

GROUND FISH ADVISORY SUBPANEL REPORT ON TRAWL RATIONALIZATION TRAILING ACTIONS

The Groundfish Advisory Subpanel (GAP) received a report from Mr. Jim Seger and Ms. Jaime Goen on trawl trailing action issues including the process for considering electronic monitoring (EM), the composition of the ad hoc EM workgroup, National Marine Fisheries Service's (NMFS) proposal for a more comprehensive review of pre- and post-trawl rationalization regulations, and Program Improvements and Enhancement (PIE) 2 clarifications. The GAP offers the following comments and recommendations.

Process for considering electronic monitoring

The GAP has commented on electronic monitoring numerous times. To paraphrase our previous statements, electronic monitoring remains a major priority for the GAP, and we feel that it can maintain or improve accountability, increase flexibility, and reduce costs.

Before making specific recommendations, the GAP offers the following overarching considerations:

- EM development should be approached with the primary purpose of bringing down costs of accountability and costs associated with missing trips when observers are not available.
- An EM system should not supplant the observer program. There should always be an opportunity to take an observer in lieu of using EM.
- The EM system should not be one size fits all. There will likely need to be different standards and requirements depending on gear type or fishery.
- We need to clarify our definition of discard. This issue is discussed in more detail in our April statement on trailing actions (Supplemental GAP Report, Agenda Item D.7.d, page 2, April 2013, attached).
- The EM system should be flexible and able to incorporate new technologies when they come on line.

The GAP reviewed the initial white paper and strongly supports the Tier 1/Tier 2 process and standards described therein. The GAP believes that performance standards are critical, as they present the opportunity to meet the needs of a monitoring program most flexibly and creatively and will allow for new technological developments to be incorporated into the system. The initial white paper is on the right track and will be incredibly useful in developing the framework for an EM system.

The GAP also reviewed the WDFW report on trailing actions. Overall, the GAP felt that the considerations and standards were well-thought out. However, the GAP has concerns about items 9-12 on page 3. The following comments illustrate GAP concerns:

#9 – Requiring a vessel to stay at the dock until a logbook is reviewed is unnecessary and much more stringent than our current process with observer data. Observer data is revised for months

after a trip, yet fishing is allowed in the interim. What risk is alleviated by requiring users of an EM system to remain at dock until video review is complete? Any overages would still need to be covered as they need to be under the current system.

#10 – 10 percent may be the right number but other numbers should be considered as well. However, the GAP believes that fishing should be authorized upon submission of the video rather than review of the video.

#11 – The GAP believes that the trigger for 100 percent review should be unreported discard events rather than reporting outside the Washington Department of Fish and Wildlife proposed 10 percent accuracy standard. If the reviewed discard weights are under- or over-reported, the reviewer should simply input the correct value.

#12 – Another alternative to the issue of multiple logbook accuracy or non-report events may simply be to require the fisherman to carry an observer.

In summary, any or all of these requirements have the effect of creating an overly and unnecessarily onerous system that could prevent fishermen from fishing for long durations with little purpose.

Makeup of working group

The GAP supports its recommendation from April with two modifications. First, the GAP recommends inclusion of the GAP conservation representative on the working group. Second, the GAP recommends including an EM provider on the work group or technical team. Further, the GAP supports the formation of a formal technical team to advise the workgroup and ensure that appropriate officials are apprised of and involved in the conversations as they unfold.

Proposal to review pre and post trawl rationalization regulations

The GAP wholeheartedly supports NMFS' proposal to move away from piecemeal regulation modifications toward a more comprehensive approach to streamline the catch share program. The GAP believes it is imperative that gear regulation modifications, comprehensive Rockfish Conservation Area revisions, and other revisions that can enhance the conservation and economic outcomes of the program be considered and implemented as efficiently as possible, and this process will help us get there.

The GAP recommends clarifying the timeline between initial scoping (September 2013) and implementation (January 2015) to define when a final recommendation should be submitted.

PIE 2 clarifications

The GAP supports the proposal to eliminate the end-of-year (December 15-31) quota pound (QP) trading prohibition on QP transfers between vessel accounts. Recognizing that the proposal to allow trading of last year's quota in the current year is a new proposal and could not be included with PIE 2, the GAP recommends consideration of that option in PIE 3 or under the comprehensive approach mentioned above.

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– Electronic Monitoring Regulatory Process

Mr. Jim Seger briefed the Groundfish Advisory Subpanel (GAP) on the electronic monitoring (EM) regulatory process and provided a report on the February EM Workshop. The GAP offers the following comments and recommendations. The GAP would like to thank Mr. Seger and the Council for holding the February Workshop, and all of the attendees and presenters, especially Mr. Dave Colpo and Mr. Dayna Matthews. GAP members in attendance felt that it was a productive meeting and were heartened to see everyone working together toward a viable, cost-effective, flexible solution to the problem of high observer costs in the fishery. The GAP urges the Council to continue that momentum by voting to begin a formal EM process at this meeting, dedicating resources to scoping and analysis, and scheduling EM onto future Council meeting agenda so that it can be implemented as soon as possible.

Goals and objectives

In general, the GAP supports the goals and objectives described in the February Workshop Report (Agenda Item D.7.b, EM Workshop Report, April 2013). However, the GAP suggests modifying the workshop recommendation as follows:

- Move line 2, placing it between lines 9 and 10, and change the language to read “reducing observer costs for vessels that have relatively lower total revenue.”

There was significant discussion about this line at the workshop. The GAP appreciates the intent behind it (i.e., to recognize fleet diversity), but recommends that it be a consideration while developing an EM program rather than one of the primary goals.

