

OVERVIEW OF DRAFT ENVIRONMENTAL ASSESSMENT/REGULATORY IMPACT REVIEW/REGULATORY FLEXIBILITY ANALYSIS

As directed by the Council, the Ad Hoc Vessel Monitoring System (VMS) Committee held a public meeting in October 2003 to consider expansion of the VMS program beyond the limited entry fisheries. The committee discussed criteria that would be used to prioritize the expansion of the VMS program into the open access and recreational sectors of the groundfish fishery. These criteria included: potential impacts to overfished species in the Rockfish Conservation Area (RCA); the ability to define the fleet if participants are directly fishing for groundfish (targeting); and vessels using commercial gears that look like those used by the limited entry fleet that targets groundfish, such as fixed gear/longline (these vessel complicate enforcement of the RCAs because they look like limited entry vessels). Using this criteria, the committee determined that commercial vessels (non-charter) operating in the Exclusive Economic Zone, at any time during the year, and that land groundfish, should be considered for the next phase of the VMS program. The following open access gears were listed in order of priority: longline, groundfish pot, trawl (excluding shrimp), and line (excluding salmon). The committee also considered expansion to the charter and private sectors of the recreational fishery, but determined that an area-by-area evaluation of the groundfish impacts by these participants was necessary before a final recommendation could be made.

This recommended priority consideration was presented to the Council at the November 2003 meeting where it was tabled until June of 2004. At the June 2004 meeting, the Council directed NOAA Fisheries staff to prepare a draft environmental assessment (EA) to consider expanding the VMS requirement to open access groundfish vessels using longline, pot, trawl, and line gear.

Table 2.0.1 on page 7 of Agendum C.10.b, Attachment 1, dated September, 2004 lists five alternatives, ranging from status quo to a rather inclusive open access list for Council consideration. Alternative 5 incorporates the priority listing presented to the Council by the Ad Hoc VMS Committee last November. This alternative would require VMS on vessels using longline, pot, trawl, and line gear that engages in activity pursuant to the harvest guidelines, quotas, and other management measures governing the open access fishery in federal waters. Exceptions for VMS would be made for pink shrimp trawl gear and salmon troll.

Pink shrimp vessels are allowed to fish within the trawl RCA, providing a declaration report is sent prior to leaving port on a trip in which the vessel is used to fish within the RCA with shrimp trawl gear. In addition, state requirements include the use of approved finfish excluders.

The salmon troll exception created considerable debate among the ad hoc committee members. Salmon troll fisheries are allowed to fish within the fixed gear RCA and are allowed to retain some groundfish. Additionally, VMS alone cannot be used to determine, in a definitive manner, where a particular species was caught. Therefore, it was considered by the committee to be a less effective enforcement tool for monitoring salmon troll open access trip limit compliance, compared to shrimp trawl. Ultimately, with some reservation, the committee decided to forward the salmon troll exception recommendation.

PFMC
09/16/04