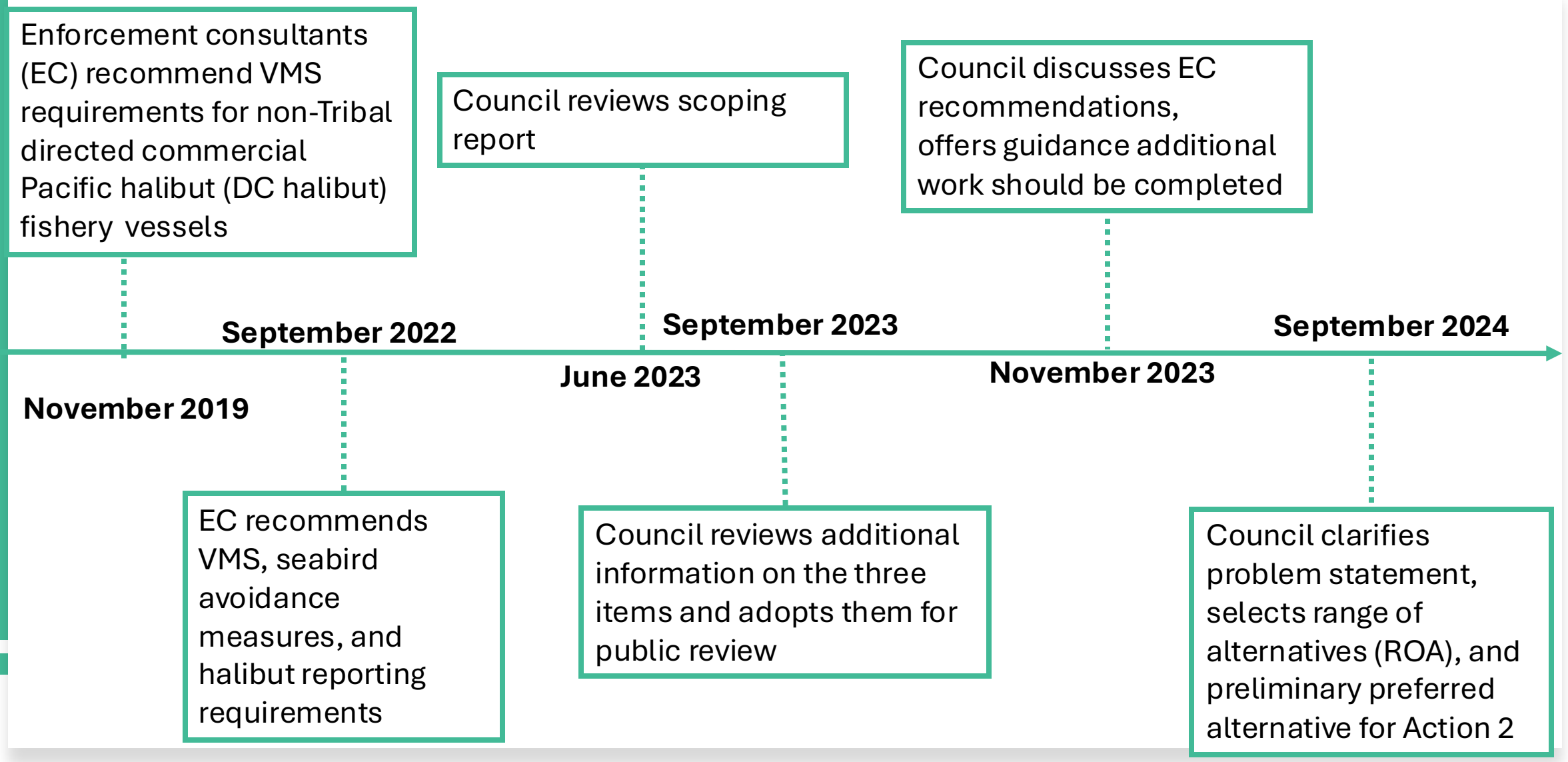
Agenda Item G.2
Supplemental Presentation 1 (***Electronic Only***)
November 2024

Commercial Fishery Regulation Changes: Vessel Monitoring Systems, Seabird Avoidance, and Catch Reporting

Actions under consideration

- **Action 1**: Vessel monitoring systems (VMS)
  - Requiring all vessels participating in the DC halibut fishery carry and operate a vessel monitoring system (VMS) unit;
- **Action 2**: Seabird avoidance measures
  - Requiring all vessels participating in the DC halibut fishery using bottom longline gear use seabird avoidance gear (deploy streamer lines when setting gear); and
- **Action 3**: Catch reporting
  - Requiring all commercial fish receiving tickets specify that both the pounds and number (count) of Pacific halibut are recorded.

