

## ELECTRONIC MONITORING PROGRAM DEVELOPMENT INCLUDING PRELIMINARY APPROVAL OF EXEMPTED FISHING PERMITS

At the November, 2013 Council meeting, the Council adopted for further analysis a range of alternatives contained in the November Groundfish Electronic Monitoring Policy Advisory Committee report with the modifications recommended in the Enforcement Consultants report. The alternatives are summarized in Tables 1 through 3; each table increases in detail (Agenda Item C.7.a, Attachments 1-3). Additionally, the Council scheduled consideration of special, out-of-cycle exempted fishing permit (EFP) proposals for electronic monitoring (EM), with maximized retention requirements, with a preliminary approval stage to occur at the April 2014 Council meeting. A letter regarding this special EFP process was provided to the fishing industry participants (Agenda Item C.7.a, Attachment 4) as well as the Council Operating Procedures (COPs) that describe the EFP application process (Agenda Item C.7.a, Attachment 5).

On January 22-23, 2014, the Groundfish Electronic Monitoring Technical Advisory Committee (GEMTAC) met to discuss the environmental impacts of the range of alternatives adopted by the Council. A GEMTAC report is provided that contains a primary question, whether the industry or National Marine Fisheries Service (NMFS) should pay for observers that sample for biological data (Agenda Item C.7.b, GEMTAC Report). At the meeting, EFP applicants presented draft applications to the GEMTAC. The GEMTAC and additional NMFS staff provided feedback for refinement of the applications based on the Council's COP 19, the Council's direction to develop EFPs with maximized retention requirements, and the Council's adopted range of alternatives.

At this meeting, the Council will receive reports from the West Coast Observer Program (WCOP) and Pacific States Marine Fisheries Commission (PSMFC). At the June 2013 Council meeting, the Council requested that the Northwest Fisheries Science Center provide a report on how the WCOP may move forward with an EM program in place for midwater trawl, fixed gear, and potentially bottom trawl. An initial report was provided on January 22 to the GEMTAC. A more detailed report by NMFS is included in the advance Briefing Book (Agenda Item C.7.b, NMFS Report) and a presentation will be provided by NMFS at the meeting.

The PSMFC will provide an informational briefing to the Council under Agenda Item C.1 to present preliminary results of the NMFS/PSMFC 2013 field study and provide the Council with insights from the 2012 and 2013 field studies that may inform the development of an EM program and implications regarding potential EFPs (Agenda Item C.1.b, Attachment 1). A final 2013 report will be available in June. Also included in the briefing items is a 2014 PSMFC supplemental study design to estimate species density and discard weights (Agenda Item C.1.b, Attachment 2).

Under this agenda item, the Council is scheduled to hear an update from Council staff regarding EM program development and provide any guidance on refinement of alternatives as appropriate. The Council is scheduled to receive a draft initial decision document and select preliminary preferred alternatives for an EM Program at the June Council meeting. The Council is currently scheduled to make a final decision at the September Council meeting (Agenda Item C.7.a, Attachment 10).

Regarding EFPs, under this agenda item, the Council is to consider preliminary approval of EFPs provided by the fishing industry. If any are moved forward, a final decision is scheduled for June. At the time of the Briefing Book deadline the Council received four EFP applications (Agenda Item C.7.a, Attachments 6 through 9). The Council needs to consider the ramifications of workload on Council and NMFS staff that is necessary to accomplish EFPs by January 2015. The Council may need to consider that both EFPs and the regulatory process cannot be pursued on the same timeline; therefore, the Council may need to prioritize their decision-making. (Agenda Item C.7.a, Supplemental Attachment 11). The Council may need to also consider other ramifications about approval of EFPs, such as pricing effects on observers available to non-EFP participants and effects on the WCOP.

The Groundfish Electronic Monitoring Policy Advisory Committee and the GEMTAC will meet in Seattle on May 7 and 8, 2014.

### **Council Action:**

- 1. Provide guidance on further development of EM program.**
  - a. Confirm or add to the range of alternatives in Attachment 3.**
  - b. Alter or add options to the action alternatives in Attachment 3.**
  - c. Consider options for responsible party payments for biological observers.**
  - d. Guidance on specific analysis of the alternatives and options.**
- 2. Recommendations for further consideration of EFPs.**
- 3. Provide guidance on schedule and process calendar.**
- 4. Provide other guidance as necessary.**

### **Reference Materials:**

1. Agenda Item C.7.a, Attachment 1: Table 1, General Introductory Display of Electronic Monitoring Alternatives.
2. Agenda Item C.7.a, Attachment 2: Table 2, Medium Level Descriptive Display of EM Alternatives.
3. Agenda Item C.7.a, Attachment 3: Table 3: Detailed Descriptive Display of EM Alternatives.
4. Agenda Item C.7.a, Attachment 4: Notice Letter Regarding EM EFP Process.
5. Agenda Item C.7.a, Attachment 5: Council Operating Procedure 19.
6. Agenda Item C.7.a, Attachment 6: Silva EFP Application.
7. Agenda Item C.7.a, Attachment 7: Leipzig EFP Application.
8. Agenda Item C.7.a, Attachment 8: California Risk Pool EFP Application.
9. Agenda Item C.7.a, Attachment 9: Mann/Paine EFP Application.
10. Agenda Item C.7.a, Attachment 10: Adopted Process and Schedule to Consider EM Regulations.
11. Agenda Item C.7.a, Supplemental Attachment 11: Timeline-EFPs vs. EM Regulatory Package.
12. Agenda Item C.7.b, GEMTAC Report: GEMTAC Report to Council.
13. Agenda Item C.7.b, NMFS Report: WCOP Impact Analysis.

Agenda Order:

- a. Agenda Item Overview Brett Wiedoff
- b. Reports and Comments of Advisory Bodies and Management Entities
- c. Public Comment
- d. **Council Action:** Guidance on Electronic Monitoring Program Development and Consideration of Preliminary Approval of Exempted Fishing Permits for Electronic Monitoring in the Limited Entry Trawl Groundfish Fishery

PFMC  
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