

DECISION DOCUMENT



AMENDMENT 30 (VMS)



to the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region

The South Atlantic Fishery Management Council (South Atlantic Council) requested public input on management alternatives that may require the use of vessel monitoring systems (VMS) on vessels with a federal South Atlantic Unlimited or 225-Pound Snapper Grouper Commercial Permit. The South Atlantic Council is *not* considering the use of VMS on private recreational or for-hire vessels unless these vessels have the federal commercial permit. Currently, the South Atlantic Council is developing Amendment 30 to the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region (Amendment 30) to address the proposed VMS requirement for fishing vessels with a federal Unlimited or trip-limited (225 pounds) Snapper Grouper Commercial Permit.

VMS, a satellite-based program installed on vessels in a fishing fleet to assist with monitoring vessel movement and fishing activity in real time, have been used in the South Atlantic rock shrimp fishery since 2003. In the Gulf of Mexico, VMS have been required for the commercial reef fish fishery since 2005. The South Atlantic Council is considering the use of VMS in the commercial snapper grouper fishery in the South Atlantic to improve data collection and better quantify fishing locations and effort to improve management and compliance in the fishery, including enforcement of area closures and marine protected areas.

The system consists of a mobile transceiver unit placed on the vessel that is linked via satellite to a shore-based monitoring system at a secure NOAA Office of Law Enforcement facility. Data are sent in “real time” and received by OLE staff to monitor for compliance and are considered highly confidential. Currently, federal funds are available for reimbursement to fishermen who purchase units up to \$3,100. Units range in price from \$3,100 to \$3,800. Monthly fees begin at \$45 and increase with unit features. Fishermen would be responsible for the initial unit purchase (prior to reimbursement), installation, monthly fees, maintenance, and unit replacement in the event of equipment failure. In addition to providing information for compliance and management, VMS has been shown to serve as an added safety tool, providing vessel location information that has resulted in at-sea rescues of vessels in distress. The units may also be equipped to handle e-mail and other communication services. The South Atlantic Council’s preferred alternative in Amendment 30 is dependent upon federal funding being available for the VMS units.

This Decision Document will be used for all the actions and alternatives in Amendment 30. It also provides background information and includes a summary of the expected biological, social, economic, and administrative effects from the management measures. South Atlantic Council conclusions are also provided.

The Council will review public comments, Advisory Panel comments, and Scientific & Statistical Committee comments at the June 2013 meeting and decide on the next steps.

Why is the South Atlantic Council taking Action?

The South Atlantic Council is considering requiring VMS on commercial vessels harvesting snapper grouper species in order to improve the following aspects of snapper grouper stocks: enforcement, science, and management (*see text box*). VMS will also result in other benefits as discussed in the following sections.

DECISION: Any modification(s) needed to Purpose and Need?

Purpose for Action

Require commercial vessels harvesting snapper grouper stocks in the South Atlantic be equipped with a satellite communications (vessel monitoring system (VMS)) to monitor fishing activities.

Need for Action

Improve the following aspects of snapper grouper stocks.

- *Science.* There is a need to have a better understanding of snapper grouper populations by providing specific information on locations where fish are caught, and species composition of retained and discarded fish. VMS could serve as a means of verifying self reported data.
- *Management.* There is a need to improve management efforts by providing fishery managers information that will help them implement regulations with greater biological protection to snapper grouper stocks, and reduced negative long-term socio-economic effects to fishermen and fishing communities. VMS would help to document impacts on the number of trips that would be affected.
- *Enforcement.* There is a need to reduce illegal fishing activity and improve enforceability of regulations. Increased enforceability of area restrictions is needed to prevent excessive fishing pressure in protected areas that contain snapper grouper populations and habitat that supports these populations. There is also a need to more accurately track and monitor locations where vessels will land fish, specify harvest composition (e.g., harvest amounts, species), and identify gear possessed onboard.

What Are the Proposed Actions?

There is one action in Amendment 30. This *action* has a range of *alternatives*, including a “no action alternative” and a “preferred alternative”.

AP Reviewed April 23-25, 2013; comments on next page; AP does not support Am 30 or any VMS requirement.

DECISION: Modify Preferred Alternative?



