

SUPPLEMENTAL APPENDIX INFORMATION

International Fisheries; Pacific Tuna Fisheries; Establishment of Tuna Vessel Monitoring System in the Eastern Pacific Ocean A Proposed Rule by the [National Oceanic and Atmospheric Administration](#) on [05/19/2015](#)

In response to IATTC Resolution C-14-02, NMFS published a supplemental proposed rule regarding the establishment of VMS on all vessels over 24 meters which fish for tuna and tuna like species in the Eastern Pacific Ocean (EPO). This supplemental proposed rule expands coverage by including commercial fishing vessels, 24 meters or more in length, fishing for tuna-like species. Resolution C-14-02 requires VMS information be collected at least every four-hours for longliners and every two hours for other vessels and yet NMFS has elected to require a reporting interval of once per hour without regard to vessel type.

While NMFS defines conditions which will allow a vessel owner or operator the ability to shut-down the unit there are some concerns with the following requirements. First, an owner/operator may shut down the unit “if, at the end of the fishing season, the vessel will no longer be engaging in fishing activities in the Convention Area for which either a Pacific highly migratory species permit or a high seas fishing permit is required.” This could negatively impact vessels which participate in other fisheries. This could be easily addressed by requiring the VMS unit be turned on only when that vessel will be targeting tuna or tuna-like species.

Second, there is no flexibility given which would allow a vessel to turn the unit back on while away from port. For example, if an IATTC permitted vessel is prosecuting a non-HMS, non-high seas fishery, and receives information that tuna or tuna-like species have appeared in catchable volume within the Convention Area, the vessel operator would have to return to port and receive written confirmation from the SAC that the unit is transmitting. There is no guarantee that by the time the operator complies with the proposed rule’s requirements, the fish will be within range and in a catchable amount. It should be noted that neither SAC nor OLE are available 24-hours a day and are closed on weekends, thus it is likely a vessel operator will suffer economic harm as a result of the inability to turn on the VMS unit remotely.

The public comment period for this proposed rule will close June 18, 2015.