

DRAFT SUMMARY MINUTES
Ad Hoc Vessel Monitoring System Committee

The Benson Hotel
309 SW Broadway
Portland, Oregon 97205
503-228-2000
October 7, 2004

Members Present:

Mr. Joseph Albert, National Marine Fisheries Service, Law Enforcement
LT Gregg Casad, Enforcement Consultants, United States Coast Guard
Mr. Mark Cedergreen, Pacific Fishery Management Council, Washington Charter Boat Operator
CAPT Mike Cenci, Enforcement Consultants, Washington Department of Fish and Wildlife
Ms. Kathy Fosmark, Groundfish Advisory Subpanel, Southern Open Access Representative
Mr. Tom Ghio, Groundfish Advisory Subpanel, Fixed Gear Representative
Mr. Don Hansen (Chair), Chair, Pacific Fishery Management Council, California Charter Boat Operator
Mr. Dayna Mathews (Vice Chair), Enforcement Consultants, National Marine Fisheries Service
Mr. Ray Monroe, Alternate for Mr. Kenyon Hensel, Northern Open Access Representative
Mr. Rod Moore, Chair, Groundfish Advisory Subpanel
Mr. Brad Pettinger, Alternate for Mr. Marion Larkin, Trawl Representative
Ms. Becky Renko, National Marine Fisheries Service, Northwest Region

Others present:

Mr. Mike Burner, Staff Officer, Pacific Fishery Management Council
Mr. Joel Kawahara, Washington Trollers Association
Dr. Don McIsaac, Executive Director, Pacific Fishery Management Council
Mr. Don Stevens, Chair, Salmon Advisory Subpanel

THURSDAY, OCTOBER 7, 2004 - 8:30 A.M.

A. Call to Order and Administrative Matters

Chair Hansen welcomed the group, reviewed the agenda, and announced that public comment would be heard throughout the agenda at the discretion of the Chair. The Ad Hoc Vessel Monitoring System (VMS) Committee (Committee) approved the agenda.

B. Update on the Existing Monitoring Program

National Marine Fisheries Service (NMFS) provided a written summary of the current VMS program and highlighted the following issues and information.

1. Vessel Monitoring System

Mr. Albert reported the system is tracking over 280 vessels out of a potential pool of 360 platforms and has recorded over 1.6 million position reports.

2. Declaration System

To date, over 900 declarations are on file with NMFS, and Mr. Albert reported the toll-free telephone system has been working well with minimal difficulties for users. The system can be expanded to accommodate additional declarations as needed under expansion of the VMS program.

3. Review of Available Equipment and Costs

Mr. Dayna Matthews reviewed the VMS units that are currently type approved by NMFS for use on the West Coast. Mr. Matthews highlighted the most common units in use, all of which include some two-way communication capability:

- Orbcomm - This unit represents the majority of units in use in the current VMS program. Satellite communication service is provided by Skymate Wireless.
- Argos - Argos provides the units and the satellite service for these units. Unlike other satellite providers, the Argos system relies on polar orbiting satellites designed for use in Alaska. These units essentially have been grandfathered into the West Coast program to accommodate vessels which also fish in Alaska and have already purchased Argos units.
- Thrane & Thrane - Relatively expensive units that utilize the Inmarsat satellite service. However, the Thrane & Thrane units provide sophisticated two-way communication capabilities, including email.
- Satamatics D+ - A rugged unit that is conducive to use on smaller vessels such as dories. There are concerns about the future availability of this service because as satellite traffic increases and bandwidth restrictions become constraining, the D+ service may become one of the first to be limited. The Committee recommended that NMFS work to ensure the availability of D+ service into the future before continuing to approve these units for use on the West Coast.

The majority of reported problems with existing VMS equipment were determined to be due to errors made during self-installations. The second most common problem associated with equipment function were related to the placement of the VMS antenna on the vessel as many units require a minimum distance between the VMS antenna and any other antenna onboard.

