

Project Title: Exempted Fishing Permit Proposal for Utilizing Electronic Monitoring Systems in Lieu of Human Observers in the At-sea and Shoreside West Coast Whiting Fishery.

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Purpose and Need for Exempted Fishing Permit:

Purpose

Ballooning monitoring costs and logistical considerations form a well-defined need and justification to move forward with issuing an EFP for these fisheries. The purpose of the EFP is to determine whether utilizing cameras in lieu of human observers proves both cost effective and logistically effective while still providing 100% monitoring of catch and discards that adequately comply with the personal accountability requirements of Amendment 20.

Need

Amendment 20 was implemented in January 2011. The Trawl rationalization program includes individual transferable quotas for the shoreside whiting fleet and a cooperative system for the at-sea whiting fleet. A majority of west coast whiting fishermen participates in both sectors. Both programs require 100% monitoring of catch and discards as a fundamental component of the catch accounting system. Currently the monitoring mandate is accomplished using human observers provided by two National Marine Fisheries Service-approved providers with the majority of the cost borne by the industry and a subset of the cost covered by a government subsidy.

For 2014 the government subsidy is \$216 of the total \$450-\$500 per day cost of a human observer. The cost of monitoring is only one piece of a larger financial burden that fishermen participating in this fishery are facing. In addition to the normal operating costs associated with running a fishing vessel, there are several other government-imposed fees including state landings taxes, a 5% annual Buyback Loan payment and a 3% annual Cost Recovery fee. All of these costs are

based on ex-vessel value – so they come out of a business’s gross earnings, which can equate to upwards of 15-18% of a vessel’s gross BEFORE paying out all the other costs associated with running the business. Human observer costs are expected to continue to increase in the coming years. Cost relief is the primary reason we are seeking to experiment with using electronic monitoring versus human observers in the whiting fishery. It is expected that monitoring costs will decrease with the use of cameras versus human observers.

Another primary reason we are seeking to utilize electronic monitoring in lieu of human observers is related to logistical and operational considerations. Human observers are just that – human. There are times when observers are sick and do not leave their bunk. There are other times when observers delay fishing trips due to tardiness or when there are no observers available at all and a vessel is prohibited from leaving the dock. Human observers take up additional space on a vessel and the feeding and care of an observer is an additional burden on the captain and crew. Comparatively, cameras are always on, they do not eat, sleep or get sea sick and once installed they are always ready to head out on a fishing trip, regardless of time or location.

Species Disposition:

All species harvested under this EFP must be covered by quota share or cooperative species allocation as currently detailed in the existing Amendment 20 regulations. This EFP does not request a special allowance to harvest any additional species (species of concern or otherwise) and the disposition of all species should mirror current fishing operations and strategies. There is no set aside of any species – target or otherwise – with this EFP and impacts on rebuilding species are already considered and included in annual scorecard accounting and monitoring based on Amendment 21 allocations.

Broader Significance:

The proposed activity under this EFP will have broader significance than simply achieving certain goals for the applicants. There are other sectors and fisheries on the west coast that are interested in utilizing EM – the bottom trawl and fixed gear sectors of the trawl ITQ fishery as well as other Pacific fisheries in need of monitoring but unable to carry observers due to small vessel size or even safety concerns. In addition, there is a national push to explore and implement electronic monitoring in a variety of fisheries utilizing an assortment of gears. The information garnered through this EFP will be very informative in helping to design and implement EM systems both on the west coast but around the country in other regions as well.

Duration:

The EFP would be issued for the entire whiting season, which begins in May and continues through the remainder of the year.

Number of Vessels Covered:

Any vessel which participates in the primary whiting fishery would be eligible to participate under this EFP as long as they meet all criteria and requirements as outlined in this application – this could be as many as 37 vessels. Realistically there will be between a dozen and twenty vessels that likely take advantage of this EFP opportunity during the first year.

Whiting Fishery Description:

The West Coast whiting fishery is divided up into three distinct sectors: the shoreside fishery where vessels deliver to seafood processors onshore; the mothership sector where vessels catch and deliver the fish to at-sea seafood processors; and the catcher processor sector where vessels catch and process whiting on the same vessel. This EFP applies to the shoreside and mothership sector. Currently the at-sea season begins in May and the full shoreside sector begins in June (there is a small shoreside fishery in California which begins in May). In 2015 both sectors are expected to begin in May following the implementation of an amendment to the program that changes the shoreside date to effectively the match the start date of the at-sea fishery.

Fishermen target Pacific whiting (also known as hake) with midwater trawl gear. There is no sorting of the catch at-sea for the shoreside fishery and the crew works to get the catch into the fish holds and refrigerated seawater systems (RSW) as quickly as possible to ensure high quality fish. Pacific whiting contain an enzyme that causes the flesh to deteriorate and break down rapidly unless the fish is chilled immediately. All sorting of pacific Whiting catch is done shoreside at the seafood processor. The at-sea fishery requires that the vessel deliver their catch directly to the floating processor – the bag never reaches the deck of the catcher vessel. Bycatch species typically associated with whiting fishing includes rockfish and sometimes salmon.

