



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
P.O. Box 21668
Juneau, Alaska 99802-1668

May 27, 2022

Mr. Simon Kinneen
Chairperson
North Pacific Fishery Management Council
1007 West Third, Suite 400
Anchorage, Alaska 99501-2252

Dear Mr. Kinneen,

Enclosed is a draft analysis that National Marine Fisheries Service (NMFS) is developing to evaluate the benefits and costs of proposed changes to the monitoring requirements for Pot Gear Catcher/Processors (CPs) participating in the Bering Sea/Aleutian Islands (BSAI) groundfish fisheries. NMFS staff will present an overview of this draft analysis to the North Pacific Fishery Management Council (Council) at their upcoming meeting in June 2022.

NMFS has expressed concern about data availability for the management of the BSAI pot CP fishery. This concern was most recently summarized in an analysis of a potential Council consideration to increase stability in the BSAI Pacific Cod Pot Gear CP fishery, which confirmed a high rate of data deletions in recent years due to collection errors.¹ While that action failed to pass the final action stage in February 2021, Council members reiterated support for NMFS to continue working on observer data improvements that were identified through NMFS authority under section 305(d) of the Magnuson-Stevens Act and report back for Council and public consideration at a later meeting date.

The options considered in the draft analysis are being developed to maximize the utility of observer data collected onboard Pot CPs participating in the BSAI groundfish fisheries by reducing the likelihood of data collection errors. Currently, the BSAI pot CP fishery is one of the only CP sectors in the full coverage category that does not require an observer endorsement above the initial Observer Certification, or require compliance with pre-cruise meeting notifications. The measures under consideration include requiring participants to carry at least one Level 2 observer deployed at all times, requiring participants comply with pre-cruise meeting notifications, and clarifying requirements for participants choosing additional voluntary monitoring options such as an observer sampling station, motion-compensating platform and flow scales, or carrying additional observers. The proposed changes are intended to reduce the likelihood of data collection errors by ensuring experienced observers are deployed onboard pot CP vessels, effective collaboration, and an improved work environment. Due to the fishery's small number of participants and short seasons, the deletion of observer data due to data

¹ Public Review Draft: <https://meetings.npfmc.org/CommentReview/DownloadFile?p=0b885d01-5199-42fb-b6bb-66ef0b12981d.pdf&fileName=C1%20BSAI%20Pot%20CP%20Analysis.pdf>.



collection errors can lead to substantial changes in the estimates of catch and bycatch. As the preferred source of information for catch and discards in this fishery, it is crucial that observer data used by NMFS for inseason management be as complete and accurate as possible.

At this time, NMFS intends to propose regulations under section 305(d) of the Magnuson-Stevens Act, which authorizes the Secretary of Commerce to develop regulations necessary to implement fishery management plans. At the June 2022 meeting, NMFS requests the Council identify any questions or other areas of concern with the draft analysis. **It is not necessary for the Council to make a recommendation to NMFS for this action to move forward, but the Council may provide feedback or request to review a later draft of the analysis or draft regulations at a future Council meeting.** Unless further review at a subsequent meeting is requested by the Council, we would address questions or concerns raised by the Council or the public in a draft proposed rule.

We expect to publish a proposed rule for this action in late 2022 followed by a final rule in the early 2023. This timing would provide an effective date prior to the start of the fall 2023 fishing season.

If you have any additional questions, please contact Mason Smith at mason.smith@noaa.gov or 907-58-7459.

Sincerely,

Jonathan M. Kurland
Administrator, Alaska Region

Enclosure