



New England Fishery Management Council

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MEMORANDUM

DATE: March 23, 2009
TO: Herring Committee Members
FROM: Lori Steele, NEFMC Staff, Herring PDT Chair
SUBJECT: **Discussion Points Re. Dockside Monitoring Programs**

The ME DMR and MA DMF portside bycatch sampling programs offer a great starting point in terms of designing a long-term program for monitoring landings and/or incidental catch as well as collecting important samples for biological analyses. The methodologies applied in the two State programs are very similar and consistent with NOAA and ACCSP protocols for sampling. The primary difference is that the MA DMF samplers focus on monitoring entire offloads from a fishing vessel, while ME DMR samplers work on “lots,” which may represent one full offload or a portion of an offload from a particular vessel. While every landing location and every landing event is different and poses its own set of challenges, the general approach/methodology for sampling is the same.

The ME DMR/MA DMF approach can certainly be applied to a portside sampling/dockside monitoring program developed by the Council in Amendment 4, but the details of the program depend largely on the objectives. It is important that the Committee/Council identify the objectives of a dockside monitoring program during the development of Amendment 4 so that the details of the program can be fleshed out, and different options can be compared. Several outstanding issues or potential challenges should be discussed/addressed as well in order to move forward with the development of an appropriate monitoring program.

Regardless of the details, one of the objectives of the dockside monitoring program should be to collect important biological information and commercial catch samples necessary to support stock assessments and other biological needs.

If the objective of a dockside monitoring program is to collect information adequate to estimate the landed weight of all species on all trips landing Atlantic herring (or across the directed fishery for herring) through a third-party, then:

- This will require close to 100% dockside coverage and represents the “most restrictive” approach (i.e., most expensive and most significant impacts).
- Sampling would be required for all landings events and throughout the entire offload process, which can sometimes take 1-2 days on larger vessels.

- Multiple landings will occur on the same day(s), so a larger number of dockside samplers would be required. Training for species identification and sampling protocols/techniques would be required as well.
- It may be necessary to identify/limit the number of allowable ports for landing herring in order to design an effective and sustainable program with this objective. This would have a significant impact on the fishery. (Mapping landings events by port across the fishery will be helpful for additional perspective regarding this issue – see attached maps for preliminary information.)

If the objective of a dockside monitoring program is to sample enough landings events to estimate landed bycatch (incidental catch) in the herring fishery, then:

- The program could be designed very similarly to the current portside bycatch sampling programs with increased coverage to ensure that extrapolations of bycatch estimates can be made with some specified degree of precision. There is a significant difference between designing a program to verify the weight of landings across the fishery and sub sampling offloads to collect information to estimate/evaluate bycatch. Under this approach, dockside samplers would not be certifying landed weights of herring for the purposes of verifying landings/monitoring ACLs.
- The sampling design for this program (distribution of sampling events across space and time) could be constructed similarly to how the NEFSC allocates sea days for observer coverage in the fishery, depending on the priority species and target CV's that are identified.
- 100% dockside monitoring is not required to achieve a 20-30% CV on estimates of bycatch landed in the fishery, but dockside coverage would be considerably higher than the current levels. Coverage levels would be based on identified priorities and would be similar to those required for an at-sea monitoring program (see Amendment 1 Draft Discussion Document).

If the objective of a dockside monitoring program is to verify the landed weight of Atlantic herring through a third-party and collect additional information about landed bycatch, then:

- This approach could be separated into two programs: (1) a herring landings verification program; and (2) a dockside monitoring program for bycatch. The second program would be structured just like the current ME DMR/MA DMF portside sampling programs, and the amount of coverage would be based on available resources.
- For the first program, every vessels' fish hold and/or transport trucks would require volumetric certification. Training for species identification and sampling protocols would not be required for individuals who would serve only to verify herring landings. The herring landings verification program could be administered by a larger number of individuals to ensure that someone is available to confirm landings at each port of landing. For example, if fish holds/trucks are certified for volumetric weight, then harbor masters or other individuals in the ports could be certified by NMFS to verify the landings. Harbor masters would essentially serve as "weighmasters."
- One consideration regarding the verification of landings through some sort of standardized/certified volumetric weighing system is that the certification would estimate all fish in a fish hold or truck, not just Atlantic herring. While bycatch amounts are small

relative to the total catch of herring, the volumetric estimates may slightly over-estimate the amount of herring landed. It is unclear whether these estimates will provide information that is considerably more accurate than captains' estimates of the amount of fish in the hold, and the costs of implementing this program should be weighed relative to the potential to improve the accuracy of landings information.