Fishing activity is not expected to change substantially under this EFP. There may be more flexibility for fishermen who are not bound by the scheduling restraints of human observers – but once on the water the strategies and fishing behavior should be consistent with recent years since implementation of the rationalization program.

Scope:

This EFP application is to use an EM system in the whiting fishery for compliance with monitoring requirements only. Biological information collection is not part of this EFP.

The participants will fish under a maximized retention scenario like the one that is used now. Participants would be required to dump unsorted catch directly below deck and would be allowed to land unsorted catch providing an EMS is sued on all fishing trips to verify retention of catch at-sea. The fishermen will self-report their catch and any operational discards in their logbook. The video from the cameras will be used as an “audit” to ensure correct reporting. The reviewer will first review

video for reported discards and follow-up with a 10% random review of the remaining video seeking any unreported discard events.

Unreported discard events that are discovered during the review will be cause for disciplinary action and loss of EFP privileges for the remainder of the season.

Fishermen will be required to complete a logbook (ideally an electronic logbook) that includes the following information:

- Date
- Set time
- Depth
- Time of net retrieval
- Latitude & Longitude
- Depth of head rope
- Estimated amount of catch
- Estimated amount of any operational discard

Applicants will work with a 3rd party provider to develop an electronic logbook – if an electronic logbook cannot be developed in time for when the EFP is implemented, than a paper logbook that captures the same information will be utilized (as is currently done in the fishery).

The vessel will develop a Vessel Monitoring Plan (VMP) that will be approved by National Marine Fisheries Service. The VMP will layout the placement of all cameras on the vessel and detail the criteria that the camera system must meet.

It is the responsibility of the Vessel Captain to ensure that all systems are operational before leaving port. The camera will be turned on once the first set is made and remain on until the vessel returns to port. The camera will not be required to be on while the vessel is initially transiting to the fishing grounds.

Video and logbook information will be transmitted once the vessel returns to shore via the already existing shoreside catch monitor.

A 3rd party organization (approved by NMFS) will be responsible for review of the logbook and associated video.

Specific Regulations from Which an Exemption is Being Requested:

a. Under 50 CFR § 660.12 (a)(1) it is unlawful for any person to retain any prohibited species, which must be returned to the sea as soon as practicable with a minimum of injury when caught and brought on board. This EFP allows the permitted vessel to retain prohibited species until offloading and requires the vessel to deliver all catch.

b. Under 50 CFR 660.140 (h)(1)(i)(A) any vessel participating in the Pacific Groundfish IFQ fishery is required to carry an observer. This EFP allows participants to utilize EM in lieu of the requirement to carry observers

Reporting Requirements

- Trawl logbooks must be maintained as required by the applicable state law and include the information detailed above

Maximized Retention Requirements

- All catch must be brought on board the vessel and retained until offloading, with some exceptions:
 - Pacific whiting removed from the deck and fishing gear during cleaning may be discarded, provided that the total does not exceed one based from any single haul, with the maximum dimensions of the basket being 24 inches by 16 inches by 16 inches. All catch in excess of the one basket would need to be placed into the fish hold. Discarding species other than pacific whiting would be prohibited.
 - Large individual marine organisms, such as marine mammals or fish species longer than 6 feet in length, could be discarded provided the species and the reason for discarding were properly recorded in the required logbook
 - All incidentally caught marine mammals would need to be documented in the vessel logbook and reported to the NMFS Office of Protected Resources by submitting a completed Marine Mammal Authorization Program mortality/injury report form.
 - Unavoidable discard of catch would be the result of an event that is beyond the control of the vessel operator or crew. The quantity and all species discarded as a result of an unavoidable discard event would need to be estimated, and the location of the tow, and reason for discarding recorded in the logbook.
 - Discard that results when more catch is taken than is necessary to fill the hold is within the control of the vessel operator and would continue to be prohibited.
- All prohibited species incidentally caught in a midwater trawl, and required to be retained under this section, would be abandoned to the State of landing immediately upon offloading.

EMS Requirements

- Owners of participating vessel would be required to arrange from EMS services from a NMFS-approved provider and pay all associated costs
- Vessels required to procure EMS services may also be required to carry an NMFS West Coast Groundfish Observer Program observer (for the purposes of capturing biological information)
- The vessel operator would be required to schedule maintenance of EMS equipment
- Before each haul is retrieved, the vessel operator would be required to check status of EMS control box to confirm that the EMS is functioning properly

- From 30 minutes before official sunset until 30 minutes after official dawn, each vessel covered under this EFP would be required to provide adequate lighting to areas where the trawl nets and fish are handled and fish hold openings, deck spaces, and the trawl ramp so the activities could be clearly recorded by the EMS cameras.