History of the Action



Materials

- Attachment 1: Draft Initial Regulatory Impact Review Act/Halibut Act Document
- Supplemental Attachment 2: Draft Initial Regulatory Flexibility Act
- OLE Report 1: Vessel Monitoring Systems Update
- Supplemental Reports
- Public Comment

Council Action

Review and discuss the information provided

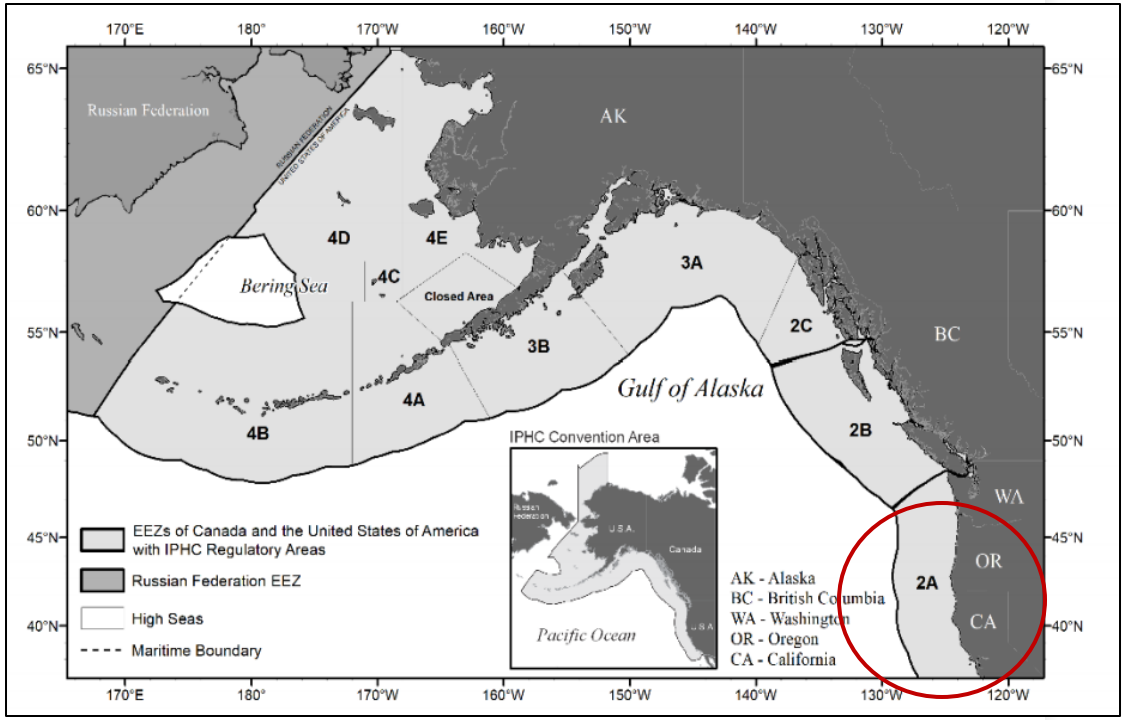
For Action 1 (VMS), adopt a final preferred alternative, taking into consideration the cost of VMS compared to the benefit of increased vessel location information on impacted vessels.

For Action 2 (Seabird Avoidance Measures), adopt a final preferred alternative, taking into consideration the cost of streamer lines compared to the potential benefit to seabirds.

For Action 3, (Catch Reporting), adopt a final preferred alternative, taking into consideration the extent of the currently identified problem compared to the potential benefits of acquiring additional catch data. Clarify for staff the extent of any new reporting requirements.