If the objective of a dockside monitoring program is to confirm the accuracy of self-reporting through a third-party and collect additional information about bycatch, then:

- This objective could be accomplished possibly by extending the current role of dockside samplers to include the verification of landings. Sampling for landed bycatch would continue as it does under the current ME DMR/MA DMF program, subject to available funding.
- Every vessels' fish hold and/or transport trucks would still require volumetric certification under this approach. Dockside samplers could use approved techniques to certify the landings based on the volumetric estimates of the holds. This information could be used to cross-check with captain's estimates through the IVRs/VTRs to ensure the accuracy of self-reporting.
- There are some concerns about this approach because it puts the dockside samplers in a quasi-enforcement role, which is not ideal for maintaining a good rapport with the industry members who participate in the program.

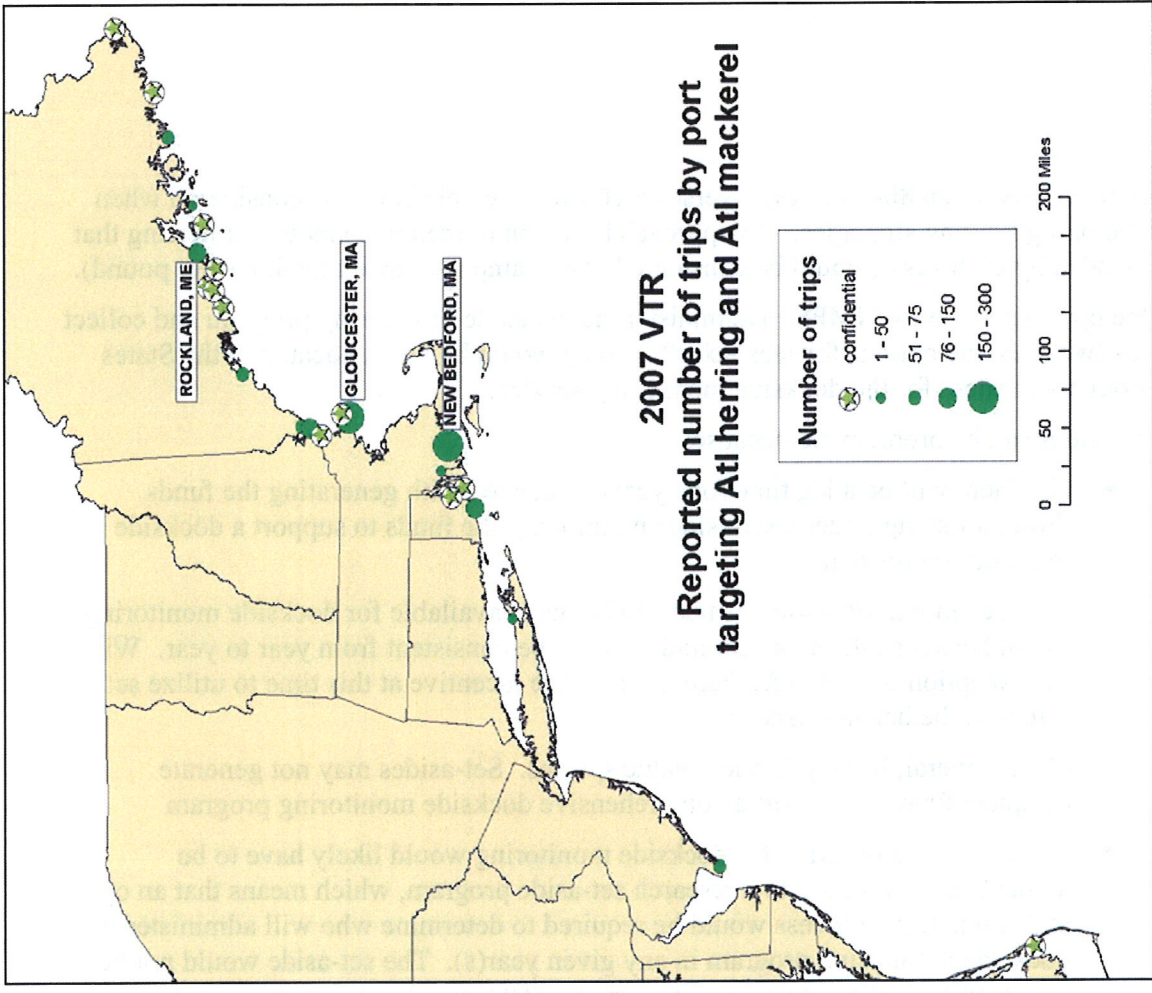
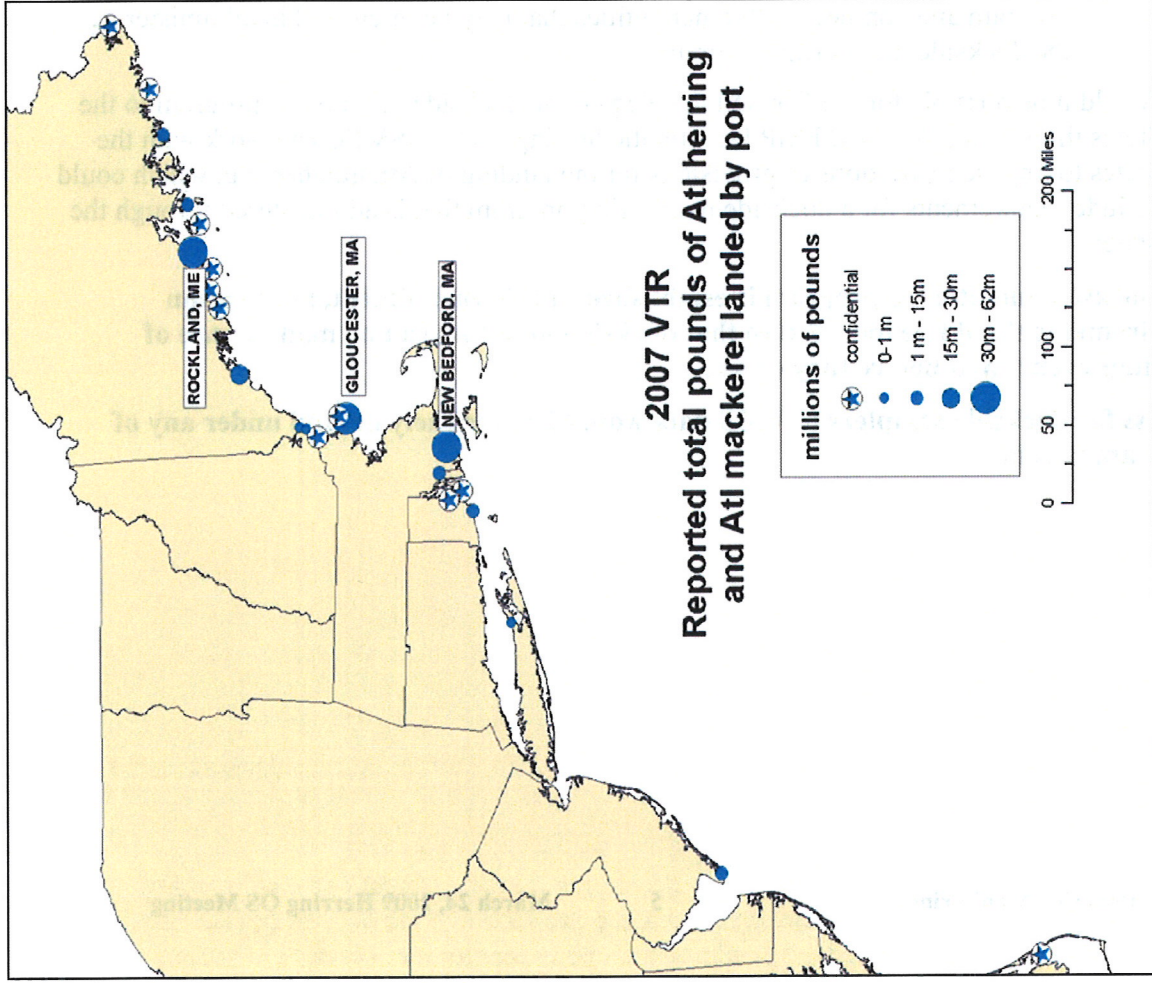
Other Outstanding Issues

