



The Journey from Science to Management

Gway Kirchner

Presentation Overview

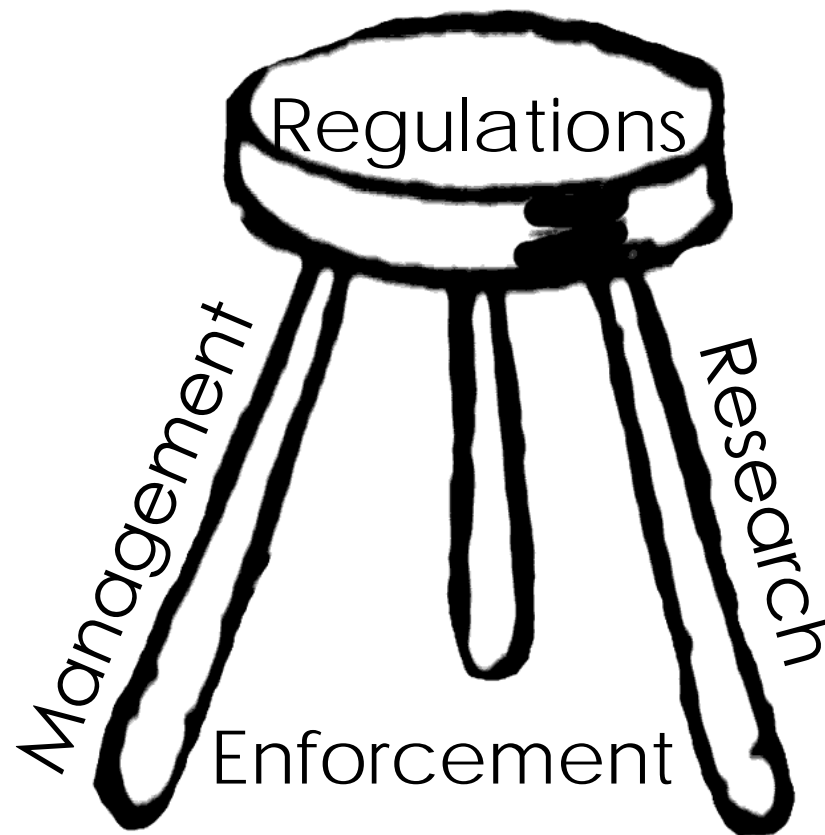
- Regulation Basics
 - Components
 - Jurisdiction
- Experimental research options
- Implementing best practices
 - The groundfish story



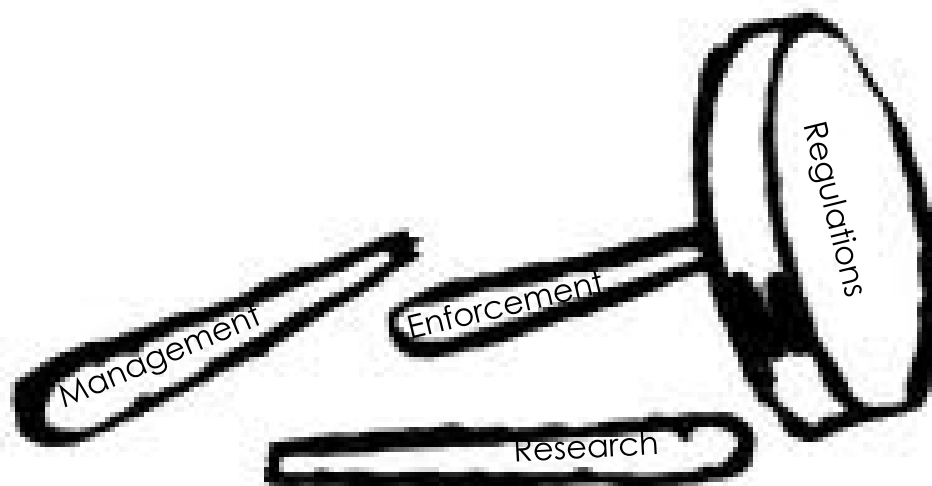
Regulation Components

Please list the following three things in order of importance to fisheries, and why you ranked them as such: enforcement, management, and research.