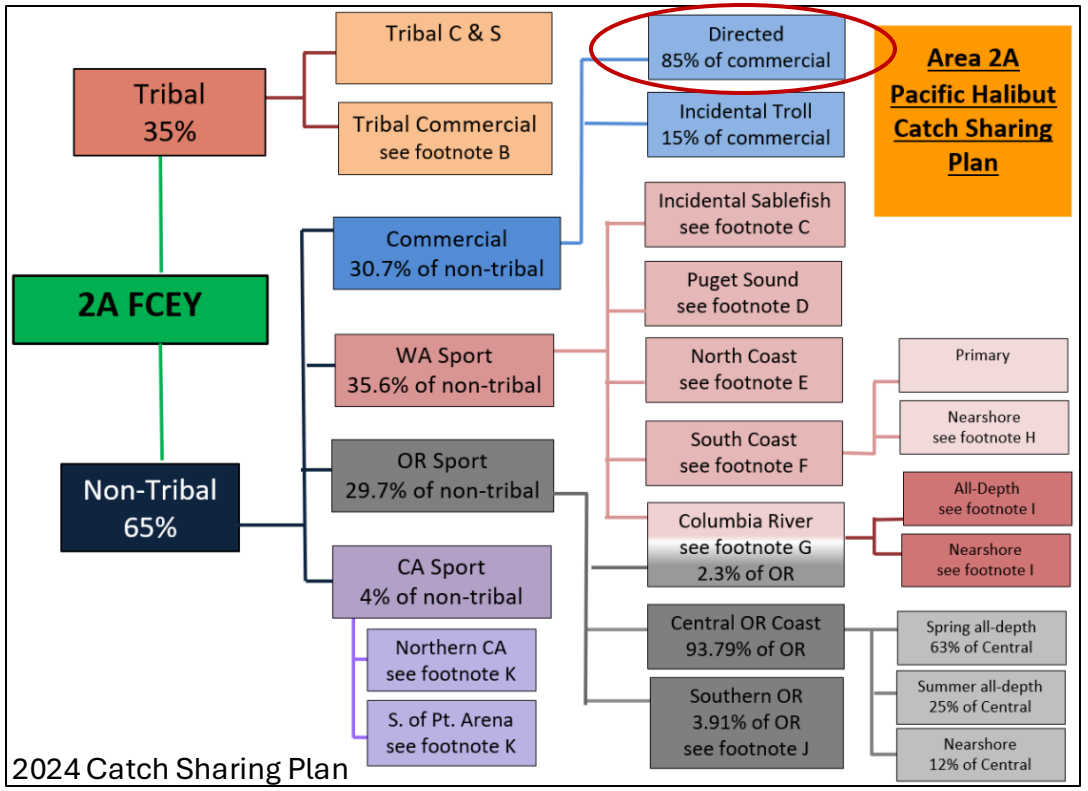
Management Area and Halibut Act

- The Halibut Act states:
  - "The Regional Fishery Management Council…may develop regulations governing the United States portion of **Convention waters**."
- Convention waters are defined to be waters that:
  - "includes **without distinction areas within and seaward of the territorial sea** or internal waters [i.e. state waters]."
- DC halibut fishery occurs in IPHC Area 2A south of Point Chehalis, WA and includes WA, OR, and CA
- Prohibited from fishing in the Non-Trawl Rockfish Conservation Area (RCA)
- **Amendment 32** to the groundfish FMP modified existing and added new closed areas for both the GF and DC halibut fishery



DC Halibut Fishery Management

- Hook and line gear is the only allowable gear type
- Bottom longline is most common (98% of landings)
- No limit on number of participants
- Permit cost is low ($32 in 2024)
- Managed through a series of fishing periods based on sub-allocation and vessel class limits
  - 2018 – 2019: three 10-hour periods
  - 2020: five 58-hour periods
  - 2021-2023: three 58-hour periods
  - 2024: five 58-hour periods



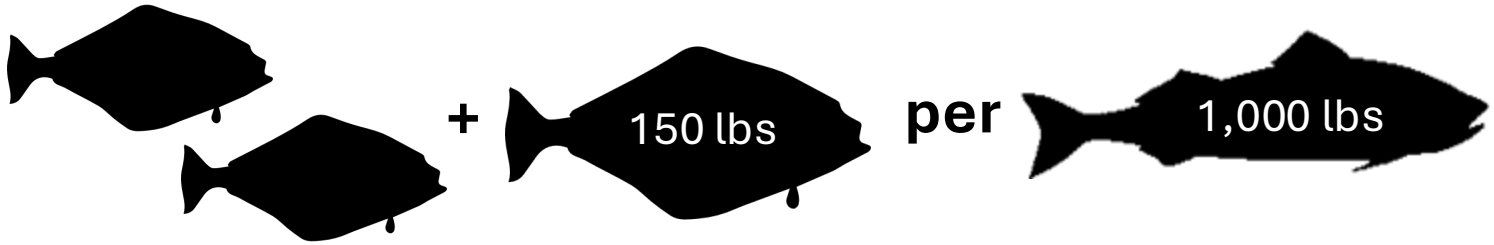
2024 Catch Sharing Plan

Sections 1.3 and 3.3

Incidental Halibut Catch

- Halibut is also caught incidentally in the salmon troll and primary sablefish fishery north of Point Chehalis
  - Salmon: set number of halibut + ratio number limit (ex. 1 + 1 per each 2 Chinook)

  - Sablefish: set number halibut + poundage limit (ex. 2 + 150 lbs per 1,000 lbs)



Action 1. VMS

Problem Statement

- Detecting if vessels only retaining halibut are fishing in closed areas that are intended to protect overfished and rebuilding species, and/or sensitive habitats (e.g. essential fish habitats).
- For such closed areas, VMS can be used by enforcement to ensure closed area regulations are not being violated and the intended benefits of these closed areas to protect groundfish species and habitat are not diminished.