- **To which vessels will the dockside monitoring program in Amendment 4 apply?**
 - Most catch monitoring alternatives are focused on the limited access directed herring fishery – Category A and B vessels. These vessels catch the vast majority of herring in any given fishing year (98-99%). However, they are not necessarily the same group of vessels that may account for the vast majority of bycatch on trips where more than 2,000 pounds of herring are landed. While they do account for a substantial percentage of the bycatch on trips landing more than 2,000 pounds of herring, a good deal of the total bycatch occurs on trips by Category C (limited access incidental catch) vessels, and also Category D (open access incidental catch) vessels that are limited to landing 3 mt of herring per trip. The decision regarding which vessels will be subject to the dockside monitoring requirements depends in part on the objectives of the dockside monitoring program. Tradeoffs should be considered, especially if the program is costly and some or all of the costs may be borne by the industry.
 - Consideration should be given to which trips the dockside monitoring measures may apply. If the vessels are required to meet the herring dockside monitoring provisions on every trip where herring is landed (or on every trip regardless of whether herring is landed), then the program becomes more costly. If there will be some distinction made regarding target species or what may be considered a “herring trip” for the purposes of dockside monitoring, then these distinctions should be identified in the document for the purposes of further analysis. One option may be to require that vessels are subject to the dockside monitoring provisions when they are declared into the herring fishery (this will include activity for a significant proportion of the mackerel fishery as well, though).

