

**AD HOC VESSEL MONITORING SYSTEM COMMITTEE REPORT ON
EXPANSION OF VESSEL MONITORING SYSTEM (VMS)**

The Ad Hoc Vessel Monitoring System Committee (VMSC) met on September 29, 2005 in Portland, Oregon. The VMSC reviewed the history of VMS implementation on the West Coast and discussed the current monitoring program for limited entry groundfish before focusing the bulk of the meeting on the issue of expanding the program. This statement summarizes VMSC comments and recommendations to the Council. Full summary minutes of the meeting will be included the supplemental materials for the November 2005 Council meeting.

Members Present:

Mr. Joseph Albert, National Marine Fisheries Service, Law Enforcement
Mr. Mark Cedergreen, Pacific Fishery Management Council, Washington Charter Boat Operator
Mr. Brian Corrigan, United States Coast Guard
CAPT Mike Cenci, Enforcement Consultants, Washington Department of Fish and Wildlife
Ms. Kathy Fosmark, Groundfish Advisory Subpanel, Southern Open Access Representative
Mr. Tom Ghio, Acting Chair of Groundfish Advisory Subpanel, Fixed Gear Representative
Ms. Heather Mann, Groundfish Advisory Subpanel, Coastal Pelagic Species Advisory Subpanel
Dr. Don McIsaac, Executive Director, Pacific Fishery Management Council, alternate for
 Mr. Don Hansen, Chair, PFMC Chairman, California Charter Boat Operator
Mr. Dayna Matthews, Vice Chair, Enforcement Consultants, National Marine Fisheries Service
Mr. Marion Larkin, Groundfish Advisory Subpanel, Washington Trawl Representative
Mr. Ray Monroe, Alternate for Mr. Kenyon Hensel, Northern Open Access Representative
Ms. Becky Renko, National Marine Fisheries Service, Northwest Region

Members Absent:

Mr. John Crowley, Groundfish Advisory Subpanel, Fixed Gear Representative

Others present:

Mr. Mike Burner, Staff Officer, Pacific Fishery Management Council
Mr. Otha Easley, National Marine Fisheries Service, Office of Law Enforcement
Mr. Doug Fricke, Washington Trollers Association, SAS, HMSAS
Mr. Rod Moore, West Coast Seafood Processors Association
Ms. Lucia Morici, Newport Beach Dory Fleet
Mr. Aaron Newman, Humboldt Fishermen's Marketing Association
Mr. Don Stevens, Salmon Advisory Subpanel Chair

Goals of the VMS Program

The VMSC affirmed that expansion of the existing Vessel Monitoring System (VMS) program to open access groundfish fisheries would enhance state and federal enforcement's ability to monitor vessel compliance with depth-based management and areas where fishing activity is restricted or prohibited. However, industry representatives stated that VMS is not the only way to enforce closed areas and the VMSC should not assume that Rockfish Conservation Areas (RCAs) would be compromised in the absence of VMS. The VMSC discussed the importance of

RCAs as a management tool for rebuilding overfished groundfish species while providing harvest opportunities for healthy stocks.

Definition of Open Access Vessels

The VMSC reviewed what vessels are considered as open access groundfish vessels and established the following points:

- A vessel which takes and retains, possesses or lands federally-managed groundfish is considered an open access groundfish vessel.
- Non-groundfish trawl vessels are considered open access vessels whether they land groundfish or not.

There is no link (federal nexus) for the implementation of VMS on non-federally permitted vessels fishing in state waters. Vessels which meet one of the requirements above but only fish in state waters are considered open access vessels but are not required to have VMS. If the vessel possesses groundfish caught in state water and transits federal water, that vessel would be required to have VMS.

Net gear used by vessels targeting coastal pelagic species (CPS) is not defined in the groundfish regulations as legal groundfish gear making it illegal to land groundfish species with these gear types. Therefore, vessels strictly fishing for CPS species are not considered open access groundfish vessels and are not considered for VMS requirements under the current alternatives.

Missing Information and Analyses

The VMSC noted their impaired ability to fully consider all of the alternatives due to the incomplete nature of the draft Environmental Assessment (EA) that had been distributed at the September Council meeting. The VMSC identified a need for the following information before fully endorsing any recommendation on a preferred alternative.

- Complete the EA. There are many missing values and incomplete sections of the current document.
- A review of impacts to overfished species across fishing sectors is needed. Particularly, estimated canary rockfish impacts in the salmon troll sector. The current salmon troll estimate is based on data from 2000-2001 when canary rockfish retention was allowed in the salmon troll fishery and RCAs were not in place. Additionally, the 2005 salmon troll season was drastically reduced relative to the 2000 and 2001 seasons.
- The VMSC requested National Marine Fisheries Service (NMFS) complete the socioeconomic analyses in support of Alternative 8 and Alternative 10. The VMSC believes a cost/benefit type of analysis is essential in determining which fishery sectors should carry VMS units. NMFS reported that input from the Groundfish Management Team (GMT) could improve the analysis and that these issues are to be discussed at the GMT's October meeting. NMFS intends to complete these analyses in advance of the November Council meeting. The VMSC was unable to fully consider the socioeconomic impacts of VMS requirements on open access vessels at this meeting.