Preferred Alternative

Proposed Alternatives in Amendment 30

1. No Action. Currently vessels with a Federal South Atlantic Commercial Snapper Grouper Permit are not required to be equipped with VMS unless they have a Gulf reef fish, rock shrimp, or HMS permit.
2. Require all commercial snapper grouper fishing vessels with a federal unlimited or trip-limited permit to be equipped with vessel monitoring systems. The purchase, installation, and maintenance of vessel monitoring system equipment must conform to the protocol established by National Marine Fisheries Service in the *Federal Register*. Purchase of VMS equipment will be reimbursed by the NOAA Office of Law Enforcement from the vessel monitoring system reimbursement account if funding is available. For vessel monitoring system units purchased on or after February 1, 2008, the maximum reimbursement amount for all fisheries is \$3,100 per vessel monitoring system unit. Installation, maintenance (including replacement of unit), and communication costs will be paid for or arranged by the permit holder. All approved units must be installed by a qualified marine technician and activated with National Marine Fisheries Service no later than 120 days following the publication of the final rule. An application for renewal or transfer of a commercial vessel permit for South Atlantic snapper grouper will not be considered complete until proof of purchase, installation, activation, and operational status of an approved vessel monitoring system for the vessel receiving the permit has been verified by National Marine Fisheries Service vessel monitoring system personnel.
3. Only if funding for vessel monitoring system equipment reimbursement is available from the vessel monitoring system reimbursement account, require all commercial snapper grouper fishing vessels with a federal unlimited or trip-limited permit to be equipped with vessel monitoring system. The purchase, installation, and maintenance of vessel monitoring system equipment must conform to the protocol established by National Marine Fisheries Service in the *Federal Register*. Purchase of vessel monitoring system equipment will be reimbursed by the NOAA Office of Law Enforcement from the vessel monitoring system reimbursement account. For vessel monitoring system units purchased on or after February 1, 2008, the maximum reimbursement amount for all fisheries is \$3,100 per vessel monitoring system unit. Installation, maintenance (including replacement of unit), and communication costs will be paid for or arranged by the permit holder. All approved units must be installed by a qualified marine technician and activated with the National Marine Fisheries Service no later than 120 days following the publication of the final rule. An application for renewal or transfer of a commercial vessel permit for South Atlantic snapper grouper will not be considered complete until proof of purchase, installation, activation, and operational status of an approved vessel monitoring system for the vessel receiving the permit has been verified by National Marine Fisheries Service vessel monitoring system personnel.

AP Review Comments

The Snapper Grouper Advisory Panel (AP) met April 23-25, 2013 in North Charleston, South Carolina. Their input on Snapper Grouper Amendment 30 (VMS) is summarized below:

The AP remained in the meeting room while a public hearing for Amendment 30 was underway. Hence the AP received the public hearing presentation and AP members had the opportunity to submit their formal comments on the amendment.

- Affordability of VMS units was the main concern for AP members.
- Some AP members suggested the technology is not where it needs to be for VMS (or other similar devices) to be feasible for the snapper grouper fishery at the moment.
- Some AP members were also concerned about “discrimination” because only commercial fishermen would be required to have a VMS on their vessel.
- AP members who support VMS stated increased safety and more data collection as reasons for their support.
- The AP requested that the Council to explore other methods of collecting data and protecting MPAs besides VMS.
- It was stated that if the Council needs better data on where fish are caught they could change the logbook or use electronic data loggers (it was also

mentioned that you could get the data with a small percentage of the fleet vs. the whole fleet.)

- Some AP members offered that the Council could request information on newer technology for MPA enforcement – listening buoys, satellite imaging, drones, transponders, etc.

In addition, the AP made the following motion:

MOTION: SNAPPER GROUPER AP OPPOSES AMENDMENT 30 AND ANY REQUIREMENT FOR VMS ON THE SNAPPER GROUPER FISHERY AND STRONGLY URGES THE SAFMC TO VOTE “NO” ON AM 30.

APPROVED BY AP (11 IN FAVOR, 3 OPPOSED, 3 ABSTENTIONS)

What Units are Available?

The National Marine Fisheries Service (NMFS)-approved vessel monitoring system (VMS) unit costs are shown in **Table S-1**. The VMS regulations changed in 2008 and now only authorize the purchase of Enhanced Mobile Transmitting Units (EMTU). These are VMS units that have a computer screen that enables the fishermen to submit any required forms or make required declarations or pre-landing notices. Previously, highly migratory species and rock shrimp vessel owners were able to purchase “pingers” only, which were half the cost of these newer units. All fisheries where VMS units are required are now required to comply with the new EMTU requirements.

Table S-1. NMFS-approved VMS units and costs.

Brand and Model	Cost
Boatrac FMCT-G	\$3,095
Thrane and Thrane TT-3027D	\$3,100
Faria Watchdog KTW304	\$3,295
CLS America Thorium TST	\$3,095
Skymate – Stellar ST2500G (with closed Dell laptop)	\$3,100

Source: Data provided by NMFS Office of Law Enforcement, April 2013.

The following information is provided to inform the public about these units. Material is presented in the order shown in **Table S-1** and no recommendation is implied for any of the units and/or companies. Please visit their websites for additional information.

I. **Boatrac** <http://www.boatrac.com/vms.php>

“Vessel Monitoring System (VMS): Boatrac® Fishing Mobile Communications Terminal Global Positioning System (FMCT/G), an interactive information management system that includes two-way mobile communications, satellite tracking and fleet management software.

Boatrac’s FMCTG system is linked electronically to the National Marine Fisheries Service (NMFS) monitoring system to provide a reliable log of positions and days at sea. Boatrac’s FMCTG is an NMFS approved Vessel Monitoring System.

One of the most important features of Boatrac’s FMCT/OG product, is the critical 24/7/365 emergency support Customer Care Center. Support representatives are able to alert the U.S. Coast Guard for emergency support for vessels in distress.

Other important features include phone, email and fax services that enable fishermen to stay connected with families, as well as fleet offices and suppliers while at sea.

