

ADVISORY PANEL
Motions and Rationale
June 6-8, 2023 - Sitka, AK

C2 Observer Reports

Motion

The Advisory Panel acknowledges the receipt of the Observer Report and appreciates the work of the agency, Council Staff, and the FMAC. The AP makes the following motion:

1. The AP supports the FMAC and NMFS recommendations for the 2024 ADP (see pages 68-69 of the 2022 Observer Annual Report), with the following modifications and discussion points:
 - a. Continue work on the cost efficiency integrated analysis, including evaluation of the 3 stratification options and 4 allocation methods. **(1)Apply example coverage rates to the 12 monitoring designs to be analyzed under low, medium, and high funding scenarios.**
 - b. Include the proposed evaluation metrics listed in the presentation (i.e., number of trips sampled or monitored, variance in expenses, burden share, timeliness, prohibited species catch, etc.)
 - c. Continue evaluation of zero coverage where all vessels over 40 feet continue to register in ODDS, temporarily move the highest cost, low producing vessels into zero coverage on a rotating basis for both EM and Non-EM vessels.
 - i. Look at fixed-gear EM vessels that have not fished for groundfish in multiple years.
 - d. Continue to evaluate two solutions to high cancellation rates in HAL stratum:
 - i. Having the next trip inherit the observer-selected trip or
 - ii. Increase the programmed rates in ODDS in order to actually achieve the target rate.
2. The AP also requests that the Council direct staff to develop a discussion paper, as directed by the FMAC, that includes a comparison of current and future deployment needs with availability of trained observers for both partial and full coverage sectors.
 - a. Consider how many observers of each training endorsement level are needed simultaneously across fishing seasons, more similarly to how an observer provider needs to deploy observers.
 - b. Compare the total number of distinct, qualified observers and newly qualified observers (ex: Table 4-1 in RIR) that has traditionally been used with the above number of observers needed seasonally at each experience level.
 - c. Describe the challenges observer providers have encountered in providing observer coverage.
 - d. Consider how recent Council actions and their forthcoming regulatory changes (ex: Pollock Trawl EM, PCTC Cod, BSAI POT CP) will affect the availability of entry level observer positions for different gear types in the full coverage and partial coverage sectors.

3. The AP also requests that the Council direct the Agency to make a summary presentation on observer data quality issues by each observed fishery and sector, with trends of those issues over an appropriate time period including:
 - a. Number and percentage of observer trip level species composition data deletions.
 - b. Potential impacts of these data deletions for fishery management, conservation, and assessment of needed training change.

Amendment passed 19/0

Main Motion as amended passed 19/0

Rationale in favor of Main Motion as Amended:

- *The AP supported NMFS' recommendations for the 2024 ADP and acknowledges and generally accepts all recommendations made by the FMAC. Specific items to move forward have been highlighted in the motion.*
- *In the FMAC, discussion with stakeholders, and public testimony, the AP heard the need for a more cost effective monitoring program which warrants continued work on the PC cost efficiency analysis.*
- *The AP chose to respond to public testimony and discussion by clarifying direction to the Council to continue evaluation of zero coverage where all vessels over 40 feet continue to register in ODDS, temporarily move the highest cost, low producing vessels to zero coverage on a rotational basis for both EM and non-EM vessels. The AP heard in public testimony that this has been requested by the members of the FMAC numerous times, that the agency has the tools to analyze it, and it could potentially include significant cost savings while prioritizing coverage on higher producing vessels.*
- *In February 2023, the AP voted unanimously to support the discussion paper referenced in part two of the motion. Now that the discussion paper topic has been reviewed and received significant support from the members of the FMAC, including the observer providers, the AP reiterates continued support and strongly recommends that the Council move this discussion paper forward. Observer data is important in the Council process and the ability to deploy observers is essential.*
- *Additional to the items flagged in the motion, there were other issues that came up in both the staff presentations and written observer program report that the AP noted should be considered such as:*
 - *EM Data Quality issues (Observer Program Annual Report pgs 38-40)*
 - *Decreased efficiency in pot vessels, up to 30%, when utilizing EM*
- *The AP noted that in the OLE section of future Observer Program reports should include and clarify the following:*
 - *When reporting data, clarify the difference between reported observer statements that have been unverified and actual proven violations. This is not obvious to the general public unless specified and makes it look as though there may be higher incidences of violations than may be accurate.*
 - *Provide a wider range of years to better see trends rather than current vs prior year comparisons.*
 - *Distinguishing between intimidation and hostile work environment cases that are observer on observer, versus industry on observer.*

- *There are specific tools outlined in the staff presentation (e.g., interspersion) that are expected to provide analysis on increasing the zero selection pool by temporarily adding low producing/high cost vessels.*

Rationale in favor of Amendment:

- *During the staff presentation on the FMAC discussion and in public testimony, the AP heard that the 12 designs associated with the 3 stratification options and the 4 allocation methods should have analysis that shows options of the level of coverage under each design. The Council request to find cost efficiencies and improved data collection did not include an overall reduction of coverage.*
- *The addition of applying funding scenarios will clarify if a new design has an effect on the rate of coverage.*