- The VMSC noted the thresholds, either in landed weight or exvessel revenue, for determining which fishery sectors have “minimal” impacts to overfished groundfish are not clearly established. The VMSC noted any threshold value, such as the 500-pound limit in Alternative 9, has the potential to modify fishing practices rather than provide a clear definition of vessels with minimal impacts to overfished groundfish species.

VMSC Recommendations

1) The VMSC discussed recommendations for Council consideration with the understanding that the analyses of the alternatives was has not been completed. The VMSC generally recommends that VMS expansion be taken up in phases, much like the original pilot program for the limited entry sectors. The VMSC was interested in identifying those “core” vessels that target groundfish in the open access sector. The VMSC started discussions with Alternative 5B as presented in the draft EA (Informational Report 8, Supplemental NMFS Vessel Monitoring System Report, September 2005).

The VMSC recommended modifying Alternative 5B such that salmon troll and HMS net gear vessels are also excluded from VMS requirements. The majority of the VMSC endorsed this modified alternative as the groups preferred alternative. Mr. Ghio did not support this position and favored excluding groundfish directed longline and pot gear fisheries between Point Conception, California and Cape Blanco, Oregon (Monterey and Eureka catch areas). Mr. Ghio stated that, like other excluded fishery sectors under this alternative, longline and pot fisheries targeting groundfish in this area have very low impacts on overfished groundfish species.

Relative to the Council’s request to consider VMS requirements on all non-groundfish trawl vessels under its June action to protect groundfish essential fish habitat, the VMSC recommended the alternative also be modified to require VMS on pink shrimp vessels (all other bottom-trawl vessels are already included in the VMS requirements under this alternative). The VMSC recommends that pink shrimp vessels be included if it is determined that enforcement of closed areas to protect essential fish habitat falls within the stated need for the proposed action.

Alternative 5B as modified by the VMSC preliminary recommendation for VMS expansion. Text to be removed in strikeout, and new text in brackets [].

Alternative 5B: longline, pot, trawl and line gear vessels; excluding ~~pink shrimp trawl~~, HMS longline, [net] and line gear, [salmon troll] and Dungeness crab pot gear. In addition to those vessels identified under Alternatives 2-4A, require all vessels that use line gear (~~including salmon troll~~) to fish pursuant to the harvest guidelines, quotas, and other management measures governing the OA fishery, to carry and use VMS transceiver units and provide declaration reports. ~~Vessels using pink shrimp trawl gear are excluded under this alternative.~~ In addition, vessels using HMS line [and net] gear, salmon troll, and Dungeness crab pot gear, where the incidental catch of overfished species is projected to be minimal, are excluded. Prior to leaving port on a trip in which a vessel identified under this alternative is used to take and retain, possess, or land federally managed groundfish in federal waters, the vessel would be required to activate a VMS transceiver unit and to continuously operate the unit (24 hours a day) throughout the remainder of the calendar year. A declaration report would be required prior to leaving port on a

trip in which the vessel is used to fish in a GCA in a manner that is consistent with the requirements of the conservation area. VMS requirements defined at 660.312 and prohibitions defined at 660.306 would apply to these vessels, as would the reporting requirements defined at 660.303 for vessels fishing in conservation areas.

- 2) The VMSC requested that NMFS and the Council continue to investigate the issue of drifting within the RCA. The VMSC reiterated concerns about vessel safety and reviewed their request to NMFS from October 2004 on this matter. The VMSC expressed frustration with the lack of progress on this issue. Currently drifting within an RCA is not allowed as enforcement personnel cannot currently differentiate fishing activity and drifting from the VMS track data. The VMSC requests NMFS investigate a declaration system for drifting and the required pinging or signaling rates that may allow differentiation of fishing and drifting. The VMSC requests that the investigation consider what additional equipment and transmission costs would be incurred under such a system.
- 3) The VMSC discussed an Inter-American Tropical Tuna Commission Resolution on VMS that requires VMS on HMS vessels 24 meters in length and greater. The VMSC recommends this issue be referred to the Council's HMS advisory bodies. Although the intended purpose of the resolution was not understood by the VMSC, it is unlikely that the intent of the resolution falls within the stated need for action under this VMS expansion consideration.
- 4) The VMSC continues to support federal funding of all VMS requirements and recommends the Council pursue federal funding of any expansion of the VMS program along with reimbursement of costs incurred by vessels under the existing VMS program. NMFS representatives on the VMSC abstained from this recommendations.

PFMC
10/14/05