine Fisheries Service review and comment on SBRM in light of:

1. "Design, Implementation and Performance of an Observer Pre-Trip Notification System (PTNS) for the Northeast United States Groundfish Fishery," Michael C. Palmer, et al., Northeast Fishery Science Center Reference Doc 13-21.
2. "Analysis of Landings/Discards-Proportional Allocation Scheme of the At-Sea Monitoring Program in New England", Jenny Sun, Gulf of Maine Research Institute.
(See documents attached to the electronic submission)

These papers address many of the issues and shortcomings surrounding the current system which are detailed below.

First, about the issue of standardization, bycatch is unique to each fishery and should be scored on a fishery by fishery basis to form a prioritization matrix. This is how the Atlantic States Marine Fishery Commission handles the problem. Those fisheries receiving the highest scores get proportionally more of the limited funding available for bycatch observers. Using a standard measure of precision only insures that far more coverage of fisheries with limited bycatch is required than is actually necessary. This prioritization process should be done by a joint effort between the NMFS and the NEFMC.

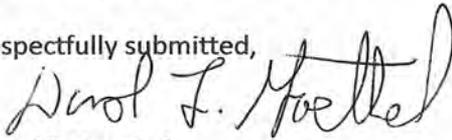
Precision is the wrong metric for bycatch. Consider this example; two archers each fire six arrows at a target. One archer places all six arrows in a very tight grouping but completely outside the target circles. He is very precise but not accurate. The second archer places two arrows in the bull's-eye with the other four scattered across the concentric circles. He is accurate but not very precise. As a manager and a scientist, I am more interested in accuracy. The current system that is precision oriented causes under coverage of boats catching large amounts of fish and over covers small boats making numerous trips for small amount of fish. Furthermore it is rigid and inflexible and does not allow for placing coverage where large amounts of discards may occur. The alternative way, described in the Sun paper, would produce more accurate bycatch data and be more cost effective and yield more accurate

data for stock assessment. For example, the vast majority of fish caught in two New England fisheries are caught by a relatively small amount of vessels. In the herring fishery over ninety percent of the fish are caught by about twenty vessels, the remaining ten percent are caught by literally hundreds of vessel catching small amounts of fish. Similarly, in groundfish, approximately ten percent of the boats catch ninety percent of the fish. Accuracy would be greatly improved by high levels of coverage on these vessels in both groundfish and herring. The remaining vessels could be covered at the NEFOPS level of coverage of about five to seven percent to determine a baseline and detect any major changes in bycatch over time. Placing high levels of coverage on the boats that actually catch the majority of the fish would be both cost effective and greatly improve accuracy.

Finally, the issue of cost is not addressed sufficiently. I believe the cost of collecting bycatch data is a function of government and should be explicitly stated in the document. As such, it will always be subject to budget constraints and hence the need for prioritization mentioned above. I also believe the document should explicitly state that a census of bycatch is not necessary, useful or cost effective with a rationale. A section should be added to the document stating why a census is cost prohibitive and of little scientific value. I believe that the gains in precision and accuracy become negligible. This should be done specifically to avoid legal challenges by Environmental Non-Governmental Organizations trying to require 100% observer coverage.

Last, I would hope that all comments in this letter are fully addressed in detail in the Federal Register by NMFS, with sufficient rationale to ensure they have been seriously considered, analyzed and will hold up in a court of law.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "David T. Goethel". The signature is written in dark ink and is positioned above the printed name.

David T. Goethel