The costs associated with VMS units and satellite communication service has been dropping. In New England fisheries, as VMS was first becoming available, vessel operators bought into \$6,000 units as a means of preserving access to the scallop fishery, and unit prices have now dropped to \$1,000 including air time for the first year. Currently on the West Coast, VMS systems are averaging \$1,200 to \$1,800 with the expectation that costs will continue to drop as more vendors enter the market. A company called Iridium is expected to release a unit that functions as both a VMS unit and a satellite telephone.

The Committee reiterated its support for federal funding of VMS systems on the West Coast. It was noted that Dr. Bill Hogarth, Director of National Marine Fisheries Service, has made comments in the past in support of federal VMS funding.

4. Enforcement Improvements

Mr. Matthews reviewed the 24 VMS enforcement cases that have been investigated to date. Apparent violations of closed areas are investigated on a case-by-case basis, and many were dismissed as vessels operators and enforcement personnel adjust to the new system. For example, many cases were investigated for improper or missing declaration reports rather than illegal fishing activities in closed areas.

The Committee discussed ways to improve both enforcement and usability of the VMS system. Allowing at-sea declaration reports would require VMS units with two way email capabilities but would allow the vessel to pursue two strategies on one trip, saving time and fuel. Industry representatives were also interested in exploring the possibility of delivering landings from areas with higher limits into areas with lower limits if VMS can verify where the fishing occurred.

NMFS reported that the current VMS system has been very valuable in the enforcement of existing Rockfish Conservation Areas (RCAs) and noted that the system can easily be reprogrammed in response to changing regulations and alternate RCA configurations.

5. Safety Issues

The Committee discussed cases in 2004 where vessels equipped with VMS units were involved in accidents at sea. In at least one case, the accident reportedly involved the collision of two vessels and the loss of lives. There were concerns about the availability of VMS data for the determination of the cause of accidents and the ability of VMS to prevent further loss of life at sea. Industry representatives felt that VMS was introduced to the West Coast groundfish fleets as both a means of accessing fishing opportunity in open areas and as a tool to enhance vessel safety.

Enforcement representatives stated that VMS is primarily an enforcement tool and that any benefits to vessel safety are secondary. Accurate and timely vessel location information could be useful in the event of an emergency, but the system is not designed, nor intended, to monitor and react to accidents at sea.

Questions were raised about the loss of a VMS signal and the NMFS response. Mr. Albert replied that all VMS issues are treated on a case-by-case basis, but that as a rule, a loss of signal does not necessarily initiate an immediate response. Signal loss is not uncommon and is often due to equipment malfunction, loss of power, or temporary breaks in satellite access by the VMS unit. When this occurs, 'event codes' are generated and transmitted to NMFS when the unit is back online. Industry representatives asked if NMFS could report on the number of times a loss of signal event occurs. Estimates were not available at this meeting, but NMFS will look into including summary figures in future VMS reports.

The Committee discussed the amount of NMFS monitoring of VMS signals. Mr. Albert reported that a VMS technician and a computer technician monitor the system during normal business hours.

Outside this time frame, Mr. Albert and staff can view system alerts remotely. It was also noted that all NMFS enforcement agents with internet service can access the system. Additionally, all USCG stations on the coast have access as well. LT Casad reported that the United States Coast Guard (USCG) considers NMFS the primary agency in charge of VMS enforcement. Although the USCG does use VMS as a tool, a VMS signal does not initiate or require an immediate response. CAPT Cenci reminded the Committee that state law enforcement personnel do not have access to VMS information. The Committee discussed the value of additional monitoring and improved fishery enforcement that state enforcement personnel could provide.

The Committee discussed increasing the monitoring of the VMS system to 24 hours a day, seven days a week. NMFS reported that additional coverage would not be required to maintain the enforcement capabilities of VMS if the program was expanded to more vessels.

E. Expansion of the Monitoring Program

1. Review of the Draft Range of Alternatives

Mr. Matthews reported that NMFS, under the expansion alternatives, does not intend to require VMS on vessels that do not retain groundfish or that only operate in state waters. NMFS does not have regulatory authority over commercial vessels that do not hold a federal groundfish permit and operate in state waters. State regulations implementing comparable VMS requirements would need to be passed to impose VMS requirements on such vessels.