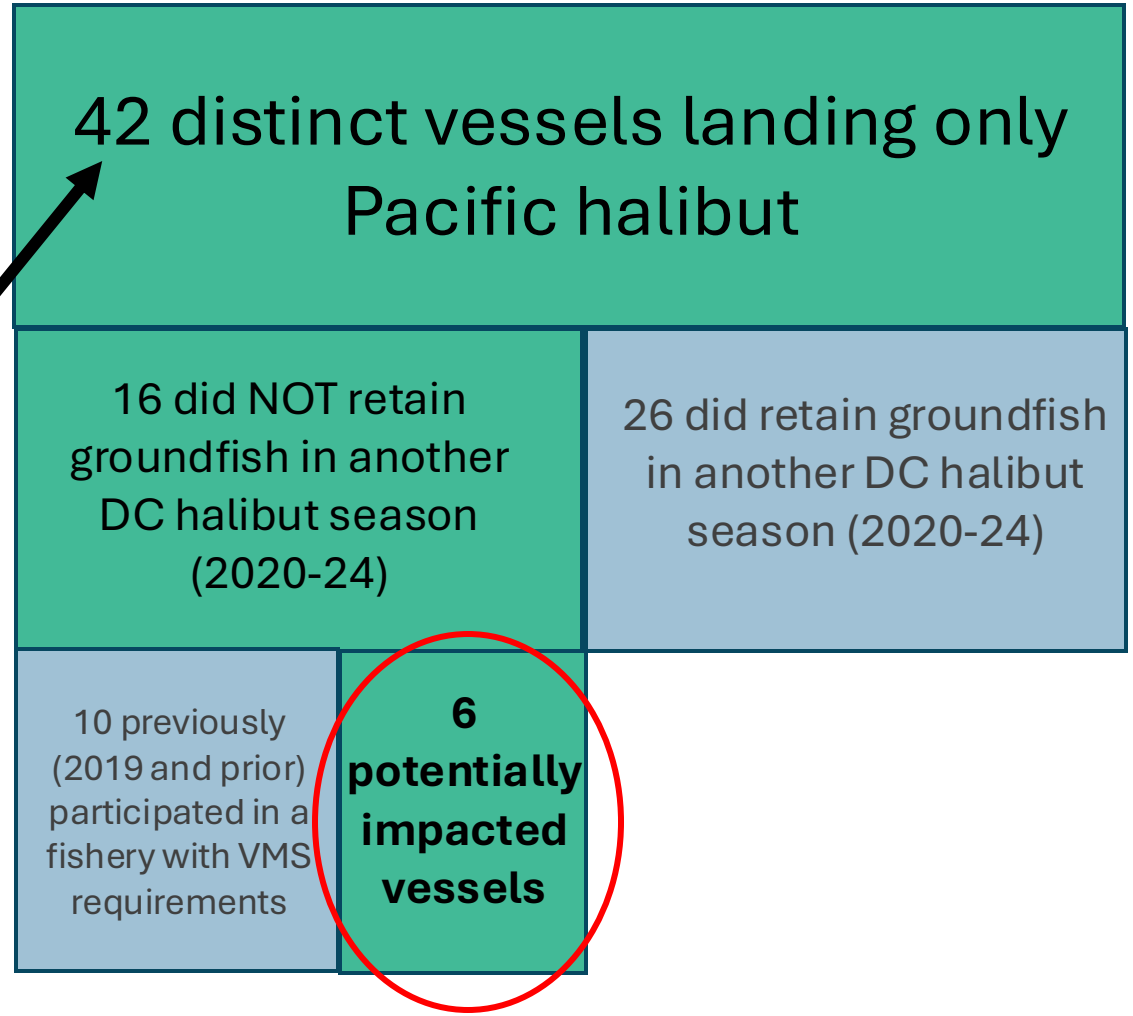
VMS Alternatives

- No Action: Status Quo
- Alternative 1: Require VMS on vessels participating in the DC halibut fishery
  - Component 1. Applicable waters
    - A. EEZ
    - B. Convention waters of IPHC Area 2A (0nm – 200nm)
  - Component 2. VMS ping rate requirement
    - A. Four times per hour (i.e. once every 15 minutes)
    - B. Once per hour
  - Component 3. VMS status requirement (when VMS unit must be turned on and transmitting location)
    - A. 24 hours a day, 365 days a year
    - B. When fishing participating in the DC halibut fishery and fishing during an open period

