

WHITING ELECTRONIC MONITORING FINAL ALTERNATIVE AND REGULATIONS

At the September 2014 Council meeting, the Council selected a final preferred alternative (FPA) for electronic monitoring (EM) for the whiting midwater trawl fishery. Chapter 2 and Table 2-1 of Agenda Item I.5, Attachment 1 details the Council preferred alternative. Attachment 1 is a truncated version of the analysis “An Electronic Monitoring Program for the Limited Entry Midwater Trawl Whiting Fishery” that includes Chapters 1 and 2 of the draft analysis. A full version of the analysis is available on the Council’s website (Agenda Item I.5, Attachment 2).

At the time of selecting their preferred alternative, the Council’s intent was to verify their decisions through a review of the 2015 exempted fishing permit (EFP) results. The Council chose Alternative 2 - Camera Recordings Used to Estimate Discard as the preferred alternative unless Alternative 3 (logbook audit) produced reliable estimates more efficiently and at reduced cost. In addition, the Council selected Video Review Option A: 100 percent census of all EM video, unless Alternative 3 (logbook audit) meets the most cost-effective standard. As part of selecting the preferred alternative, deeming of proposed regulations was scheduled for the November 2015 meeting, so that a proposed rule could be filed and have regulations applicable fleet-wide in place by the 2016 season.

In September 2015, National Marine Fisheries Service (NMFS) provided an update to the Council regarding EFPs and the development of regulations for the fishery. The report notified the Council of concerns that two components of the Council’s FPA may not be consistent with applicable law. These concerns are reiterated in Agenda Item I.5.a, NMFS Report. The Council also requested an analysis of whether the Enforcement Consultants recommendations would represent Federal policy or be specific regulations for the EM program. Staff provide a short analysis in Agenda Item I.5, Attachment 3. In addition, the Council requested an analysis on the frequency of discrepancies between logbooks and video review estimates, as well as EM program cost estimates; supplemental reports are forthcoming regarding these two requests.

NMFS has provided a report that contains their recommendations on the whiting EM final alternative (Agenda Item I.5.a, NMFS Report). The report provides a plan for program implementation, and an annotated draft regulation package that contains some regulatory language and some descriptions of intent of regulatory language yet to be drafted.

Under this agenda item, the Council is scheduled to confirm or revise their FPA and options for whiting fishery electronic monitoring and deem the draft regulations that implement the Council’s FPA. Since complete draft regulations are not provided in the advance Briefing Book, the Council may want to delegate to Council staff the task of deeming the regulations prior to submission of a proposed rule. For a complete list of the alternatives and options for final decision-making please refer to Agenda Item I.5, Attachment 1, Tables 2-2 and 2-3. These tables summarize Alternatives 2 and 3, respectively, and contain the Council’s preferred alternative and options.

Council Action:

1. **Confirm or revise final preferred alternative for whiting fishery electronic monitoring.**
2. **Deem regulations or decide an alternative process to deem regulations.**

Reference Materials:

1. Agenda Item I.5, Attachment 1: An Electronic Monitoring Program for the Limited Entry Midwater Trawl Whiting Fishery (*Truncated Version*).
2. Agenda Item I.5, Attachment 2: An Electronic Monitoring Program for the Limited Entry Midwater Trawl Whiting Fishery (*Full Version Electronic only*).
3. Agenda Item I.5, Attachment 3: Analysis of Enforcement Consultants Recommendations
4. Agenda Item I.5.a, NMFS Report.

Agenda Order:

5. Whiting Electronic Monitoring Final Alternative and Regulations Brett Wiedoff
 - a. NMFS Report Melissa Hooper
 - b. Reports and Comments of Advisory Bodies and Management Entities
 - b. Public Comment
 - c. **Council Action:** Confirm or Revise Adopted Council Final Preferred Alternative for Whiting Fishery Electronic Monitoring and Deem Regulations for Implementing Council Final Action

PFMC
10/22/15