Ms. Becky Renko presented Table 2.0.1 from the latest draft on an Environmental Assessment summarizing the range of alternatives approved by the Council for public review in September 2004 (the table included in these minutes has been edited by the Committee). The Committee reviewed all of the alternatives and had a focused discussion about an alternative recommended by the Groundfish Advisory Subpanel (GAP) in September, Alternative 6. This alternative requires all vessels that fish in federal waters for which there is an RCA requirement to carry and use a VMS transceiver unit. Declaration reports for these vessels are required from the time the vessel leaves port on a trip in which groundfish are to be taken and retained, possessed or landed, until the end of the calendar year. VMS requirements remain until the end of the calendar year regardless of whether the vessel is operated in state or federal waters off the West Coast. If an RCA requirement is discontinued during the year, mandatory VMS coverage will be discontinued for the affected vessels.

This alternative does not include open access groundfish directed vessels that fish only in state waters, or non-groundfish directed vessels that do not land groundfish as stated above. This alternative also excludes Dungeness crab vessels, as they are not subject to RCAs and have very low incidence of groundfish take; salmon troll vessels that do not take and retain groundfish; salmon troll vessels operating in waters north of 40°10' N latitude that only retain yellowtail rockfish as yellowtail rockfish, may be retained as an incidental take while salmon fishing within the RCA; and pink shrimp vessels.

It will be a challenge to analyze this alternative, as fisherman will likely have decisions to make as to whether or not additional opportunity to land groundfish is worth the added costs of VMS. Open access vessels can avoid VMS coverage by choosing to not land groundfish or by choosing to only

fish in state waters. A threshold will likely need to be determined where the economic benefits of open access groundfish fishing outweighs the cost of VMS operation.

G. Vessels Drifting within RCAs

Although it is outside the scope of the currently proposed action to expand the program, the Committee reviewed the issue of vessels drifting within an RCA. There are currently no provisions which allow vessels to drift in closed areas when fishing. Industry representatives have long argued that forcing vessels to drift at night in areas deeper than the RCA is a safety issue and has requested that NMFS explore ways to use VMS technology to distinguish fishing activity from drifting. NMFS is not confident this goal can be accomplished at this time given the current level of expertise with the system and the complexity of the West Coast groundfish and VMS regulations. It was suggested that increased signaling frequency may improve the quality of the track line and make it easier for NMFS monitors to determine if a vessel is actively fishing or drifting. Mr. Albert reminded the group that increasing the signaling rate from the current standard of one report per hour would increase costs to the vessel. NMFS will investigate potential benefits of increased signaling.

Several Committee members asked about VMS programs in Hawaii, Alaska, and Australia. NMFS reported that many of these programs have been implemented for a longer time and involve fewer vessels and smaller closed areas than the West Coast. Additionally, The West Coast is the only area where certain fishing activity is allowed within a closed area. Industry representatives argued that fishery enforcement requirements should not compromise safety. LT Casad stated that the USCG has been consistent in their concerns about vessel safety relative to RCA and vessels being forced to fish in deeper and more distant locations.

H. Committee Recommendations

Mr. Moore moved and the Committee approved the following four recommendations to the Council.

1. Adopt Alternative 6 as the Committee preferred alternative for expansion of the VMS program. Second by Mr. Ghio. Unanimous approval.
2. Request the Council continue to pursue federal funding of all VMS requirements. Second by Chair Hansen. All in favor with four abstentions (Mr. Albert, LT Casad, Mr. Matthews, Ms. Renko).
3. Request the Council make it a priority when contacting NMFS on VMS matters to formally recommend access to VMS information for state law enforcement personnel. Second by Mr. Cedergreen. Unanimous approval.
4. Endorse the following GAP statement on drifting within an RCA from the November 2003 Council meeting. Second by Ms. Fosmark. Eight "Yes" votes, three "No" votes (Mr. Matthews, Mr. Albert, Ms. Renko), one abstention (LT Casad).

Excerpt from Exhibit C.10.c, Supplemental GAP Report, September 2004.

Drifting - the GAP continues to believe that drifting in the RCA should be allowed for safety reasons. This is even more urgent as we extend the VMS requirement to smaller vessels, some of which fish seaward of the RCA. NMFS should reconsider its opposition to a drifting allowance.

