

GROUND FISH ADVISORY SUBPANEL REPORT ON FINAL ACTION ON ELECTRONIC
MONITORING OF NON-WHITING MIDWATER AND BOTTOM TRAWL FISHERIES
REGULATIONS AND UPDATE ON EXEMPTED FISHING PERMIT (EFP)

The Groundfish Advisory Subpanel (GAP) received a report from Ms. Melissa Hooper of the National Marine Fisheries Service (NMFS) on the draft regulations for electronic monitoring (EM) for the bottom trawl and non-whiting midwater trawl fisheries, as well as an update on the EM exempted fishing permits (EFP). The GAP appreciates the update and offers the following comments and recommendations.

At the outset, we wish to highlight that an EM program should be designed to provide accountability at reduced cost and increased flexibility relative to human observers. The GAP is pleased to note that due to improved catch handling on participating vessels and greater data technician familiarity with the program and species involved, bottom trawl video review times and costs declined significantly in 2016 relative to 2015. The GAP is also pleased to note that logbook estimates of discard generally match, or are very close to, the estimates derived through video review. Based on that information, we believe EM for bottom trawl can be effective from an accountability standpoint and cost effective relative to 100 percent human observer coverage. However, the ultimate cost of an EM program will depend on how the program is designed. The GAP urges the Council to keep the twin goals of reduced costs and maintaining necessary accountability in mind when selecting a final preferred alternative for EM for the bottom trawl and non-whiting midwater trawl fisheries.

The GAP endorses the recommendations in the Groundfish Electronic Monitoring Policy Advisory Committee (GEMPAC) Report (Agenda Item F.2.a, Supplemental GEMPAC Report). The GAP wishes to support and highlight in particular the GEMPAC's recommendation that the Council move forward with Pacific States Marine Fisheries Commission (PSMFC) as the only EM video reviewer, and that any development of a program that allows third party reviewers be suspended indefinitely. To reiterate a well-crafted industry public comment letter (Agenda Item F.2.b, Supplemental Public Comment, Damrosch et al.) on this issue:

“Specifically, we are concerned that NMFS’s intention to transition all electronic monitoring data processing and video review to third parties by 2020 will result in significant costs to the industry that have not been properly evaluated, disclosed or analyzed. We are respectfully requesting that the Council recommends that all language regarding Third Party Data Processing and Video Review be removed from the final regulatory package for fixed gear and whiting § 660.603(m) and from any final preferred alternatives for trawl regulation that will follow and that the Council and NMFS reserve action for a separate rulemaking.”

Further, the GAP notes that the current video review protocols and process as operated by PSMFC for the various EM EFPs appear to be working well. It makes little sense to craft an entirely new system, with as yet undeveloped/unknown rules that will almost certainly result in higher costs to the industry and significantly more work for NMFS and the Council. In fact, one prominent service provider has indicated that third party review under their system would likely be considerably more expensive than what PSMFC charges.

In addition, the GAP believes that there is a strong justification not to require an audit if PSMFC continues to handle the video review. Not requiring an audit would further reduce costs and administrative burden.

The GAP also highlights the importance of developing a process to reduce video review to a rate less than 100 percent. Under the proposed EM system, the logbook is the primary data source and video review is required in order to ensure that fishermen continue to fill out logbooks accurately. We believe that a rate much less than 100 percent review will maintain incentives to fill out logbooks accurately, especially if fishermen don't know which hauls will be reviewed.

The GAP supports the recommendation to evaluate a halibut discard mortality rate that more accurately reflects the actual mortality in the fishery, as opposed to the administratively simple but inaccurate 90 percent default rate. 90 percent halibut mortality regardless of actual viability will be a significant disincentive to participation in the EM program.

Finally, the GAP agrees with the GEMPAC report that the most streamlined process possible be adopted to update the list of authorized discard species. We believe the simplest process is for NMFS to make the determination in consultation with the industry as is currently done under the EFP vessel monitoring plans.

To reiterate, we recommend:

- That PSMFC continue to be the video review provider
- That no audit of video be required
- That video be reviewed at the lowest possible rate that will ensure accuracy of logbooks and discard data
- That we adopt the most streamlined process possible for updating the list of allowable discard species
- That NMFS develop and use a more accurate halibut discard mortality rate than the default 90 percent

PFMC
04/07/17