



Pacific Fishery Management Council

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Dorothy M. Lowman, Chair | Donald O. McIsaac, Executive Director

December 12, 2013

RE: Special Exempted Fishing Permit for Electronic Monitoring

Dear Interested Participant in the Groundfish Trawl Catch Share Program:

The purpose of this letter is to provide notice and guidance regarding the development of Exempted Fishing Permit (EFP) proposals for electronic monitoring and provide a deadline for EFP submission to the Pacific Fishery Management Council (Council).

At the November 2013 Council meeting, the Council announced that at its April 2014 meeting it will consider EFP proposals submitted for the purpose of allowing the use of electronic monitoring (EM) in place of observers for vessels participating in the trawl rationalization program. In April, the Council and its advisory bodies are currently scheduled to review and consider making recommendations on applications that include EM for fishing vessels that are willing to fish under maximized retention requirements. The Council is scheduled to take up preliminary approval of applications at the April meeting. If the Council moves the EFPs forward, final approval for EFP applications advanced for further consideration is scheduled for the Council's June 2014 meeting.

The Council is considering a regulatory change for all vessels required to take human observers in accordance with the groundfish trawl catch share program. However, full fleet regulatory changes, if any, adopted by the Council are not expected to be implemented prior to January 1, 2016. Thus, the Council is considering EFPs for possible use in 2015 and beyond, depending on final implementation of new regulations providing for EM, should the Council approve any EM regulations.

The Council Operating Procedures (COP) provide guidance in the qualification, submission, purpose and content, review, and approval of EFP proposals (Go to COP 19 at: <http://www.pcouncil.org/wp-content/uploads/cop19.pdf>). Normally, applications are required by the November 2013 meeting; however, an exception was made for EFPs submitted for the purpose stated above. The Council encourages applicants to consider consolidating interested vessels or parties using the same gear type and proposed protocols into a single application. This will increase the efficiency for Council review. Rather than just providing an exemption from using human observers and relief from the future economic burden on the industry to pay for human observers, the use of EFPs should allow testing and refinement of the overall fishery management approach for EM that has been drafted to date for the Council. For example, EFPs could assist evaluation of discard monitoring methods, individual vessel monitoring plans, and

the data capturing and processing techniques, as well as providing an opportunity to test the fishery monitoring, assessment, and management system.

For an example of information to be included in an EFP, please visit the website at: <http://www.pcouncil.org/groundfish/rawl-catch-share-program-em/>.

In considering formal recommendations for issuance of EFPs, the Council will evaluate the impact of EFP applications on the existing workload of the National Marine Fisheries Service (NMFS). Several priority matters are currently scheduled for NMFS in 2014, such as the full fleet EM regulatory process, the groundfish 2015-2016 biennial regulatory process, the sablefish permit stacking review process, and other trawl trailing actions. A significant amount of work may be necessary to implement EFPs by January 2015. At the November meeting, NMFS indicated the need for additional time to assess how processing EFP applications would affect existing timelines for completion of other matters the Council has identified as high priorities. At this time, NMFS has provided the following statement on this matter.

Exempted Fishing Permits require analysis and review that is similar to a regulatory process. Any new EFP recommended by the Council in June will have a substantial impact on NMFS' workload, depending on the complexity of the requested regulatory exemptions, the need for any new NEPA analyses, and the need to divert staff time from other duties. Because of this, NMFS will work with the Council and Council staff to balance the workload among the numerous important competing tasks.

The Council encourages applicants to provide draft EFP proposals to the Council's Groundfish Electronic Monitoring Technical Advisory Committee (GEMTAC) before submission of a complete EFP application to the Council. The GEMTAC may provide feedback to the applicants regarding completeness of the study design, feasibility of implementation, or other elements of the application that might be considered for adjustment. The GEMTAC is scheduled to meet on January 23, 2014 in Portland, Oregon; therefore, the deadline to submit draft EFPs to the GEMTAC for review is January 17, 2014. The Council encourages applicants to attend the GEMTAC meeting in person to hear any feedback that may be forthcoming. Applicants are not required to provide a draft EFP application to the GEMTAC (See [COP 19](#)).

If you would like the GEMTAC to review your *draft* EFPs, **send your completed draft application by January 17, and include your intent to attend the GEMTAC meeting in person to:**

Dr. Donald McIsaac, Attn: GEMTAC Review
Pacific Fishery Management Council
7700 NE Ambassador Pl. Suite, 101
Portland, OR 97220

Or to Brett.L.Wiedoff@noaa.gov

By this letter, the Council announces an EFP submission deadline of 11:59 p.m. March 12, 2014. Applications will be included in the Council's Briefing Book material for the April 2014 meeting. Applications submitted after March 12 may not be considered by the Council. Submit completed *proposed* EFP applications to:

Pacific Fishery Management Council
7700 NE Ambassador Pl. Suite, 101
Portland, OR 97220

Or via e-mail to pfmc.comments@noaa.gov Or to Brett.L.Wiedoff@noaa.gov

In the event your proposed EFP is advanced for further consideration at the June 2014 Council meeting, a final EFP application must be submitted in early June, on a specific date to be determined.

Should you have any questions on this matter, please contact Brett.L.Wiedoff@noaa.gov or 503-820-2424.

Sincerely,

D. O. McIsaac, Ph.D.
Executive Director

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C: Council Members
Groundfish Management Team
Groundfish Advisory Subpanel
Scientific and Statistical Committee