The Committee noted NMFS plans to hold public informational meetings in all three West Coast states over the winter. The Committee did not anticipate the need to meet again prior to Council final action on expansion of the VMS program in the spring of 2005.

ADJOURN

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TABLE 2.0.1 Revised Draft Summary of the Alternative Management Actions for Expanding Coverage of the Monitoring System for Time-area Closures in the Pacific Coast Groundfish Fishery for the Open Access Fisheries (Page 1 of 3).

VMS COVERAGE ALTERNATIVES	AFFECTED VESSELS ^{a/b/}	RCA RESTRICTIONS	OVERFISHED SPECIES IMPACTS
<p>Alternative 1 -- Status quo Continue to require declaration reports from OA vessels using exempted trawl gear in Groundfish Conservation Areas (GCAs).</p>	<p>OA exempted trawl continues to send declaration reports.</p>		
<p>Alternative 2 -- longline vessels In addition to status quo, require all vessels using longline gear in Federal waters fishing pursuant to the harvest guidelines, quotas, and other management measures governing the OA fishery to provide declaration reports and to activate and use a VMS transceiver from the time the vessel leaves port on a trip in which groundfish are taken and retained until the end of the calendar year, regardless of whether the vessel is operated in state or federal waters off the West Coast.</p>	<p>^{c/} Directed longline - 114 vessels/yr used longline gear.</p> <p>Pacific halibut - 275 halibut permits/yr (includes both OA and LE) an average of 10 vessels/yr fished for halibut south of Point Chehalis (the direct commercial fishery) and <u>did not</u> also land directed OA groundfish with a exvessel value > \$2,500.</p> <p>HMS - 47 vessels/yr in 2000 & 2001, of these, 2 vessels/yr landed groundfish.</p>	<p>Directed longline - nontrawl gear RCA applies.</p> <p>Pacific halibut - nontrawl RCA restrictions adopted under halibut regulations.</p> <p>HMS - nontrawl RCA restrictions apply when vessel takes and retains groundfish.</p>	<p>Directed longline - overfished species include bocaccio, canary, cowcod, darkblotched, lingcod, pop and yelloweye. Gear specific projections are not available.</p> <p>Pacific halibut - yelloweye 0.5 mt projected for 2005.</p> <p>HMS -no overfished species catch projected for 2005.</p>
<p>Alternative 3 -- longline or pot vessels In addition to Alternative 2, require all vessels using longline or pot gear in Federal waters fishing pursuant to the harvest guidelines, quotas, and other management measures governing the OA fishery to provide declaration reports and to activate and use a VMS transceiver from the time the vessel leaves port on a trip in which groundfish are taken and retained until the end of the calendar year, regardless of whether the vessel is operated in state or federal waters off the West Coast.</p>	<p>Longline - Same as Alt. 2</p> <p>^{d/} Directed pot - 35 vessels/yr used groundfish pot gear.</p> <p>Dungeness crab - 733 vessels/yr, of these, 65 vessels/yr landed OA groundfish.</p> <p>Prawn - 40 vessels/yr, of these, 9 vessels/yr landed OA groundfish.</p> <p>California sheephead- 37 vessels/ yr, all 37 landed OA groundfish.</p> <p>California halibut pot ???</p>	<p>Longline - Same as Alt. 2.</p> <p>Directed pot - fixed gear RCA applies.</p> <p>Dungeness crab, prawn, & California sheephead - non-trawl RCA restrictions apply when vessel takes and retains groundfish.</p>	<p>Longline - Same as Alt. 2</p> <p>Directed pot - Overfished species include bocaccio, canary, cowcod, darkblotched, lingcod, pop and yelloweye. Gear specific projections are not available.</p> <p>Dungeness crab, spot prawn & California sheephead - no overfished species catch projected for 2005.</p> <p>Ridgeback prawn vessels - bocaccio 0.1 mt projected for 2005.</p>

TABLE 2.0.1 Revised Draft Summary of the Alternative Management Actions for Expanding Coverage of the Monitoring System for Time-area Closures in the Pacific Coast Groundfish Fishery for the Open Access Fisheries (Page 2 of 3).

