



# North Pacific Fishery Management Council

Simon Kinneen, Chair | David Witherell, Executive Director  
605 W. 4<sup>th</sup> Avenue, Suite 306, Anchorage, AK 99501  
Phone 907-271-2809 | [www.npfmc.org](http://www.npfmc.org)

May 2, 2019

Chris Oliver, Assistant Administrator  
NOAA Fisheries  
Office of Sustainable Fisheries  
1315 East-West Highway  
Silver Spring, MD 20910  
Via Email: [chris.w.oliver@noaa.gov](mailto:chris.w.oliver@noaa.gov)

Dear Mr. Oliver:

At its April meeting, the North Pacific Fishery Management Council discussed the recent update to the National Bycatch Report. As you know, the Council has previously raised a number of concerns with the report (see: [https://www.npfmc.org/wp-content/PDFdocuments/CM/2018/102318/101218\\_NPFMCcommentsBycatch.pdf](https://www.npfmc.org/wp-content/PDFdocuments/CM/2018/102318/101218_NPFMCcommentsBycatch.pdf))

While the third update does address our concern regarding GOA flatfish trawl fisheries target groupings, it does not address other serious concerns about how the data are presented, including the amount of catch retained by species, breakout of marketable and unmarketable fish, breakout of regulatory and economic discards, or reporting the bycatch estimates in significant digits.

The third update fails to distinguish the root causes of bycatch, which would allow the public to understand and appropriately evaluate this information. For example, the third update includes a breakout of individual crab fisheries for the first time and, in each case, the data appear to show that crab fishery bycatch rates are high compared to most fisheries. Crab pot gear is very selective for the species being targeted, but the report figures make the bycatch ratios appear deceptively high. The vast majority of bycatch in crab fisheries is regulatory discards, because female and undersize male crabs are required to be discarded due to regulations. However, unless the data are appropriately split out into regulatory and economic discards, the public is unable to distinguish the causes for this bycatch.

We again suggest that the report break out how much of the discard of each species is due to economic discarding versus regulatory discarding. Regulatory discards are a serious policy issue—and caused by government regulations—yet no data are presented to show the magnitude of regulatory discards. The public may blame the fishermen for discarding and wasting fish, but regulations developed by the councils or other agencies may be partially responsible. It would be helpful to show the data so we can work to solve the problem if one exists.

We respectfully request that these issues be addressed in any future update of the report.

Sincerely,

David Witherell  
Executive Director