Potentially Affected Entities
Action 1 and 2

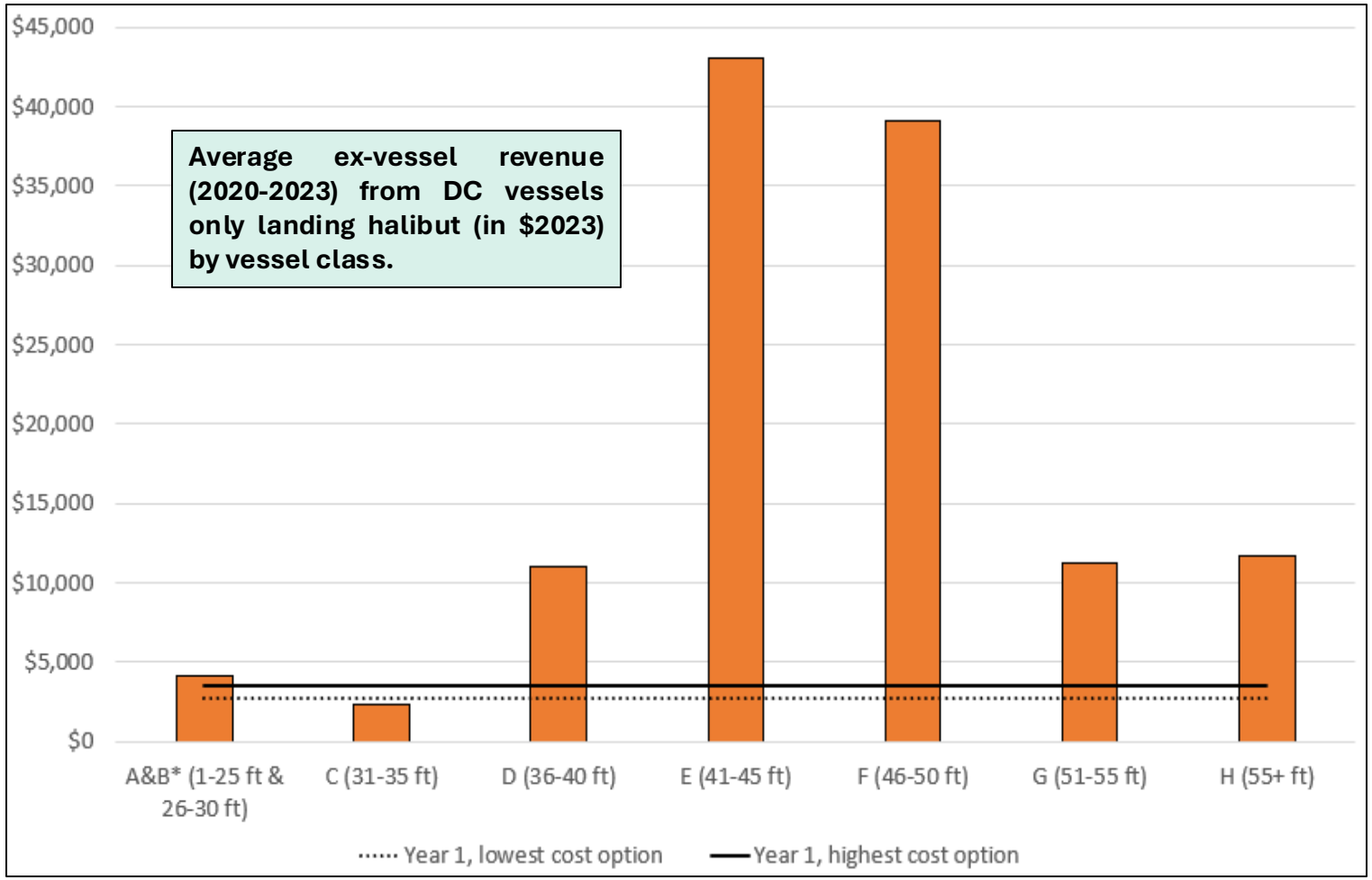
- DC halibut fishery vessels not already subject to VMS or seabird avoidance measure requirements (i.e., not also groundfish fishing)

Years	Groundfish and Pacific halibut	Pacific halibut only
2020	70	9
2021	78	13
2022	70	12
2023	78	12
2024	74	16



Impacts of VMS (Alternative 1)

- **Lowest cost combination**: 1-hr ping rate, only on when participating in the DC halibut fishery (3 months/year)
  - Year 1: $2,765
  - Subsequent years: $130
- **Highest cost combination**: 15-min ping rate, on year-round
  - Year 1: $3,570
  - Subsequent years: $940
- Vessel classes A, B, and C:
  - **Year 1 costs would approach or exceed average ex-vessel revenue** for vessels only landing Pacific halibut
- May deter new entrants



*Vessel classes A and B have been combined to meet confidentiality requirements.