Regulation Components

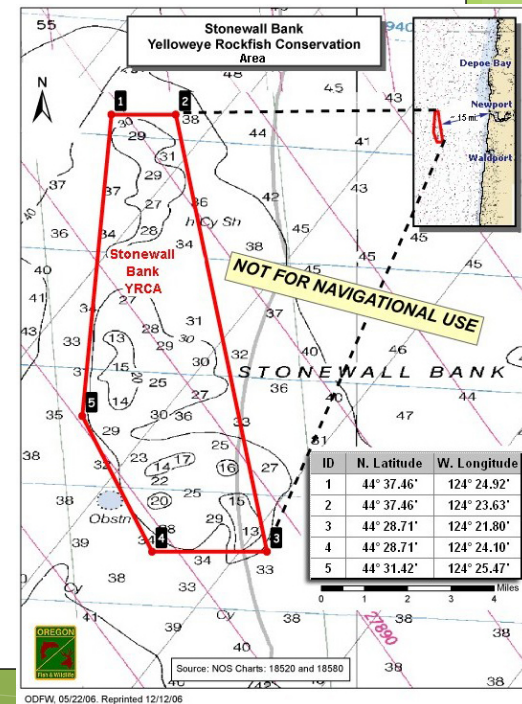


Regulation Components

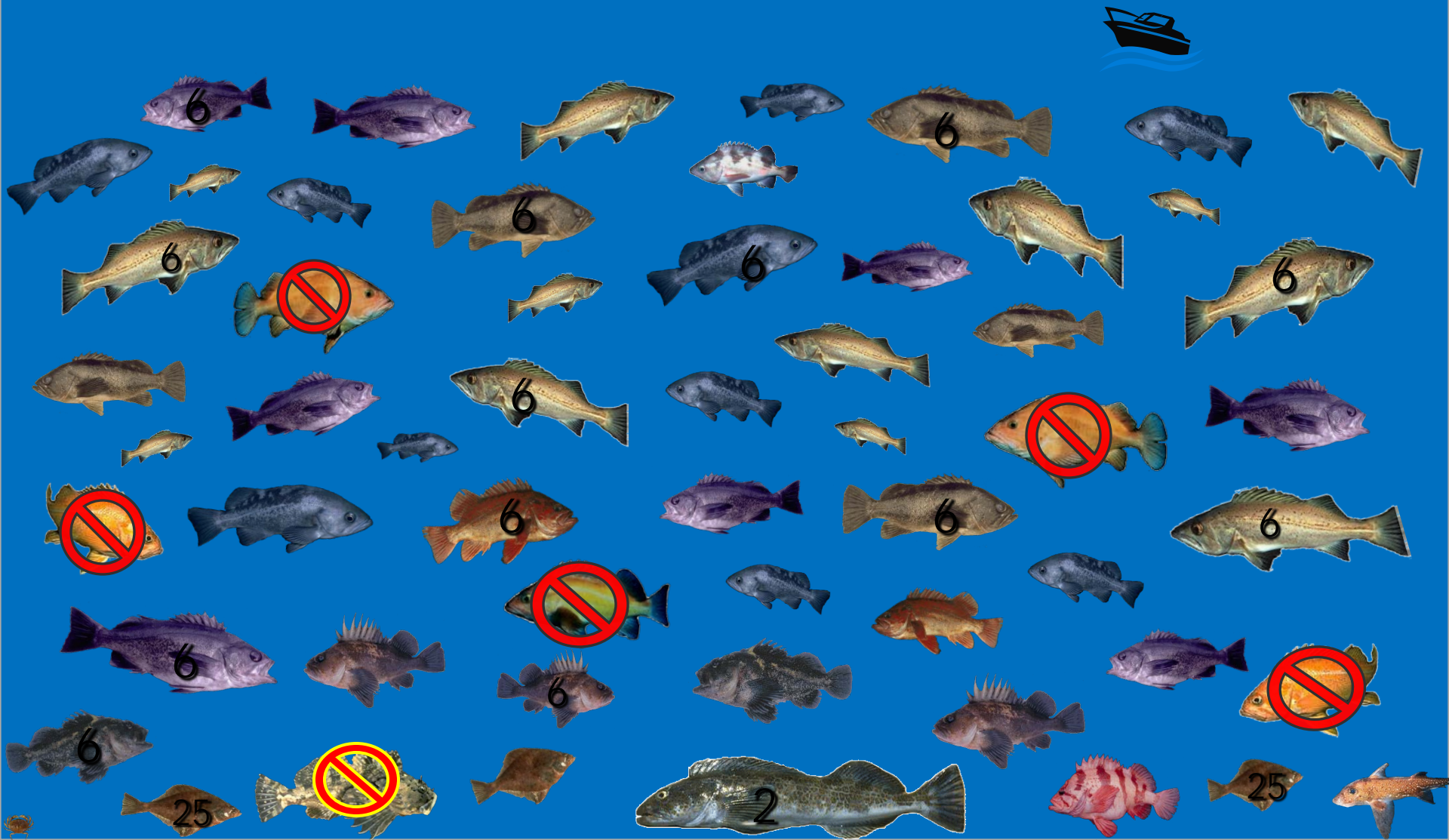


Fishery Management "Toolbox"

