

VESSEL MONITORING SYSTEM: TRANSITING REQUIREMENTS AND EXPANSION OF THE PROGRAM

Situation: A Vessel Monitoring System (VMS) is a shoreside tracking system that allows shoreside personnel to remotely track vessel locations. Depth-based restrictions are a fundamental aspect of the current groundfish management regime but, fathom contours and management lines can be erratic in shape and difficult to follow and enforce, particularly in deep water. Therefore, the Council formed the Ad Hoc VMS Committee (VMSC) in 2002 to explore the use of this new tool in enforcing West Coast groundfish fishery regulations. The Council identified a preferred alternative at the October 28 - November 1, 2002 meeting and recommended that NMFS, in consultation with the VMSC, prepare a proposed rule for a pilot VMS program. NMFS accepted public comments on a proposed rule through July 21, 2003 and is anticipated to implement a final rule in October implementing VMS requirements for groundfish limited entry permitted vessels.

At the June 16-21, 2003 meeting the Council revised the membership of the VMSC to involve a larger range of fishing sectors as the Council looks to future expansion of the VMS program. The Council directed the VMSC to explore new applications for VMS technology in West Coast groundfish fisheries.

At the September 8-12, 2003 meeting the Enforcement Consultants (EC) requested the Council, as part of the 2004 annual specification process, restrict fixed gear vessel activity in the non-trawl Rockfish Conservation Area (RCA). The EC stated that, due to an oversight, the following intended language was left out of the prohibitions section of the proposed VMS rule: "Operate any vessel registered to a limited entry permit with a fixed gear endorsement in a non-trawl RCA (as defined in 660.302), except for purposes of continuous transiting and, therefore needed to be covered by the annual fishing regulation." Members of the EC familiar with the VMS and its capabilities, advised that drifting vessels and vessels actively fishing will show similar vessel location signatures, and allowing drifting in the RCA will adversely effect the use of VMS for it's intended purpose and tax limited resources. The Groundfish Advisory Subpanel (GAP) submitted formal comments to NMFS citing vessel safety as the principal reason for allowing vessels to drift for short periods in RCAs. The GAP also stated that if a vessel location signature allows NMFS to determine when a vessel is fishing there is no reason to prohibit drifting and that the drifting issue should be considered through the VMS regulatory process not under groundfish specifications. The Council was silent to any requirements on this issue when adopting management measures for 2004, but directed the VMSC to address the issue. The Council anticipated hearing from the VMSC, and other Advisory Bodies, at the November Council meeting and potentially submitting a recommendation to NMFS during the open comment period in the proposed and final rulemaking process for the 2004 annual specifications.

The VMSC met October 7, 2003 and topics included expansion of the existing program and RCA transiting requirements. The VMSC was unable to reach consensus on transiting requirements for use in the near future, but discussed possible solutions that may unfold as the program evolves.

Further, the VMSC discussed the merits of expanding the use VMS technology to open access commercial sectors and recreational fisheries. The full report of the VMSC and draft summary minutes of the meeting were not available in time for this distribution but will be included as supplemental material.

The Council is to hear reports from the VMSC, as well as advice from the Advisory Bodies and the public on RCA transit requirements and the future use of VMS in groundfish fisheries, and consider providing recommendations to NMFS and guidance to the further development of the VMS program.

Council Action:

- 1. Consider Providing Recommendations to NMFS Regarding Transiting Requirements for Fixed Gear Limited Entry Vessels in the Existing Program and Provide Guidance as Necessary.**
- 2. Consider Next Steps in Expanding the Program and Provide Guidance as Necessary.**

Reference Materials:

1. Exhibit D.10.b, Supplemental Attachment 1: Report of the Ad Hoc VMS Committee.
2. Exhibit D.10.b, Supplemental Attachment 2: Draft Summary Minutes of the October 7, 2003 Meeting of the Ad Hoc VMS Committee.

Agenda Order:

- a. Agendum Overview
 - b. Report of the Ad Hoc VMS Committee
 - c. Reports and Comments of Advisory Bodies
 - d. Public Comment
 - e. **Council Action:** Provide Guidance on Transiting Requirements and Expanding the VMS Program
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PFMC
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