Northeast Seafood Coalition
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B-REGULAR DAY PILOT PROGRAM PROPOSAL

Outline

(1) Sufficient observer coverage to monitor bycatch of stocks of concern;

(2) VMS with real-time email capability;

(3) Hard TAC backstop on species of concern, close B-regular DAS use when hard TACs reached, implemented on a quarterly basis; deduct any quarterly TAC overages from subsequent quarters;

(4) Implement flip process for converting a B-regular day to an A-day;

(5) No time-area or gear restrictions in addition to those already in Amendment 13;

(6) Cap total B-regular day use in 2004 Pilot Program at 2,000 B-regular DAS landed (3rd and 4th quarters);

(7) If it is necessary to deduct any overages in the total mortality of stocks of concern that occurs as a consequence of this program, such overages shall not be applied to A-day allocations but shall be applied to future B-regular day programs;

(8) Include this program in the expedited consideration of Framework 40A and develop and refine B-regular day program for 2005 in Framework 40B.

Rationale

- Estimates of actual B-regular day usage have ranged from 4000 to 8800 DAS. This proposal caps actual B-regular day usage in 2004 at the lowest, most conservative estimated annual rate.

- Theoretically, the worst case scenario impact on the mortality of stocks of concern occurs if zero flipping occurs and 100% of catch in excess of the daily catch limits for stocks of concern are discarded—ie. 100% non-compliance. However, from a practical standpoint, effective monitoring of the hard TAC / daily catch limits will prevent this worst case scenario from occurring.

  Also, the worst case scenario assumption is that B-regular day mortality rate = average A-day mortality rate for stocks of concern. If 35,000 DAS is the total A-day usage on which the mortality objectives of A13 are based, then the addition of

2000 B-regular days would, worst case scenario, increase total mortality of stocks of concern by about 5%. Best case scenario is that there would be no additional mortality of stocks of concern because all B-days were properly flipped to A-days, discards are minimized, and OY is achieved for healthy stocks.

- Even if the theoretical worst case scenario is realized and there is a significant increase in the mortality of stocks of concern, such increase is likely to be offset by the current projections of future growth in biomass of the stocks of concern. This will reduce the likelihood of any deductions referred to in point (7) of the program. Request PDT to do an analysis of this.

- There is no experimental data to support the design and implementation of additional time-area or gear restrictions for B-regular days. The absence of this information will prevent timely implementation of this program. Furthermore, the NMFS Division of Enforcement has confirmed that additional time-area or gear restrictions for B-regular days would present enforcement problems that may prevent the program from being implemented. Gear requirements designed to minimize the catch of stocks of concern are likely to make it improbable if not impossible to flip a B-day to an A-day.

- Flipping B-days to A-days supports the bycatch reduction objectives of A13. In combination with observers, the ability to flip provides an effective mechanism for ensuring that the hard TACS for stocks of concern are not exceeded and that total mortality of stocks of concern is fully accounted for.