- Bag limits/Trip limits
- Size limits
- Gear restrictions (allowances?) ★
- Seasonal openings
- Area restrictions (allowances?) ★
- Death by Depth ★



Multi-species Assemblages⁷



Jurisdiction

- Federal
 - Governed by the Magnuson-Stevens and Endangered Species Acts
 - Primary jurisdiction for species managed through fishery management plans and listed as threatened and endangered
- State
 - Can be equally or more conservative than federal
 - Anything not explicitly federally managed
 - Governs through landing requirements

Federal Regulatory Process

- Councils develop recommended policies and regulations to NMFS
- NMFS either approves, approves with modifications or denies (“final” determination)
- Follow federal process for rule making
 - 2 or 3 meetings to decide outcome
 - Proposed and final rule issuance and comment periods
- Lawsuits

Pacific Fishery Management Council

- Washington
 - WDFW
 - 2 public members
- Oregon
 - ODFW
 - 2 public members
- California
 - CDFG
 - 3 public member
- Idaho
 - IDFG
 - 1 public member
- Tribal
- NMFS
- Non-Voting
 - USFWS
 - USCG
 - ADFG
 - NOAA GC



PFMC Public Process

- Public process
 - Management teams
 - Advisory committees (industry, public, tribal, environmental)
 - Scientific and Statistical Committee
 - Habitat Committee
 - Public comment encouraged
 - Public testimony
 - Before PFMC
 - At advisory committee meetings
 - Proposed and final rule comments

State Regulatory Process

- Staff develop alternatives
- Oregon Fish and Wildlife Commission makes final decision
- Generally happens at one meeting
- "The Oregon Way"
 - Public meetings
 - Public testimony
- Petitions



Burden of Proof

- Federal
 - National Standard 2 defines “best available science”
 - Regional Council’s Scientific and Statistical Committee blessing
- State
 - Determined by staff and Commissioners



Experimental Process

- Federal: Exempted Fishing Permits
 - Public members and agencies submit proposals to the PFMC
 - PFMC reviews applications and recommends projects to NMFS
 - NMFS issues permits
- State: Experimental Gear Permits
 - Public members contact ODFW with proposals
 - Staff issues permits
 - Non-federally managed species

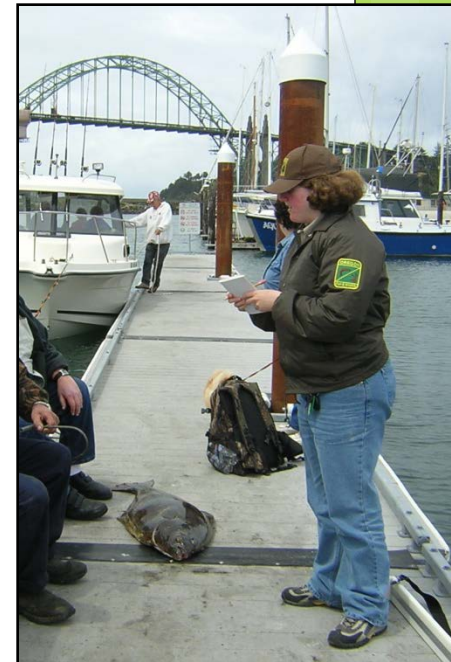
How to Implement Best Practices- the groundfish story

- Current rates assume release at the surface
- Survival at depth shown to be good
- What would it take to get credit?
 - % use
 - Confidence
 - Mortality rates
 - Enforceability
- Go through appropriate state/federal regulatory process



Oregon Perspective

- Actively researching barotrauma
- Considered implementing requirements for 2012
 - Education and outreach
 - Getting the word out
 - State fair
 - Sportmen's shows
 - Every day discussions with anglers
 - Looking for the "carrot" rather than using the "stick"
- Collecting information on devices and use



Education and Outreach

Most important thing that
can be done to promote
best practices



Questions?