VMS COVERAGE ALTERNATIVES	AFFECTED VESSELS ^{a/b/}	RCA RESTRICTIONS	OVERFISHED SPECIES IMPACTS
<p>Alternative 4 -- longline, pot or trawl vessels, excluding pink shrimp trawl vessels In addition to Alternatives 2 and 3, require all vessels using longline, pot or trawl gear, excluding pink shrimp trawl gear in Federal waters fishing pursuant to the harvest guidelines, quotas, and other management measures governing the OA fishery to provide declaration reports and to activate and use a VMS transceiver from the time the vessel leaves port on a trip in which groundfish are taken and retained until the end of the calendar year, regardless of whether the vessel is operated in state or federal waters off the West Coast.</p>	<p>Longline - Same as Alt. 2.</p> <p>Pot - Same as Alt. 3.</p> <p>Spot prawn- 26 vessels, none have landed groundfish with prawn trawl gear since 2000.</p> <p>Ridgeback prawn ???</p> <p>Sea cucumber - 14 vessels/yr, of these, 7 vessels/yr landed OA groundfish.</p> <p>California halibut trawl - 34 vessels/yr, of these, 23 vessels/yr landed OA groundfish.</p>	<p>Longline - Same as Alt. 2.</p> <p>Pot - Same as Alt. 3.</p> <p>Ridgeback Prawn - exempted trawl RCA south of Cape Mendocino (40°10' N. lat.).</p> <p>Sea cucumber, and California halibut - exempted trawl RCA south of Point Arena (38°57'30" N. lat.).</p>	<p>Longline gear - Same as Alt. 2.</p> <p>Pot gear- Same as Alt. 3.</p> <p>Ridgeback prawn - bocaccio 0.1 mt projected for 2005.</p> <p>Spot prawn - no activity.</p> <p>Sea cucumber - no overfished species catch projected for 2005.</p> <p>California halibut - 0.1 mt bocaccio, and 2.0 mt lingcod. gear specific overfished species catch projections are not available.</p>
<p>Alternative 5 e/ -- longline, pot, trawl or line gear vessels, excluding pink shrimp trawl and salmon troll vessels In addition to Alternatives 2 - 4, require all vessels using longline, pot, trawl, or line gear; excluding pink shrimp trawl and salmon troll gear, in Federal waters fishing pursuant to the harvest guidelines, quotas, and other management measures governing the OA fishery to provide declaration reports and to activate and use a VMS transceiver from the time the vessel leaves port on a trip in which groundfish are taken and retained until the end of the calendar year, regardless of whether the vessel is operated in state or federal waters off the West Coast.</p>	<p>Longline - Same as Alt. 2.</p> <p>Pot - Same as Alt. 3.</p> <p>Trawl - Same as Alt. 4.</p> <p>Directed line gear - 969 vessels/yr.</p> <p>California halibut line - 71 vessels/yr, all landed groundfish.</p> <p>HMS - Between 2000 & 2001, 221 vessels/yr used line gear, of these, 21 vessels/yr landed groundfish.</p>	<p>Longline - Same as Alt. 2.</p> <p>Pot - Same as Alt. 3.</p> <p>Trawl - Same as Alt. 4.</p> <p>Directed line gear - non-trawl gear RCA applies.</p> <p>California halibut & HMS - non-trawl RCA restrictions apply when vessel takes and retains groundfish.</p>	<p>Longline - Same as Alt. 2.</p> <p>Pot - Same as Alt. 3.</p> <p>Trawl - Same as Alt. 4.</p> <p>Directed line gear excluding salmon troll - overfished species taken in the fishery include bocaccio, canary, cowcod, darkblotched, lingcod, pop and yelloweye. Gear specific overfished species catch projections were not available.</p> <p>California halibut - 0.1 mt bocaccio, and 2.0 mt lingcod. Gear specific catch projections not available.</p> <p>HMS - no overfished species catch projected for 2005.</p>

TABLE 2.0.1 Revised Draft Summary of the Alternative Management Actions for Expanding Coverage of the Monitoring System for Time-area Closures in the Pacific Coast Groundfish Fishery for the Open Access Fisheries (Page 3 of 3).