- **How will landings in remote areas and Island communities be monitored?**
 - Incorporating requirements for dockside monitoring of smaller amounts of herring landings and/or landings in remote places and Island communities (Vinalhaven, for example) may be challenging and could increase the cost of the program significantly. Travel time and expense to meet a vessel at a remote location, and notification that will be timely enough to get a dockside sampler to the location must be considered.
- **How will herring carrier vessels be treated with respect to a dockside monitoring program?**
 - Carrier vessels are required to possess a Federal herring permit of some kind in order to transport fish. It is unclear how dockside monitoring provisions would apply to carrier vessels in the fishery. If the industry will be required to pay for some/all of the dockside monitoring program, then provisions for the treatment of herring carrier vessels should be considered.
- **How will transfers at sea be monitored?**
 - Some vessels that would be subject to the dockside monitoring program may transfer Atlantic herring at sea for a number of reasons. Some of the herring that are transferred at sea do not get landed but instead are used for bait, and some may be landed by vessels that would not be subject to the dockside monitoring provisions. Based on recent transfer activity in the fishery, it is likely that this would represent a relatively small amount of the total catch.
- **Funding Issues – It will be important to secure long-term funding for the dockside monitoring program in Amendment 4.**
 - If the costs are to be borne by the industry, then NMFS would likely need to approve service providers (based on standards set in this amendment), and the industry would need to contract directly with those service providers to ensure that their landings events are monitored.
 - It is unclear whether the States can act as service providers. Can the States accept payment directly from the industry for this service? State budgets are still subject to appropriations, and it is unclear whether or not funds paid directly to the States can be specifically funneled into a dockside monitoring program.
 - Allowing States to be service providers may reduce the costs of a dockside monitoring program. Private service providers may charge significantly more money to travel to a remote location to monitor a landings event, but the State may be able to send a sampler to the location more easily and less costly.
 - It is unclear whether or not options exist for the Federal government or the States to impose taxes to support a dockside monitoring program. Can taxes on herring landings be imposed to pay for dockside monitoring? Are there options for taxes on permits? Other mechanisms to collect funds to support dockside monitoring?
 - Another important consideration with respect to industry-funded dockside monitoring is the differential impacts that the program could have on different-sized vessels. The

relative costs for an 80-foot vessel versus a 160-foot vessel should be considered when developing funding strategies. An approach based on the relative amount of herring that is landed by each vessel could be considered (for example, a tax on landings per pound).

- One option may be for NMFS to administer the dockside monitoring program and collect fees (what are the options for fees/taxes?), which would be then allocated to the States through a contract for the dockside monitoring service.
- Set-asides can be problematic because:
 - (1) There will be a lag time (one year) associated with generating the funds through fishing under a set-aside and utilizing the funds to support a dockside monitoring program.
 - (2) The amount of resources that can be made available for dockside monitoring through a set-aside is unclear and may not be consistent from year to year. With the exception of Area 1A, there is very little incentive at this time to utilize set-asides in the herring fishery.
 - (3) In general, herring is a low value species. Set-asides may not generate adequate funds to support a comprehensive dockside monitoring program
 - (4) A set-aside program for dockside monitoring would likely have to be administered similarly to a research set-aside program, which means that an open and competitive process would be required to determine who will administer the dockside monitoring program in any given year(s). The set-aside would not be allocated to the States up front; rather, the States would have to bid for the program and compete with other entities that may be interested in administering the dockside monitoring program.
- Would it be possible for the Council to delegate the dockside monitoring program to the States through the ASMFC FMP for Atlantic herring? The ASMFC can work with the States to impose restrictions or provisions for the landing of Atlantic herring, which could include requirements for a dockside monitoring program that is administered through the States.
- **If a dockside monitoring program is established in this amendment, notification requirements should be included so that dockside monitors can be made aware of landings events well before they occur.**
- **Access for dockside samplers to VMS data would be extremely helpful under any of these approaches.**



Federal Vessel Trip Report Summary for Year 2007. Landings and number of trips by port for Category A, B, C, and D permitted vessels where target species were Atlantic herring and Atlantic mackerel. Weights are reported in pounds and trips with 2000 pounds or less were not included in the analysis. Ports that had reported landings are shown, but consistent with Massachusetts Division of Marine Fisheries confidentiality rules, data for ports that had less than 3 trips, or less than 3 vessels reporting landings, were kept confidential.