This amendment adds an additional section to this operations plan under “Exhibit H: The Northeast Fisheries Electronic Monitoring Program” containing the following language:

“Effective upon approval of Amendment 23 to the Northeast Multispecies Fishery Management Plan by NMFS, the Maximized Retention Electronic Monitoring model would become a tool for sector vessels to meet groundfish sector monitoring requirements in fishing year 2022.

**NOAA Fisheries Maximized Retention EM Program**

Under this model, the vessel operator and crew are required to retain and land all catch of allocated groundfish, including fish below the minimum size that they would otherwise be required to discard, on all sector EM trips. Unallocated groundfish and non-groundfish species must be handled in accordance with standard commercial fishing operations. Any allowable discards must occur at designated discard control points described in the vessel’s VMP. EM data from the trip will be reviewed by the EM service provider to verify that the vessel operator and crew complied with the catch retention requirements. A DSM will meet the vessel at port upon its return from each trip to observe the offload and collect information on the catch.

**Program Goal**

The goal of the maximized retention EM program is to verify compliance with catch retention requirements and collect information on allocated groundfish discards shoreside that would normally be collected at sea.

**Description of the Maximized Retention Process**

- During each sector EM trip taken by a vessel, the EM system records all fishing activity onboard the vessel. The vessel operator and crew sort fish and make any allowable discards within view of the cameras in accordance with the catch handling protocols described in the vessel’s VMP.

- The vessel operator and crew must adhere to the following catch handling requirements:
  - Retain and land all catch of allocated groundfish, including any sublegal-size catch;
  - Discard unallocated groundfish stocks (i.e., windowpane flounder, ocean pout, wolffish, Atlantic halibut) at designated discard control points;
  - Handle all other species in accordance with standard commercial fishing operations, including adhering to possession limits for halibut (i.e., one fish per trip) and non-groundfish species; and
  - Retain allocated groundfish categorized as LUMF. All LUMF must be kept and landed. LUMF must be sorted separately from sublegal-size groundfish catch.

- The vessel operator and crew must adhere to the following reporting requirements:
Communicate with the DSM to facilitate the data collection process at the end of each trip. This includes:

- The vessel operator must notify the DSM program of its intention to sail prior to beginning a sector EM trip. The notification schedule (e.g., upon sailing or in advance) and method (i.e., text, VMS) will depend on the nature of the vessel’s activity (e.g., day boat vs trip boat vessels) and will be described in the vessel’s VMP.
- The vessel operator or dealer must provide an offload time to the DSM program in advance of landing. The advance notice of landing and offload schedule will be dependent on the nature of the vessel’s activity (e.g., day boat vs trip boat vessels) and will be defined in the vessel’s VMP. The standard advance notice is as follows:
  - 4 hours for day boat vessels.
  - 48 hours for trip boat vessels.
    - For trip boat vessels, the vessel operator or dealer will provide the DSM program with a hail weight for the total catch of allocated groundfish 24 hours prior to offload.
- The vessel operator must report any discard events on the eVTR, consistent with standard eVTR reporting requirements.

- The vessel operator and crew and the offloading dealer of a maximized retention vessel must accommodate the DSM program:
  - The vessel operator, crew, and dealer must offload all allocated groundfish in the presence of the DSM. The vessel operator and crew may not begin offloading unless a DSM is present or they have received a waiver from the DSM program.
    - In the event that a DSM is not available to observe an offload, the vessel operator may request a waiver by contacting the DSM coordinator. Waivers may be granted at the NEFSC’s discretion.
  - The vessel operator must allow the DSM access to the fish hold immediately following the offload in order to confirm all allocated groundfish were offloaded. A vessel representative must observe/accompany the DSM during the hold inspection. The vessel representative must provide support for the DSM to safely embark and disembark the vessel (e.g., ladders/steps/assistance etc.).
  - The vessel operator and crew or dealer personnel must separate sublegal allocated groundfish catch by species. The vessel operator and crew may NOT combine sublegal and terminal legal-sized market category catch for any species.
  - The vessel operator and crew must retain all allocated groundfish categorized as LUMF and sort it separately from any sublegal catch to facilitate data collection by a dockside monitor.
  - In the event of a truck offload, sublegal catch must be loaded into totes, sealed and tagged for inspection by DSM. Totes will be tagged on camera and opened by DSM at inspection site to prevent tampering.
  - In the event of multiple offloads, the vessel operator and crew must arrange for a DSM to be present at each one.
- Federally permitted NE multispecies dealers must process fish for vessels participating in a maximized retention electronic monitoring program consistent with and including, but not limited to, the following requirements:
  - Offload from vessels participating in the maximized retention monitoring program all fish below the minimum size specified at § 648.83 before other fish that meet the minimum size, sort the undersized fish by species, and provide the dockside monitor access to those at the safe sampling station.
  - Sort by species all unmarketable fish from other fish, when identifiable to species.
  - Clearly identify, mark, or label all containers with fish below the minimum size specified in § 648.83 as containing undersized fish, the fishing vessel from which they were offloaded, and the date of offloading.
  - Report all fish below the minimum size specified in § 648.83, and all unmarketable fish, as instructed by NMFS.
  - Purchase sublegal fish from maximized retention vessels, if desired.
- Selection of maximized retention trips for review:
  - Sector EM trips are selected for review when NMFS receives the eVTR for a trip. Trips will be randomly selected and each trip has the same probability of being selected for review. For fishing year 2022, trips will be selected at a rate of 50 percent.
  - The sampling unit selected for review will be a complete trip.
  - A list of trips selected for review are loaded into the NOAA Fishery Monitoring Web Portal on a weekly basis. EM service providers may access the trip selection list via the Web Portal.
  - The EM service provider completes the primary video review, which includes:
    - Review of all raw sensor and image data to confirm completeness of trip;
    - Review of sensor data to annotate start/end times and locations, and identify number of hauls;
    - Review hauls to annotate any discard events and generate the EM Detail File according to the specifications in the Video Review Guidance document; and
    - Submit the EM Detail File to the NEMIS API.
  - The EM service provider should complete the primary video review and submit the EM Detail Report within 10 business days of the trip selection.
  - NMFS will use the same catch accounting methodology used for ASM vessels to account for discards for the maximized retention EM program (i.e., observed trips and discard rates):
    - Trips observed by a NEFOP observer will be charged ACE based on actual discards, if any are recorded by the observer; and
    - Trips that are not observed by a NEFOP observer will receive:
      - A discard rate of zero for allocated groundfish stocks; and
      - A non-zero discard rate based on NEFOP data for unallocated groundfish stocks.
  - The maximized retention EM program will be assigned a separate discard rate strata from ASM vessels.
  - NMFS will use dealer data to account for all landed catch with regards to catch accounting, including sublegal-sized catch.
• DSM data will be compared to dealer data to verify that dealers are accurately reporting sublegal catch.”