

North Pacific Fishery Management Council

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Mr. Chris Oliver
Assistant Administrator
NOAA Fisheries
1315 East West Highway
Silver Spring, MD 20910-3282

Dear Mr. Oliver:

The Council was very well pleased to learn, in the Draft 2018 Observer Annual Deployment Plan for the Alaska Groundfish and Halibut Fisheries and through your remarks at the October Council meeting, that the agency has identified \$1 million to allocate towards funding the partial coverage component of the North Pacific Observer Program in 2018. This additional funding, which will supplement the approximately \$3.7 million in industry-assessed fees, will make a substantial difference to achieving the minimum coverage levels needed in the trawl, hook-and-line, and pot gear partial coverage fisheries in 2018. We would also like to note that at this meeting, the Council has taken action to initiate an analysis to raise the observer fee, with a view to ensuring that we are doing all we can to maintain appropriate observer coverage levels in the fisheries. As part of the fee change analysis, the Council will be developing several different reference points for minimum observer coverage requirements, based on meeting the different purposes for which observer data is required. This reference point analysis, along with other analyses that look to optimize current coverage requirements especially with the implementation of EM in 2018, will be a key component in determining observer funding needs.

At the same time, the Council would like to raise another important issue with you, about EM deployment. In the draft 2018 ADP, NMFS states that "...requiring a vessel operator to close the trip provides a mechanisms to avoid monitoring bias by requiring 100 percent recording of trips and using a post-trip selection process through ODDS to randomly select trips for video review. NMFS intends to implement a post-trip selection process for EM in 2019." The Council is particularly concerned that the agency would announce an intention to implement a significant change to EM deployment in the ADP, without providing an opportunity through the Council process to consider and evaluate how this change will impact the EM program.

The Council is concerned that this change, to require 100% recording of EM trips beginning in 2019, is not being offered in response to a specific "observer effect" problem. Under the restructuring of the Observer Program implemented in 2013, the Council and NMFS established a robust process of evaluating whether deployment in a given year was subject to bias during the Annual Report. Currently, the agency analyzes for evidence of spatial or temporal bias, and uses six performance metrics to consider whether fishing of observed vessels was representative of unobserved vessels. Under the current procedure, it is on the basis of this Annual Report analysis that the agency proposes changes to the program to reduce evidence of bias. No such analysis has yet been conducted for the EM fleet; the first annual report on a larger-scale therefore there is no evidence that the substantial increase from 30% selection to 100% selection is justified.

The fixed gear EM program in Alaska is a voluntary program that is being used for catch estimation, and as such, is very different from EM compliance programs implemented elsewhere in the country. Vessels

that are subject to partial coverage observer requirements can choose to be monitored either in the human observer program or in the EM selection pool. The Council has identified a need to keep a level of parity between the obligations of a vessel within these two monitoring mechanisms. Nonetheless, the Council, and its EM Workgroup, have consistently recommended a higher selection rate (30%) for vessels carrying EM than is applicable to vessels in the observer pool (varying from 4% to 18%). However, requiring a 100% coverage rate in the EM pool has the potential to drive vessels out of EM and back into the observer program. The Council and the agency have invested considerable resources to develop and implement an EM program, in part to accommodate stakeholders with trouble accommodating an observer, but also to address cost effectiveness for monitoring in general, in the expectation that EM will allow for more coverage at a lower cost. The only way those cost efficiencies will be achieved is for the vessels that have EM installations to continue to participate in the EM program over multiple years.

The implementation of a 100% coverage rate for vessels in the EM pool, with post-selection for video review, is not a cost-neutral change. The ADP notes that the management of hard drives under 100% coverage will incur logistical and cost considerations. In fact, the impacts of this change could more far-reaching. A preliminary consideration would suggest the following additional impacts; there may be others:

- Additional costs incurred by the EM service provider (which are charged to the contract and paid for out of the observer fee). These are not limited to the costs associated with the increased purchase and management of hard drives. A requirement for EM on 100% of all trips increases the urgency.
- Additional equipment needed. Currently in the longline fishery, many vessels are sharing control centers, which is the most expensive part of the EM system, in order to reduce costs to the program. Under this operational mode, it is likely that all or almost all vessels will need to have their own control center.
- Additional cost to vessel operators resulting from different catch handling practices. Especially for pot vessels, catch handling practices are different when a vessel is operating with EM. The video review requires that the camera can clearly identify and thus the reviewer can enumerate all catch associated with each individual pot. As such, the vessel needs to make sure the entire sorting table is cleared before a new pot is emptied, including species that may be difficult to remove from the table (such as snails). This slows the crew down compared to normal fishing practices, where vessels will frequently dump the new pot on the table once the table is mostly clear.

In the light of this discussion, the Council requests that the agency not insist on implementing a 100% coverage requirement for EM vessels in partial coverage in 2019, with post-selection for video review. Instead, the selection rate for EM vessels should be fully evaluated through the existing Council process, with consideration of the implications on costs, operational practices, and participation in the EM program. The existing process for identifying sources of “observer effect” through the Annual Report, evaluating appropriate solutions, and responding to them through Annual Deployment Plan, are robust, and represent the appropriate process for implementing changes to the deployment of observers and EM.

Sincerely,



Dan Hull
Chairman

cc: Dr. Jim Balsiger, Dr. Doug DeMaster