

ELECTRONIC MONITORING PROGRAM UPDATE

At the [June 2020 meeting](#), the Pacific Fishery Management Council (Council) recommended that the National Marine Fisheries Service (NMFS), in consultation with the Council, conduct a comprehensive review of Electronic Monitoring (EM) program guidelines and provider manual consistent with the revised proposed rule, the final data retention procedural directive, and any other relevant NMFS directives. The Groundfish EM Program regulations state that “NMFS will develop the EM Program Guidelines in consultation with the Council and publish notice of their availability in the Federal Register.” Therefore, the Council is scheduled to conduct a review of the revised EM guidelines and provider manual and provide their comments to NMFS.

To support the Council’s action at this meeting NMFS has submitted the following documents:

- NMFS Report 1: EM Program Implementation Update
- NMFS Report 2: Draft 2021 Electronic Monitoring Program Guidelines
- NMFS Report 3: Draft 2021 Groundfish Electronic Monitoring Program Manual

NMFS anticipates submitting one supplemental report on proposed protocols for third party video review for the Council to consider as part of the draft 2021 EM Program Manual.

At the April 2020 Council meeting, the Council reviewed the EM Program status, recommended changes to the whiting and fixed gear EM Program regulations, and extended the EM exempted fishing permits through 2021. During the March 2021 meeting, NMFS will provide an update regarding the status of the forthcoming changes to the whiting/fixed gear regulations and the development of the forthcoming bottom trawl/non-whiting midwater trawl EM program regulations. The Council has also requested NMFS to provide national guidance regarding the applicability of several Federal acts while using EM such as the Magnuson-Stevens Act’s confidentiality rules, the Federal Records Act, and the Freedom of Information Act. The Council believes the guidance is necessary for the industry to understand the implications of participating in the program prior to submission of applications and full implementation of the EM Program regulations in 2022.

Finally, Council staff conducted two pre-council webinars with the Groundfish Electronic Monitoring Policy Advisory and Technical Advisory Committees on January 20 and 21, and February 25 to review the draft EM program guidelines and provider manual, and to provide general information about topics that will be discussed at the March Council meeting. A supplemental report is expected from the Groundfish Electronic Monitoring Policy Advisory Committee.

Council Action:

Review Revised Program Guidelines and Manual and Provide Comments.

Reference Materials:

1. Agenda Item G.5.a, NMFS Report 1: Electronic Monitoring Implementation Update.

2. Agenda Item G.5.a, NMFS Report 2: Draft 2021 Electronic Monitoring Program Guidelines.
3. Agenda Item G.5.a, NMFS Report 3: Draft 2021 Groundfish Electronic Monitoring Program Manual.
4. If Received, Public Comments are Electronic Only ([see e-portal](#)).

Agenda Order:

- G.5 Electronic Monitoring Program Update Brett Wiedoff
- a. Reports and Comments of Management Entities and Advisory Bodies
 - b. Public Comment
 - c. **Council Action:** Review Revised Program Guidelines and Manual and Provide Comments

PFMC
02/08/21