ENFORCEMENT CONSULTANTS REPORT ON VESSEL MOVEMENT MONITORING
(VMM) UPDATE

During the April 2019 PFMC meeting, the Council requested the Enforcement Consultants (EC) report back at the June meeting in response to public testimony and Council discussions regarding reconsidering salmon trollers for exemption from increased Vessel Monitoring System (VMS) ping rates. This request arose during the April 2019 Future Council Meeting Agenda and Workload Planning agenda items; specifically, the request sought a list of the pros and cons associated with granting an exemption. The EC reviewed current regulations and past Council documents and actions related to the exemption of salmon troll vessels, and met with members of the Salmon Advisory Subpanel (SAS). The following is a summary of our findings.

The Council initially considered exempting salmon trollers from the increased ping rate during its March 2014 Council meeting, with the SAS requesting exemption and the EC concurring in supplemental reports submitted under Agenda Item H.1.c. The Council subsequently chose not to consider exempting salmon trollers in subsequent Vessel Movement Monitoring (VMM) Public Scoping Documents, primarily due to concerns related to monitoring salmon troll activity in and near the North Coast Commercial Yelloweye Rockfish Conservation Area (YRCA) and activity inside and out of the non-trawl Rockfish Conservation Areas. Salmon trollers equipped with VMS were included in the April 2016 Preferred Alternative and April 2019 Council action on VMM because the trollers are classified as open access groundfish vessels when they retain commercially caught groundfish in Federal waters in the course of their salmon trolling activity.

General Requirements:

- VMS required if carrying/retaining groundfish in Federal waters
    - VMS requirements apply to salmon troller carrying or retaining groundfish in Federal waters
- Applicable Groundfish Conservation Areas
    - North Coast Commercial YRCA – Salmon troll vessels that catch or retain groundfish are prohibited from fishing within this area.
    - Salmon Troll YRCA – Applies to both VMS and non-VMS equipped salmon trollers. Fishing within the Salmon Troll YRCA with salmon troll gear is prohibited.
    - Non-trawl RCA – Salmon troll vessels are not prohibited from fishing within this area; however, different groundfish retention requirements exist for vessels that troll within the RCA vs. exclusively outside the RCA. Salmon troll vessels that fish inside the RCA, north of 40° 10' N., during a trip may retain limited amounts of lingcod and yellowtail rockfish caught either inside or outside of the RCA.

Table 1. Pros and cons associated with exempting salmon trollers from 15-minute ping rate.

Pro (Support exemption[1])	Con
- Lower Cost (by avoiding higher ping rate) - "Continuous Transit" requirement does not apply to salmon trollers[2] - General compliance with area restrictions[3]	- Limited ability to detect incursions into the YRCA's[4] - Limited ability to detect fishing activity inside/outside of RCA[5]

Notes:

1. Exemption would not apply if fishing in other fishery requiring increased ping rate (e.g. limited entry sablefish, open access longline groundfish, etc.)
2. Salmon trollers are allowed to fish inside the RCA and North Coast Commercial YRCA. The increased ping rate and change to the definition of "continuous transit" applies primarily to vessels that are not allowed to fish at all within certain areas.
3. There have been no observed area violations by salmon trollers operating within the YRCA/RCA.
4. 1-hour ping rate is insufficient for VMS to adequately detect incursions due to the size of the YRCAs. Without an increased VMS ping rate, U.S. Coast Guard overflights or vessel patrols will be key to detecting suspected violations.
5. Salmon trollers are allowed to fish both inside and outside of the RCA; however, vessels that fish inside the RCA may only retain limited amounts of lingcod and yellowtail rockfish.

The rationale for the increased ping rate articulated in April 2016 Agenda Item D.2, Attachment 1 – VMM Public Scoping Document, per section 1.6.1 (pg. 20) stated, "An increase from one ping per hour to four times per hour would provide a more robust data set to better determine speed and direction. Thus providing an improved opportunity to determine whether a vessel went through or around a restricted area and whether the continuous transit requirement was met." This rationale has not changed and the EC continues to contend that the increased ping rate will enhance enforcement of conservation areas and the associated continuous transit requirement.

EC Recommendation:

The EC recommends that the Council consider exemption of salmon trollers from the 15-minute ping rate as early as the September 2019 meeting. The EC is not opposed to exempting salmon trollers from the 15-minute ping rate, and if approved will request consideration creating specific areas where the increased ping rate would be required. For example, a GEO-Fence could be established around the YRCA's that would automatically increase the VMS ping rate to 15-minute pings for salmon trollers that operate within it (e.g., when operating within 2 nautical miles of the YRCA's). The EC would also recommend removal of any granted exemption upon indications of non-compliance.

PFMC
06/22/19