

ADVISORY PANEL
Motions and Rationale
June 4; 7-9, 2024 - Kodiak, AK

C1 Observer Report

Motion

The AP supports the following recommendations from NMFS and/or the FMAC for the 2025 Annual Deployment Plan (ADP):

Deployment Design:

- 1.) No significant changes to the Deployment Design should be made for the 2025 ADP:
 - a. Continue the proximity allocation method (except trawl EM) and current stratification based on monitoring method/gear type (OB Fixed, OB Trawl, EM Fixed, EM Trawl, Zero-coverage [<40ft, jig, troll]) and Fishery Management Plan (BSAI, GOA).
 - i. Request that NMFS further describe how the proximity allocation method used in 2024 addresses prior FMAC and Council recommendations to explore a revised hurdle in the 2025 ADP.
 - b. Partial Coverage Trawl EM should maintain a 33% shoreside observer sampling rate

ODDS:

- 1.) Begin work with the PCFMAC to support voluntary efforts by vessel trade associations and the observer provider to better understand the reasons behind trip cancellations and develop an ODDS trip cancellation policy for the 2025 ADP that meets the following objectives:
 - a. Affords the observer provider adequate time to deploy an observer
 - b. Reduces impacts to coverage rates and non-random monitoring
 - c. Will not significantly impede industry

Fixed Gear EM

- 1.) The Fixed Gear EM selection pool is maintained at 177 vessels but increased as funds are available up to 200 vessels. Placement in the EM pool should prioritize:
 - a. Minimizing data gaps
 - b. Cost efficiency
 - c. Fishing Effort
 - d. Vessel Size

Trawl EM Implementation

- 1.) The following elements should be required under the regulated program:
 - a. Vessels would be required to opt into the regulated program prior to November 1, 2024 and would be required to have a NMFS-approved Vessel Monitoring Plan (VMP) in place prior to participating in Trawl EM in 2025.
 - b. Vessels would need to transmit a Landing Notice to the shoreside processor through a NMFS-approved system, as detailed in their VMP, prior to each Trawl EM offload.
 - c. EM Hardware service providers would be required to have a NMFS-approved permit prior to the start of the fishing season.

- 2.) NMFS should continue to evaluate shoreside sampling priorities in order to balance observer workloads for both partial and full coverage sectors.
- 3.) NMFS should request collaboration from the EM Service Providers and the Trawl EM EFP permit holders to gain a better understanding of Trawl EM costs (both for EM and shoreside observers) so the Agency can appropriately budget for Trawl EM in the 2025 ADP.
- 4.) If a vessel operator has repeated problems with EM system reliability or video quality, or has failed to comply with the requirements in their Vessel Monitoring Plan, NMFS may disapprove a Vessel Monitoring Plan and the vessel may be removed from the EM pool.

EM Video Review

The AP reiterates the significant discussion at the FMAC about the timeliness of EM video review and strongly feels that it is essential that a video review strategy be developed which results in timely EM data to inform management and stock assessment, along with providing feedback to vessel operators. The AP supports the recommendations in the Annual Report as follows:

- 1.) NMFS should collaborate with PSMFC to find a video review selection rate and review strategy that will result in EM video review times that result in the most useful information for the most number of trips for a given cost.
- 2.) To maximize data utility, NMFS, in collaboration with PSMFC, should develop specific prioritization rules that can be used to allocate review effort to the fisheries, gear types, times and areas that are the most dependent on EM data.
- 3.) To provide the public and data users confidence that catch estimates from fixed-gear EM fleet are robust to delayed or missing information, NMFS recommends conducting an assessment of impacts of delayed or missing fixed-gear EM data and risks to management and the stocks of not having these data available (e.g. risk of exceeding TAC and PSC, risk of premature or late fishery closures).
- 4.) This information should be included in the 2025 ADP for review by the Council and the AP and implemented in the 2025 fisheries.

EM Development

- 1.) In addition to the implementation of Trawl EM, NMFS should continue to collaborate with industry partners on EM development and cost efficiency projects. NMFS should work with the FMAC and PCFMAC to coordinate with National Fish and Wildlife (NFWF) grantees to plan for potential upcoming grant proposals.

Other Issues

- 1.) The AP recommends the Council write a letter to request that the agency receive sequestered funds from 2022 and 2023, and to address the possibility of preventing sequestration of funds in the future.
- 2.) The AP recommends NMFS consider expanding the rules on remote observer debriefing as an option. Additionally, the committee encourages further communication from NMFS, both with the committee and observers, on the reasons and criteria for when remote debriefing can occur. This topic should be revisited at a future FMAC meeting.
- 3.) The AP recommends the Agency continue to try to find funding for the proposal to test changes to the observer service delivery model outside of the federal contract, and the AP notes appreciation for the work to date.

Motion Passed: 21/0

Rationale in favor of motion:

- *The AP motion reflects the NMFS recommendations, as well as some of the FMAC recommendations. No changes from the NMFS and FMAC recommendations were intended.*
- *The Observer Program Annual Report that was received reflects the 2023 fishing year, but significant changes based on the Partial Coverage Cost Efficiencies Analysis were made for the 2024 ADP. Since results from the 2024 ADP are not yet available, the AP didn't consider it had enough information to suggest design changes for the 2025 ADP. As a result, the AP supports the NMFS recommendations for carrying over the 2024 ADP to 2025.*
- *The AP appreciates that during the Observer Program staff presentation, the Agency noted that since the May FMAC meeting, they have already received some preliminary data about trip cancellations from the provider that manages the ODDS call center and will begin exploring that data. The AP reiterated the recommendation to collaborate with the PCFMAC and industry associations to find a trip cancellation policy that meets the objectives as described by the FMAC. While the Observer Program did note that there may be staffing challenges due to the lead ODDS programmer's recent retirement, the AP expressed hope that the changes could still be implemented for use in the 2025 ADP.*
- *The AP noted that if funds are available to increase the Fixed Gear EM selection pool up to 200 vessels, the AP felt that minimizing data gaps, cost efficiency, fishing effort, and vessel size should all be prioritized when making decisions about placement. The AP specifically noted that prioritizing fishing effort (i.e. more quota to harvest) will also inherently provide cost efficiency. Additionally, vessel size should continue to be prioritized so that all other factors being equal, smaller vessels for which carrying an observer would be more burdensome should be prioritized for EM above larger vessels that can more easily carry an observer.*
- *Agency staff noted during the presentation that participating Trawl EM vessels will need to transmit a Landing Notice prior to each trawl EM offload. AP members pointed out that the Proposed Rule indicates that this process would be included in the vessel's VMP (Vessel Monitoring Plan), and Observer Program staff agreed with that interpretation. The AP noted that non-regulatory tools such as VMPs have become an important part of EM programs and describing the NMFS approved method in the VMP is important for being able to change the approved method in-season as needed, or as technology is developed.*
- *The AP appreciates that NMFS recognizes that delays in EM data review is a serious issue and supports that NMFS is taking steps to address it. The AP notes that this has been an annual concern for the past 3-4 years and pointed out that the delays are detrimental to stock assessment and management, and because operators rely on feedback in order to improve behaviors and EM data quality.*
- *The AP noted the discussion at the FMAC in regards to remote observer debriefing, and that the FMAC heard from both observer providers and observers about the cost efficiencies (providers) and job satisfaction (observers) that could be gained by allowing remote debriefings again. The AP supports consideration of increased remote debriefing as it is one way to support observers and observer providers, who are both essential to the management of fisheries under the Council's jurisdiction.*