Sections 3.5.1

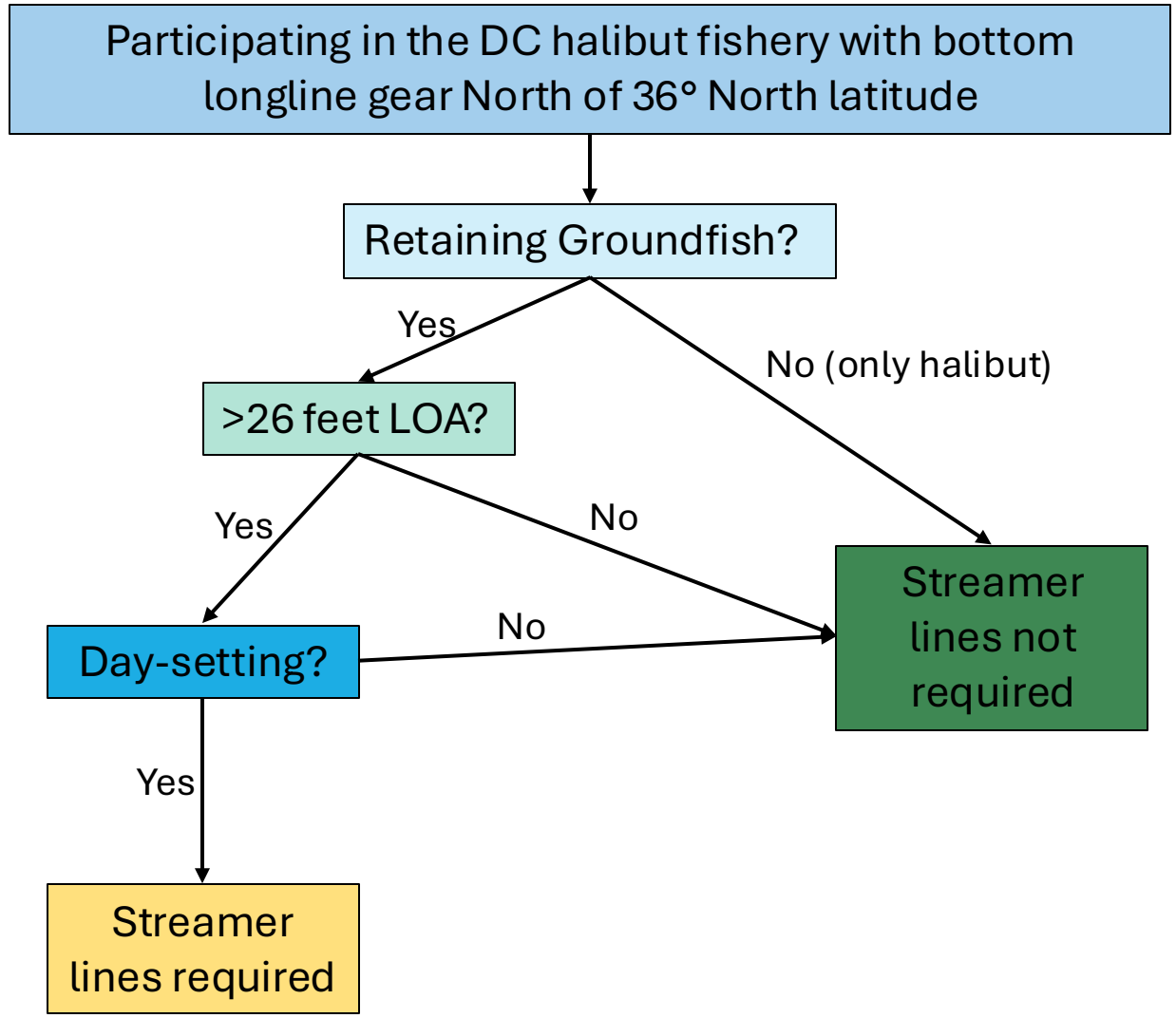
Impacts of VMS (Alternative 1), continued

- Violations of closed-area regulations may reduce the intended benefits of these closures.
- Level of impacts would be associated with number of vessels and number of violations.
- Shift of enforcement efforts to patrolling for compliance with other regulations

Action 2. Seabird Avoidance Measures

Problem Statement

- Difficult to identify violations of seabird avoidance gear requirements when **requirements are not consistent among bottom longline vessels**
- Although **no seabird conservation concerns have been identified for the DC halibut fishery**, streamer lines can help reduce interactions with seabirds.
- This action is **intended to reduce risks to seabirds by aligning regulations with those in place for groundfish longline vessels**, as they use similar gear and fish in similar areas at the same times.



