

GROUND FISH ELECTRONIC MONITORING POLICY ADVISORY COMMITTEE
RECOMMENDATIONS FOR ELECTRONIC MONITORING-PRELIMINARY PACIFIC
HALIBUT DISCARD MORTALITY RATES AND THIRD-PARTY REVIEW

The Groundfish Electronic Monitoring Policy Advisory and Technical Advisory Committees (GEMPAC/GEMTAC) met via webinar on September 6, 2017. This GEMPAC report provides comments and preliminary recommendations regarding two topics on the Council's agenda: 1) Pacific Halibut Discard Mortality Rates (DMR); and 2) Third-Party Video Review Policy. In addition, the GEMPAC and GEMTAC reviewed additional information provided in Supplemental NMFS Report 1 (Agenda Item E.6.a, Supplemental NMFS Report 1) regarding options to adjust the discard species list, and provides one additional preliminary recommendation.

1) Pacific Halibut Discard Mortality Rates

The GEMPAC heard presentations from the Council's Groundfish Management Team (GMT), Pacific States Marine Fisheries Commission (PSMFC), and the West Coast Groundfish Observer Program (WCGOP) regarding potential changes to the DMRs. The GEMPAC appreciates the analyses and thoughts by all the groups including the International Halibut Commission to help further develop these options. The GEMPAC recommends the following regarding development of halibut DMRs for individual fishing quota (IFQ) accounting and total mortality accounting in the bottom trawl fishery:

- a. Keep the Council's Final Preferred Alternative of 90 percent DMR until we gather more data using electronic monitoring (EM);
- b. For the Council's option to explore potential fleet-wide and vessel-specific rates, we recommend examining an interim rate that is less than 90 percent. The GEMPAC recommends use of a fleet-wide DMR of 68 percent for the bottomtrawl fishery as summarized in Agenda Item E.1.b, NMFS NWFSC Report 2: Estimated Discard and Catch of Groundfish Species in the 2016 US West Coast Fisheries (See page 93 of Appendix E, Section 10.5 and Tables 62 & 63 for DMRs and discussion). This number could be used as is, or a buffer could be added to account for uncertainty. The GEMPAC recognizes that a limited sample size was used to develop the DMR calculation of 0.68. In addition, the GEMPAC recognizes that use of a DMR of 90 percent will continue to limit EM participation in the bottomtrawl fishery and sample sizes in the future.
- c. For the Council's option to examine current data collected by PSMFC for creating an EM DMR and how that rate compares to fleet-wide and vessel-specific rates, the GEMPAC recommends further development and analysis of the PSMFC/GMT integrated DMR model that emphasizes time on deck. However, the GEMPAC recommends that the PSMFC and the GMT further analyze the following:
 - (a) Gear-type specific rates and its potential effect on the model;
 - (b) Apply potential EM DMRs to past total mortality calculations to see if the modeled DMR total mortality estimates align with the total mortality estimates previously summarized by the WCGOP;
 - (c) Examine ways to incentivize good handling practices to gain a lower DMR while using EM; and

- (d) Consider how an EM video review rate that is less than 100 percent may affect calculating an EM DMR and total mortality estimate.

2) Third-Party Video Review Policy

National Marine Fisheries Service (NMFS) Staff and General Counsel provided an overview of NMFS decision regarding the Councils' request that "NMFS examine the feasibility of using a sole provider (PSMFC) model indefinitely." In summary, NMFS cannot, by regulation use any entity (such as PSMFC) as a "sole provider" for the industry to conduct the video review process under an EM program. However, PSMFC could compete as a Third-Party Video Reviewer in the future but could not, at the same time, perform functions for NMFS that would be a conflict of interest (i.e., act on behalf of NMFS to audit themselves or another Third Party Video Reviewer).

The GEMPAC discussed the impacts of this decision on the industry and the EM program as a whole but does not have any recommendations or comments at this time regarding this topic.

3) Discard Species List Adjustment

In April 2017, the Council recommended that NMFS, in consultation with the Council, make adjustments to the Discard Species List. The Council's intent is to have a process that does not require rulemaking but provides as opportunity to Council consideration of anticipated adjustments prior to adjusting the discard list. The GEMPAC and GEMTAC reviewed the Supplemental NMFS Report 1 (Agenda Item E.6.a, Supplemental NMFS Report 1) regarding options to change the discard species list in the future.

The GEMPAC preliminarily recommends Option 2 in Supplemental NMFS Report 1.

NMFS report text:

Option 2

Option 2 was developed by NMFS to address the Council's request. This option would allow NMFS to make changes to retention requirements within individual Vessel Monitoring Plans (VMPs) after consultation with the Council. In addition, this option provides notice to the public through the Council process of what standard NMFS would use to evaluate any proposed changes to retention requirements – "...must be sufficient provide NMFS with the best available information to determine individual accountability for catch, including discards, of IFQ species, and compliance..." This is the same standard NMFS proposed to apply to evaluating levels of video review, EM units and software, and other flexible provisions of the EM program, and that the Council deemed in April 2016.

Draft Regulatory Text: "(q) Changes to retention requirements. NMFS may specify alternate retention requirements in a NMFS-accepted VMP through the process described at § 660.604(f), after consultation with the Council and issuance of a public notice notifying the public of the changes. Alternate retention requirements must be sufficient to provide NMFS with the best available information to determine individual accountability for catch, including discards, of IFQ species and compliance with requirements of the Shorebased IFQ Program (§ 660.140) and MS Coop Program (§ 660.150)."