

DRAFT SUMMARY MINUTES Ad Hoc Vessel Monitoring System Committee

Pacific Fishery Management Council
West Conference Room
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October 11, 2002

The Ad Hoc Vessel Monitoring System (VMS) Committee met October 11, 2002 at the Council office. The following committee members were present.

LTJG Gregg Casad, U.S. Coast Guard
CAPT Mike Cenci, Washington Department of Fish and Wildlife
Mr. Tom Ghio, Groundfish Advisory Subpanel, California Fixed Gear Representative
Mr. Dayna Mathews, NMFS, Law Enforcement
Mr. Rod Moore, Groundfish Advisory Subpanel Chair, Processor Representative
Ms. Becky Renko, NMFS, Northwest Region
Mr. Kelly Smotherman, Groundfish Advisory Subpanel, Oregon Trawl Representative
Mr. Steve Springer, NMFS, Law Enforcement

The committee's charge was to develop alternative closed area monitoring systems for the Council to consider. The committee reviewed and commented to the authors on the draft alternatives developed by NMFS Northwest Region, the draft proposed rule for VMS, a VMS regulatory time line, and maps of proposed closed zones. The committee also received a letter from Ms. Charlotte Jurekovic on applicability of the VMS system to the Newport Beach dory fleet.

Summary of Committee Discussion

Goals and Objectives

The following potential goals and objectives were identified. With respect to the objectives it was apparent the decision as to whether or not to include the second objective would have a substantial effect on the scope of the VMS and declaration system.

Potential Goals: Ensure integrity of closed zones.

Potential Objective:

1. Prevent illegal incursion of limited entry vessels into the restricted zone.
2. Monitor activity in the zone.

Declaration System Characteristics

During discussions certain desirable characteristics for a declaration system were identified. These characteristics are as follows.

Declaration System

- Vessels covered by the declaration system would be required to declare their intended activity prior to entering a closed zone (see matrix below).
- The declaration should be valid until changed.
- Vessels must receive a confirmation they can use to demonstrate they have met the requirement.

Vessels that need to declare if they will be fishing in the restricted zone (vessels for which it is difficult to use visual observation from a distance to determine the type of fishing activity in which the vessel is engaged):

- Halibut
- Crab (some vessels fish with their trawl reel on)
- Shrimp (some vessels fish single rig)
- Directed Open Access
 - Fixed Gear (rockfish and sablefish)
 - Handline Jig south of 40°10' N latitude
- Widow (already part of limited entry fleet)

Vessels not part of the declaration system:

- Salmon Trollers
- Sport Vessels (charter)

Decision Criteria for the VMS System

- Degree to which the system works over the long term, as it is expanded to cover more segments of the fleet.
- Degree to which vessels not required to take part in the declaration or VMS system can be easily identified, visually (gear type on board, gear type in water).
- Clear categories of activity (multizone or multigear trips).
- Simplicity.
- Cost effectiveness (balance benefits and costs related to industry, enforcement, and resource impacts)—traditional enforcement cost for a given level of effectiveness increase further from shore; therefore, net gain from VMS increases.

Coverage for the VMS and Declaration System

The following alternatives to status quo were developed for consideration (Alternative 1 is status quo):

2A	All limited entry vessels Limited entry vessels	must carry VMS; must declare their intent before entering the zone.
2B	All limited entry vessels <u>that are active</u> Limited entry vessels	must carry VMS; must declare their intent before entering the zone.
3	All limited entry vessels Open access vessels fishing in the zone Limited entry and open access vessels	must carry VMS <u>and</u> must carry VMS; must declare their intent before entering the zone.
4	All limited entry vessels All other vessels fishing in the zone All fishing vessels	must carry VMS <u>and</u> must carry VMS; must declare their intent before entering the zone.
5	All fishing vessels All fishing vessels	must carry VMS; must declare their intent before entering the zone.