Sections 1.1 and 1.2

Seabird Avoidance Measure Alternatives

- No Action: Status Quo
- **Alternative 1: Require vessels participating in the DC halibut fishery using bottom longline gear to deploy streamer lines when setting gear. (PPA)**
  - Component 1. Applicable waters
    - **A. EEZ (PPA)**
    - B. Convention waters of IPHC Area 2A (0nm – 200nm)

Impacts of Seabird Avoidance Measures (Alternative 1, PPA)

- 1 individual streamer line: $207.95
  - Vessels > 26 ft to 55 ft: 1 streamer line
  - Vessels > 55 ft: 2 streamer lines
- Incidental costs: additional structures on smaller vessels, entanglement in gear, time to deploy

Sections 3.5.2

Impacts of Seabird Avoidance Measures (Alternative 1, PPA), continued

- May reduce potential for entanglement with seabirds.
- Potential impacts correlated to number of vessels.
- Reduction in enforcement resources spent determining if a seabird avoidance gear violation has occurred
- Potential negative impacts to vessel safety if opt to set gear at night
- Increased outreach would be necessary
  - May be beneficial under either No Action or Alternative 1

Sections 3.5.2

Action 3. Catch Reporting

Problem Statement

- Council requested fish tickets from DC halibut, salmon troll, and primary sablefish fishery north of Point Chehalis include both pounds and number of halibut landed
- Better understand how the fisheries are operating and to potentially ease future modifications of regulations as the fishery evolves
  - Recording number of fish landed in the DC halibut fishery is not necessary for management
- Determining if the halibut incidental landing limits in the salmon troll fishery have been exceeded may be difficult if fish tickets for landings only record weight and not number of halibut.
- Salmon: set number of halibut + ratio number limit per Chinook

Trip limit = 35 halibut

Current Requirements

- Federal groundfish regulations already require weight and number of halibut landed on e-fish tickets be recorded for:
  - Landings from vessels participating in the DC halibut fishery and also retaining groundfish
  - Landings from vessels incidentally landing halibut in the primary sablefish fishery
- For halibut landed incidentally in the salmon troll fishery
  - WA and OR regulations explicitly require fish tickets include the number and weight of halibut landed incidentally
  - Not explicitly stated in CA state regulations

Catch Reporting Alternatives

- **No Action:** Status Quo
- **Alternative 1:** Require that fish receiving tickets for landings of halibut from vessels participating in the DC halibut fishery and only landing halibut include both weight (pounds) and number (count).
- **Alternative 2:** Require that fish receiving tickets for landings of halibut from any commercial vessels landing halibut to include both weight (pounds) and number (count) of halibut landed.

Potentially Affected Entities

Action 3

- **Alternative 1 and 2**: Dealers filling out fish receiving tickets for landings of Pacific halibut from the DC halibut fishery
  - From 2020-2023; **9 – 11 dealers**
- **Alternative 2 only**: Dealers filling out fish receiving tickets for incidental landings of Pacific halibut from vessels participating in the salmon troll fishery
  - Number impacted depends on method of implementation, but in CA there were **zero dealers** from 2020-24 recording landings of halibut landed incidentally with salmon
    - State regulations for WA and OR specifically require number landed incidentally with salmon be recorded
    - Not specifically required for CA

Impacts of Catch Reporting (Alternative 1)

- May increase offload times
  - Halibut offloads noted to take an hour or less
- No benefit to enforcement or management efficiency or accuracy, fishing period limits are set by weight
  - Only pounds are required for catch accounting purposes
  - No specific need for number of halibut has been identified at this time
  - If needed, information may be obtained through IPHC dockside sampling program and conversion protocols

Impacts of Catch Reporting (Alternative 2)

- May increase offload times
  - Halibut offloads noted to take an hour or less
  - For salmon troll, recent incidental halibut trip limit has been 35 fish
- For DC halibut, no benefit to enforcement or management efficiency or accuracy Fishing period limits are set by weight
- For incidental landings in the sablefish fishery, this is already required on e-fish tickets so no action by the Council is needed
- For incidental landings in the salmon troll fishery, the problem has only been raised for landings in California, a new requirement may increase the ability to enforce the incidental landing limit for landings in this state

Staff Request for Clarification

- The problem, as specified in September, described difficulty with monitoring the incidental limits and potential need for information from the DC halibut fishery in the future
- The only fishery and state where both number and pounds of halibut landed incidentally is not already explicitly required is the salmon troll fishery in California
- Is the Council's intent with Alternative 2, as related to incidentally fisheries, to implement the requirement for all states, or only for California salmon troll, the fishery where there is currently no such requirements in place?