- Insert a new line 2 that reads, “increase flexibility for fishermen to time trips to weather windows and market opportunities;”

There has been a longstanding misconception that the fleet’s interest in EM is based entirely on cost concerns and the inconvenience of having an extra person on board. While those are important considerations, many fishermen have also experienced difficulty in scheduling and obtaining observers leading to missed trips and lost revenue. Some fishermen have expressed interest in moving forward with EM even if costs are comparable to current observer rates. On that point, it should be noted that many of the preliminary discussions comparing human observer costs to EM have focused on the current costs of human observers. We have already seen those costs increase in the first two years of this program. Human observer costs have increased even more dramatically in other regions, and over time we can expect they will continue to increase in this region. In contrast, after the initial costs of EM program development and hardware, EM costs are likely to be relatively stable over time.

Guidance on developing a scoping package

In general, the GAP supports the recommendations and information requests found on pages iii-v of the Executive Summary of the EM Workshop Report.

Strawmen proposals

The GAP feels, however, that it is difficult to determine whether the proposals are adequate or how they might be modified to be more efficient without having a concrete understanding of the standards they were designed to meet. Therefore, the GAP recommends that the proposals be included when considering initial alternatives for public review and comment, but the GAP further recommends that the Council outline clear performance standards that a program must meet. This would not only facilitate discussion of ways the current proposals might be improved to best achieve the goals, but would also allow for consideration of completely new proposals that may prove more effective (and cost-effective).

The GAP notes that the language contained in the bottom trawl proposal on page 24 of the EM Workshop Report seems to make assumptions about whether or not EM will ultimately prove viable for bottom trawl vessels. The GAP does not feel that language is appropriate and requests that it be removed before the proposal go forward.

The GAP further notes that the fixed gear proposal described on page 25 of the report fails to differentiate between pot and longline gear. Because the operations are different, it may be necessary to have a separate proposal for each, but again, without clear performance standards it is hard to know.

Co-ops

The GAP appreciates the creative thinking that has gone into the co-op concept and believes it is something that should go forward for analysis. The devil will be in the details and the GAP firmly believes that this concept is one that should be carefully vetted by industry and other stakeholders.

Comments on PSMFC Study

The GAP supports the recommendations in the EM Workshop report, but adds one additional recommendation. We heard from Mr. Colpo that one of the principle reasons for discrepancies in the year-one PSMFC test between the EM data and the observer data is that it is not clear when fish should be counted against individual fishing quota (IFQ). The fundamental question is when is a fish caught? For example, what about fish that shake off at the rail? Or just below the rail? Or at the surface of the water? Or underwater but clearly visible? What about whiting that come out of the bag well behind the boat due to sloshing in rough weather? Or small fish that escape from the mesh when the net is coming up?

The EM system seems to be counting a different number of discard events and a different amount of pounds per event than human observers. It is therefore critical that before the EM data is compared to observer data for the year-two PSFMC test, that we have a clear understanding of the answer to this question. Otherwise, we will not have a fair comparison

between EM and observer data, and any information gleaned will be almost useless for decision making purposes.

The GAP also heard that many of the initial vessels that had agreed to participate in PSMFC's 2013 bottom trawl EM study have backed out. Several members of the GAP have committed to line up replacement vessels for the study so that it can go forward in a meaningful way.

Adopting a regulatory process for moving forward

The GAP would like to see EM implementation as quickly as possible. In the timeline outlined on page vii of the Executive Summary of the EM Workshop Report, it looks like the earliest EM could be implemented is 2016, and only then if we perfectly meet all of the regulatory hurdles. At the same time, we understand that the observer subsidy is likely to decrease dramatically in 2014 (and possibly disappear entirely by 2015), and Amendment 20 cost recovery is likely to come into effect. Meanwhile, catch of target species remains low relative to overall actual catch limits. Taken in combination, negative repercussions for the fleet could be profound. With that in mind, the GAP urges the Council to think about ways to accelerate this EM development timeline.

One suggestion would be to consider an out of cycle EFP for the whiting fishery, and for fixed gear if it is ready to move forward on the same timeline. The GAP previously raised concerns with moving to a two-year EFP process for EFPs that don't require set asides, because we believe doing so "would likely impair flexibility and the opportunity to accelerate management improvement." (Agenda item E.4.b, Supplemental GAP Report, June 2011). Without taking action on the issue, several Council members recognized the concern of the GAP and recommended it be considered at a later date. The GAP believes the time is now.

On the issue of the workgroup to be appointed at the June meeting, the GAP recommends a small group of interested stakeholders (2 bottom trawl members, 2 midwater trawl, 1 fixed gear, 1 processor, chaired by PSMFC) with technical advisors coming from Council and Agency staff. Large groups are cumbersome and will not facilitate effective or timely decision making.

Other recommendations and comments

- The focus of EM needs to be on compliance monitoring.
- We don't need a Cadillac. We need an EM program that can be implemented in the near term that will bring down management costs and improve flexibility. At the same time, the program needs to be able to accommodate new technology as it comes online without having to go through a cumbersome amendment process.
- The GAP notes that any advances in EM by participants in the IFQ trawl program using fixed gear could facilitate and streamline later adoption of EM in the tiered sablefish program.

Conclusion

The GAP requests that the Council maintain EM as a high priority trailing amendment by voting to move forward with a formal process and scheduling EM on future Council meeting agendas. The GAP recommends convening a small group of interested and knowledgeable stakeholders to work on the issue. Finally, the GAP recommends clarifying who will lead the process, and highlights the importance of close coordination between that body and stakeholders.

PMFC
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