To assist in the description and discussion of the alternatives for the vessels to be covered by the monitoring system, the following table was developed. The rows of this table (vessel categories) were defined such that for any given vessel only one row should apply. A “y/n” indicates the existence of a suboption within an alternative. “N”s have been omitted to make it easier to read the table (all blank cells are “N”). “VMS” columns indicate whether vessels would be required to carry VMS equipment. “Decl” columns indicate whether vessels would be required to make declarations before entering a closed zone. One alternative was considered but rejected (shaded columns and rows). The rejected alternative has been preserved in this table in order to provide documentation of the decision process. Future versions of this table will not include the shaded parts.

Y= yes, N (blank) = no	Alt 2A		Alt 2B		Alt 3		Rejected Alt		Alt 4		Alt 5	
Vessel Categories (comprehensive & mutually exclusive)	VMS	Decl	VMS	Decl	VMS	Decl	VMS	Decl	VMS	Decl	VMS	Decl
Inactive LE Vessels	Y				Y		Y		Y		Y	
LE Vessels Active In the Zone	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
LE Vessels Active Only Outside the Zone (not fishing in the zone at any time)	Y		Y		Y		Y		Y		Y	
LE Vessels Active Near the Zone							Y	Y				
Open Access Vessels Legally Allowed to Land Groundfish and Active in the Zone (prioritize groups—include charter, exclude private rec)		y/n		y/n	Y	Y	Y		Y	Y	Y	Y
Any Other Vessels Active in Zone (prioritize groups)		y/n		y/n		y/n	Y	Y	Y	Y	Y	Y
Non LE Vessels Active Near Zone							Y	Y				Y
Open Access Vessels . . . and Other Vessels Active Only Outside the Zone (not fishing in the zone at any time)											Y	
<p>Definition for "Zone." The "zones" referenced in the above rows are any depth management zones closed to any gear. Thus, for example, a fixed gear vessel fishing in a no-trawling zone would have to submit a declaration on its intended activities. (Option rejected: "Restrictions referencing the zone apply only to depth management zone that applies to the vessel." This definition would have created some additional complexity as fixed gear vessels could be in a zone closed to trawlers without having to make a declaration. For simplicity and to enhance the effectiveness of the system in identifying potential incursions into a closed area, it was decided that if a vessel is required to carry VMS equipment and/or meet declaration requirements those requirements should apply when the vessel enters any closed area, including those areas that do not specifically apply to the vessel.)</p>												
<p>Definition for "Active": <u>Fishing</u> in the Washington, Oregon, and California Exclusive Economic Zone (gear stowed if in transit).</p>												

Option rejected: The "Near" zone category of vessels was originally proposed in an attempt to restrict the set of open access vessels that would be required to participate in the monitoring program. This was replaced by the concept that open access vessels would be restricted to those legally allowed to land groundfish. An additional concern with respect to the use of the "near" concept was that it would create another set of lines, another level of complexity in the regulations, and the attendant regulatory burden. A potential advantage could be that any vessel intending to operate only well outside the zone would not be burdened with the need to carry the VMS equipment.

Option rejected: Require a declaration for transiting a close zone. This option was rejected because draft regulations contain requirements for gear stowage that provide adequate opportunity for enforcement to ensure vessels ostensibly in transit are not fishing.

Priorities for Expansion of the VMS Program

In considering the fleet to which VMS should be applied (beyond the limited entry fleet), the sport charter vessels and directed open access vessels are the segments of the fleet most in need of monitoring. These are the segments with the greatest potential for impacting constraining overfished species.

Confidentiality

The committee discussed the importance of confidentiality of the information provided. Industry representatives present expressed concern that the information might be revealed for nonenforcement research. There was a discussion of the potential benefit the locational information might provide, in that it could allow the development of information that might be used to justify more liberal harvest opportunities. The issue was not resolved.

Cost Sharing

The committee discussed the issue of cost sharing with respect to the purchase of VMS equipment for vessels. Mr. Steve Springer reported that past systems have gone into place without cost sharing, but in some cases the government has provided reimbursements after the fact. Industry members present were interested in seeing cost sharing as part of the program.

State Water Restrictions

The committee wants the Council to be aware that the states will need to be prepared to implement complementary regulations for state waters.

PFMC
10/23/02