Council Action

Review and discuss the information provided

For Action 1 (VMS), adopt a final preferred alternative, taking into consideration the cost of VMS compared to the benefit of increased vessel location information on impacted vessels.

For Action 2 (Seabird Avoidance Measures), adopt a final preferred alternative, taking into consideration the cost of streamer lines compared to the potential benefit to seabirds.

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Extra Slides

VMS Cost Comparison: Selection of NMFS-Approved VMS Units

Unit	Nautic Alert, Insight X3	Skymate m1600 VMS[1]	Woods Hole Group – Triton Advanced[2]	Average
Unit Purchase Cost	$2,499.00	$3,000.00	$2,399.00	$2,632.67
Monthly cost w/ 15-min ping rate	$109.99	$45.00	$79.00	$78.00
Year-1 costs w/ 15/min ping rate plan, year round operations (Alt 1, 2A & Alt 1, 3A)	$3,818.88	$3,540.00	$3,347.00	$3,568.63
Year-1 costs w/ 15-min ping rate plan, operating only when fishing season open* (Alt 1, 2A & Alt 1, 3B)	$2,828.97	$3,135.00	$2,636.00	$2,866.66
Monthly cost w/ hourly ping rate	$39.99	$30.00	$62.00	$44.00
Year-1 costs with hourly ping rate plan, year round operations (Alt 1, 2B & Alt 1, 3A)	$2,978.88	$3,360.00	$3,143.00	$3,160.63
Year-1 costs w/ hourly ping rate, operating only when fishing season open* (Alt 1, 2B & Alt 1, 3B)	$2,618.97	$3,090.00	$2,585.00	$2,764.66

*Assumes three, three-day fishing periods a year (one a month in June, July, and August). Service providers have indicated costs could be variable if there is a monthly downturn rate, but a deactivation/reactivation approach could also be implemented.

1. Purchase cost may vary depending on the dealer. 15-min ping rate cost is assuming purchase of the gold plan (20,000 characters) and 1-hour ping rate cost is assuming purchase of the silver plan (10,000 characters). One location ping requires 20 characters.

2. Plans are offered at 24 or 96 positions a day. Assumes purchase of 96 positions for 15-min ping rate requirement and 24 positions for hourly ping rate requirement.

Note: The Skymate I1500, Thorium TST A2.0, and Thorium LEO A2.0 VMS are included on the NMFS Type-Approved list but are no longer manufactured so have been omitted. Additional type-approved units include the Addvalue iFleetONE, MetOcean OmniCom,VMS and Global, and Sailor VMS Gold and Gold Plus. Costs for these units are not available at this time.

Sections 3.5.1; Table 5

Current catch reporting regulations

- State regulations require fish receiving tickets to include the number of pounds (accurate weight) of species received (WAC 220-352-040; OR 635-006-0200; CA Title 14 § 197(b)(1)(A)).
- For any halibut landed with groundfish, federal regulations at 50 CFR 660.213(e)(1) and 50 CFR 660.313(f)(1) currently specify that all fish receivers must provide the actual weight and number of Pacific halibut on appropriate electronic fish ticket forms.
    - This includes halibut landed as a part of the incidental limit for the LEFG primary tier fishery and halibut landed in the DC halibut fishery where vessels retain groundfish (LEFG or OA).
- Halibut caught in salmon troll fishery
    - Washington state regulations at WAC 220-352-040 specify that the number of individual halibut caught incidentally in the salmon fishery must be expressed in numbers of fish.
    - Oregon state regulations at 635-006-0212 specify that the number of individual halibut caught incidentally in the salmon fishery must be expressed in numbers of fish (halibut are not retained in the sablefish fishery occurring in Oregon/south of Point Chehalis).
    - California state regulations at Title 14 § 197 specify that *landings receipts and electronic fish tickets will report number of individual fish, as applicable*, and is interpreted to mean number of halibut that count towards an incidental limit must be recorded (California Department of Fish and Wildlife (CA DFW) staff, personal communication).