

GROUND FISH ADVISORY SUBPANEL REPORT ON ELECTRONIC MONITORING
PROGRAM DEVELOPMENT INCLUDING PRELIMINARY APPROVAL OF EXEMPTED
FISHING PERMITS

The Groundfish Advisory Subpanel (GAP) heard a report from Mr. Brett Wiedoff on electronic monitoring (EM) alternatives and EM exempted fishing permits (EFPs), and from Mr. Jon McVeigh on the ongoing need for scientific observers. The GAP offers the following comments.

The GAP would benefit from clarification of workload and timeline issues for the regulatory and EFP processes. As we mention in more detail below, our primary goal is to see effective and cost effective EM systems implemented as quickly as possible. Without additional clarification, the best pathway forward is not clear. For example, when would regulations likely be implemented if we proceed with the regulatory pathway? Would it be possible to proceed with the regulatory process for the whiting sector and EFPs for the other sectors? If we did so, when could we expect EM to be on the water? If we proceed with EFPs for all sectors and delay the regulatory process, when could it be resumed?

Regulatory Process

The GAP believes that the EM alternatives are comprehensive and adequately capture the universe of potential options that should be analyzed prior to EM implementation.

Biological sampling

The GAP understands that if the Council approves EM for compliance monitoring there will still need to be human observers for biological sampling where appropriate. While the GAP strongly supports the ongoing need for robust science, the GAP believes those costs should be borne by National Marine Fisheries Service (NMFS). NMFS covers those costs for other sectors and fisheries on the west coast as they do in other regions. Likewise, prior to the implementation of the individual fishing quota (IFQ) program, the cost of scientific observers was covered by NMFS. The data collected supports not only the trawl fishery but also other groundfish sectors. For those reasons, the GAP believes NMFS should pay for scientific observers in the fishery at an appropriate rate of coverage for biological sampling (likely around 20 percent). EM for compliance monitoring should in no way interfere with NMFS' prerogative to continue biological sampling.

EFP Process

Council Operating Procedure 19 states "An exempted fishing permit (EFP) is a Federal permit, issued by the National Marine Fisheries Service, which authorizes a vessel to engage in activity that is otherwise prohibited by the Magnuson-Stevens Act or other fishery regulations for the purpose of collecting limited experimental data." The purposes include encouraging innovation and efficiency in fisheries and evaluating current and proposed management measures.

At the outset, the GAP notes four of the five EFP applications were excellent, reflecting significant work and careful thinking on the topic by the applicants. They meet the requirements of COP 19 and the Federal regulations for EFPs.

To reiterate our previous statements, costs of participating in the IFQ program are high, access to target stocks remains low, and many trailing amendments that could reduce cost or increase profitability are stuck in the trailing amendment pipeline. Replacing 100 percent observer coverage with EM can reduce direct costs of participation and reduce the number of missed trips thereby enhancing the IFQ program. To enhance economic benefits to the industry, fishing communities and the nation, the GAP would like to see EM implemented in the fleet as quickly as possible.

The GAP believes that EM coverage in the whiting fishery can be established via either a regulatory process or an EFP process. This belief was supported by Mr. Colpo's presentation and particularly his statement that there is really nothing left to test. However, the GAP heard that the regulatory timeline would not allow implementation prior to 2016, so the GAP believes the EFP route is likely the best opportunity to place EM on whiting vessels before the start of 2015 whiting season (Presently June 15, 2015). To reiterate, the GAP supports whichever option will place EM on whiting vessels most quickly.

Regarding the fixed gear fishery some vessels have already carried EM for multiple years under the PSFMC program. The Council saw in the Mr. Colpo's presentation a very high correlation of EM with catch monitor data. This fishery is far enough advanced in its experience with EM for implementation of an EM EFP in 2015.

For the trawl sector, the GAP believes that Mr. Leipzig and California Risk Pool EFPs will help inform the regulatory process. While the GAP firmly believes that maximized retention will work for the bottom-trawl sector, the GAP understands that unlike whiting where an EM EFP operated for many years, an EFP is necessary to demonstrate that ability. Under the incentives inherent in the IFQ program, we have already seen the discard rate drop dramatically. This will make maximized retention much easier for fishermen to handle. Likewise, the amount of discard in the "optimized retention" EFP will be relatively small for that same reason. The GAP notes that for bottom trawl, there could be additional benefit by proceeding with both EFPs rather than either one alone. A comparison could be made between the two, providing information about costs, commercial viability, and other important considerations under two separate EM program designs. This would be of great help in developing eventual regulations.

For the reasons stated above, the GAP believes that four of the five EFPs should move forward for further consideration. The Silva EFP was simply not complete enough to move forward. The GAP believes the Silvas would be eligible to participate in another bottom trawl EFP should one be approved. If there is a workload issue which creates a situation in which regulations cannot move forward simultaneously with EFPs, then we support delaying the regulatory process in order to prioritize the EFPs. We would then propose resuming the regulatory process when workload permits. The GAP believes that two-year EFPs would be most appropriate for testing EM.

Discard definition – One EFP applicant noted that NMFS' definition of discard would drive costs unnecessarily high and could impair the viability of the EFPs. That applicant proposed an alternate definition that would not count as discard those fish which do not touch the deck. The GAP notes that the definition of discard will be a major factor in overall cost and having a final definition is critical before discussing with EM providers what their systems will need to do. Mr.

Colpo's presentation and discussions with Mr. McVeigh revealed that the volume of fish that is caught but doesn't touch the deck is insignificant. The Groundfish Electronic Monitoring Policy and Technical Advisory Committees are planning to discuss discard definitions at their upcoming meeting on May 7th and 8th.

PFMC
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