VMS COVERAGE ALTERNATIVES	AFFECTED VESSELS ^{a/b/}	RCA RESTRICTIONS	OVERFISHED SPECIES IMPACTS
<p>Alternative 6 – Any vessel engaged in commercial fishing to which a RCA restriction applies Require all vessels that fish in federal waters for which there is an RCA requirement to carry and use a VMS transceiver unit and to provide declaration reports from the time the vessel leaves port on a trip in which groundfish are taken and retained, possessed or landed, until the end of the calendar year. Once a vessel is required to carry and use VMS, the requirement will stay in effect until the end of the calendar year regardless of whether the vessel is operated in state or federal waters off the West Coast. If an RCA requirement is discontinued during the year, mandatory VMS coverage will be discontinued for the affected vessels. This alternative does not include: Dungeness crab and salmon troll vessels that do not take and retain groundfish; salmon troll vessels operating in waters north of 40°10' N lat. that only retain yellowtail rockfish; and pink shrimp vessels.</p>	<p>Longline - Same as Alt. 2. Pot - Same as Alt. 3.</p> <p>Trawl - Same as Alt. 4, but includes all prawn trawl vessels, all sea cucumber vessels, all California halibut vessels not just those that take and retain groundfish. Also includes pink shrimp trawl vessels that take and retain groundfish. Ridgeback Prawn- 26 vessels, none have landed groundfish with prawn trawl gear since 2000. Sea cucumber - 14 vessels/yr, of these, 7 vessels/yr land OA groundfish. California halibut - 34 vessels/yr, of these, 23 vessels/yr land OA groundfish. Pink shrimp -, 69 pink vessels/yr, of these, 59 vessels/yr landed OA groundfish.</p> <p>Line gear - Same as Alt. 5, plus salmon troll vessels that take and retain groundfish. On average, 1,089 vessels/yr fished between 2000-2001, of these, 267 vessels/yr landed OA groundfish.</p>	<p>Longline - Same as Alt. 2. Pot - Same as Alt. 3.</p> <p>Trawl - Same as Alt. 4. No RCA pink shrimp exempted trawl vessels are not subject to RCAs. Line gear - Same as Alt. 5, plus RCA nontrawl requirements for salmon troll vessels taking and retaining groundfish. North of 40°10' yellowtail rockfish only may be retained inside RCA .</p>	<p>Longline - Same as Alt. 2. Pot - Same as Alt. 3.</p> <p>Trawl - Same as Alt. 4, plus pink shrimp bocaccio -0.1 mt, canary 0.5 mt, lingcod 0.5 mt, widow 0.1, and yelloweye 0.1 mt.</p> <p>Line gear -Same as Alt. 5, plus salmon troll- bocaccio - 0.2 mt, canary 1.5 mt, lingcod 0.3 mt and yelloweye 0.2 mt.</p>
<p>Alternative 7 – Any vessel engaged in commercial fishing to which a RCA restriction applies, except vessels less than 12 feet in overall length Same as Alternative 6 except this alternative does not include: Dungeness crab and salmon troll vessels that do not take and retain groundfish; pink shrimp vessels; and vessel less than 12 feet in length.</p>	<p>Same as Alt. 6 except that approximately 22 vessels/yr, each less than 12 feet in length, would be excluded. This is an average of 6 longline, 2 pot, and 14 line gear vessels/yr.</p>	<p>Same as Alt. 6.</p>	<p>Same as Alt. 6.</p>
<p>a/ Unless other wise noted, the number of vessels is the average number of participants for the years 2000-2003. b/ The number of vessels represents those that operated in both state and/or federal waters. This does not allow vessels that only fished in federal waters to be identified. c/ For longline gear, directed was defined as a vessel with an exvessel value of groundfish greater than \$2,500. d/ Directed groundfish pot was defined as having an exvessel value greater than 20% of all other West Coast vessel revenue. e/ Per Council request, Alternative 5 will eventually have two options, one including salmon troll vessels in the VMS requirements and another which excludes salmon troll vessels.</p>			