

VMS alternatives

Based on Council action in December 2005, as modified by Council action in April 2006

- 1 No action alternative.
- 2 Require a transmitting VMS on any vessel with any Federal fishing permit, including vessels with IFQ and/or CDQ halibut and/or sablefish on board, when it is operating. A transmitting VMS would also be required on any other commercial fishing vessel that operates in the EEZ with authorized fishing gear (other than hand troll gear, power troll gear, and troll gear, but including dingle bar gear) as defined in 50 CFR 679.2.
- 3 Vessels are subject to the requirements of Alternative 2, except that they are not required to have a transmitting VMS when operating in a State-managed fishery in State waters, unless a transmitting VMS is required under another federal program. For the purpose of this alternative, a State-managed fishery means a fishery in which the landings are not counted against a Federal total allowable catch (TAC).
- 4 Vessels are subject to the requirements of Alternative 3, except for vessels which are subject to the VMS requirement because they have IFQ and/or CDQ halibut and/or sablefish on board, and that fish only in State waters.

The following options may apply to alternatives two to four:

- Option: Fishing vessels not required to have a federal fishing permit would not be required to have a transmitting VMS on board if the vessel operator (a) transits the EEZ with their fishing gear stowed; and, (b) notifies the USCG and NOAA OLE of their intent to simply transit the EEZ (a new check-in/checkout requirement).
- Option: Vessels less than a certain length (LOA) would be exempted. Options include (1) less than 25 feet (2) less than 30 feet, and (3) less than 32 feet LOA.
- Option: Allows for phased implementation where vessels over 32 feet LOA would be required to have VMS in 2007 and vessels equal to or less than 32 feet LOA by 2008.
- Vessels with an FFP, operating in the EEZ, without authorized gear on board (other than hand troll gear, power troll gear, and troll gear, but including dingle bar gear) are exempt.

Notes:

- Mr. Fuglvog suggesting that staff consider merging the first and third bulleted points.
- A definition of operating is being added to 679.2 by the new EFH/HAPC rule. This new definition should be in place by the time this rule is adopted. This definition is "Operate a vessel means for purposes of VMS that the fishing vessel is: (1) Offloading or processing fish; (2) In transit to, from, or between the fishing areas; or (3) Fishing or conducting operations in support of fishing. See the proposed rule in 71 FR 14470, March 22, 2006.