

## VESSEL MONITORING SYSTEM (VMS) AND DECLARATION REGULATIONS

This agenda item covers:

1. Groundfish fishery declarations by vessels with VMS units, and
2. The process for consideration of a VMS requirement for the Highly Migratory Species (HMS) fishery (on tuna-fishing vessels over 24 meters).

At its April 2013 meeting, the Council considered the problem of vessels with VMS units that are transmitting locations to NMFS but have not made fishery declarations. The circumstances creating this situation are described in Agenda Item E.1.a, Attachment 1. To address the problems created by signals of vessels engaged in unknown activities, the Council accepted the recommendation of the Enforcement Consultants (EC) that “660.13 and 14 of the [groundfish] regulations governing the groundfish fishery be modified as appropriate to make it clear that upon registering a VMS unit with the NMFS Office of Law Enforcement (OLE), an initial declaration of gear type or sector is required.”

Additionally, the Council requested that the EC explore and discuss whether declarations for other fisheries need to be added to the list in the groundfish regulations (see Agenda Item E.1.a, Attachment 1 for a current list of declarations). The EC met via a public conference call on May 24, 2013 and has provided a report and recommendation (Agenda Item E.1.b, EC Report).

The second issue covered under this agenda item is consideration of a regulation applicable to Highly Migratory Species (HMS) requiring VMS on tuna-fishing vessels over 24 meters, as per requirements in Inter-American Tropical Tuna Commission (IATTC) Resolution C-04-06. In March, NMFS SWR requested “that the Council add to a future agenda discussion regarding the mechanism by which implementation of this Resolution would occur” and noted that “Implementation of Resolution C-04-06 could occur one of two ways: under the Tuna Conventions Act of 1950 or under the Magnuson-Stevens Act through the Council process by regulation under the HMS Plan” (Agenda Item E.1.a, Attachment 2). At this meeting, the Council should decide how to proceed on this issue.

### **Council Action:**

1. **Finalize action on whether to require an initial declaration for vessels registering VMS units with NMFS OLE.**
2. **Decide whether the current list of declaration categories in the groundfish regulations is adequate and, if not, recommend modifications.**
3. **Decide on whether to consider implementation of VMS requirements in IATTC Resolution C-04-06 through an amendment to the HMS fishery management plan.**

Reference Materials:

1. Agenda Item E.1.a, Attachment 1: Need For Fishery Declarations For Active VMS Units.
2. Agenda Item E.1.a, Attachment 2: NMFS Highly Migratory Species Report for the March, 2013 Council Meeting – Excerpt.
3. Agenda Item E.1.b, EC Report: Enforcement Consultant Report on Vessel Monitoring System (VMS) and Declaration Regulations.

Agenda Order:

- a. Agenda Item Overview Jim Seger
- b. Reports and Comments of Advisory Bodies and Management Entities
- c. Public Comment
- d. **Council Action:** Adopt Final Declaration Regulations and Consider Process for Compliance with Inter-American Tropical Tuna Commission Requirements for VMS

PFMC  
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