Contact a sales representative today for more information. 1-877-468-8722; sales@boatrac.com.”



Antenna Communication Unit: This compact all weather unit is specially designed and tested to survive extreme temperatures, shock, and vibration.

Enhanced Display Unit Keyboard: Text can easily be viewed on the 15-line by 40-character display. The new wider keyboard, as well as the backlit keys for night-time use, makes data entry easier.

II. Thrane and Thrane TT-3027D

<http://www.networkinv.com/products/communication-at-sea/tt-3026d-non-solas/>

“The full solution includes:

- TT-3026D EasyTrack Satellite Modem
- TT-3042E Distress Alarm Box
- TT-3616B Breakout Box
- EasyMail Messaging Software
- Mounting & Cables



The Thrane SAILOR mini-C products from Network Innovations are the world’s first mini-C tracking solutions. They consist of one small integrated unit housing a 12-channel GPS receiver, Inmarsat-C antenna and transceiver. Fully sealed and water proof, the mini-C is designed and approved for maritime installations. Yet, it weighs only 1.1 kg and measures 16 cm in diameter. This means it is very easy to fit, cabling costs are low, and the result is a reliable and cost efficient tracking and safety solution.” They have a new model TT-3027D which is similar to the TT-3026D.

III. Faria Watchdog KTW304 http://www.fariawatchdog.com/site/fwi_vms.php



KTW304 - FWI™ 750 VMS Dual Band and VTERM package:

- Includes FWI™ 750VMS DB Iridium service and GSM receiver
- All connectors and harnesses
- GPS and Iridium antennas and GSM antenna with all mounts
- Three 28-foot antenna cables (LMR240)
- All mounting hardware
- 2-inch User Interface adds ID0002 Faria® VTERM™ 7-inch Touch Screen Terminal

“The FWI 750 VMS DB (Vessel Monitoring System) is a dual mode Iridium® Satellite (SBD) and GSM/GPRS platform designed to provide near real-time position reporting, and offers a cost-effective messaging, e-mail and **Activity Code Declaration and Catch & Notification Forms** reporting solution.

Perfect for any sized boat! This system has a low power draw, a compact size (only 9" X 4-5/8" X 3") and is easy to install, making it perfect for any size boat. The FWI MTU provides 24-hour a day, 7-day a week, 365-day a year monitoring of your main and back-up batteries and shows the precise location of your vessel as well as a history of all your position reports via a secured log-in at www.vmstracking.com .”

IV. CLS America Thorium TST

<http://www.iridium.com/products/THORIUM-LRIT-Terminal.aspx>



“The CLS Thorium LRIT terminal is an automatic satellite tracking system based on the Iridium network and developed in compliance with the international IMO regulations. Easy to install, secure and robust, this transceiver perfectly suits all types of vessels. Thorium is compatible whatever the ship’s location, including A4.

THORIUM by CLS is a small package embedded LRIT terminal. Easy to install and reliable, ensuring your vessel will fully comply with LRIT regulations everywhere at sea. In addition, the THORIUM LRIT terminal can be used for fleet tracking, emails, etc.

CLS’ global sales network will support all our customers by offering fast installation and activation capabilities. For more information, [contact CLS.](#)”

V. Orbcomm (for Skymate Stellar ST2500G with closed Dell laptop)

<http://www.orbcomm.com>

The ST2500 Data Communicator is a compact, lightweight, single board microprocessor based VHF transceiver capable of transmitting and receiving short messages by utilizing the Orbcomm Satellite Communication System. The Orbcomm system is a wide area, packet switched, two-way data communication system that utilizes constellations of low-earth orbiting satellites and earth station gateways. Orbcomm subscribers access the gateway and thus, the satellite, via dial up circuits, the Internet or X.25 protocol access systems. The ST2500 is capable of continuous remote operation and delivers geo-positional data calculated by measuring the Doppler frequency shift of the satellite downlink during a scheduled pass by the orbiting vehicle. The **ST2500G** uses a GPS receiver for fast positioning in cases where better accuracy is required. All other specifications are identical to the ST2500 unit.



What are the Effects?

Biological

The use of VMS under **Alternative 2** and **Preferred Alternative 3** would improve the biological understanding of the snapper grouper fishery, improve compliance, and allow the snapper grouper industry to demonstrate they are not fishing within any Coral Habitat Areas of Particular Concern (HAPCs) and Marine Protected Areas (MPAs) and to document impacts on their fishing when new closed areas are proposed.

Data on fishing locations would be helpful to scientists and managers in understanding how fishing pressure is distributed across bottom habitat, help separate directed effort for certain species during a multi-species trip, and to more appropriately assign discard mortality rates to catches based on where they were fishing. This information could be used in stock assessments and would be helpful in documenting impacts of regulations that may close fishing in certain areas (e.g., MPAs are under consideration in Regulatory Amendment 17). **Alternative 2** and **Preferred Alternative 3** would result in positive indirect biological effects relative to **Action 1 (No Action)**.

Economic

Vessel monitoring systems (VMS) are used for tracking real-time vessel positioning. Knowing vessel location can assist in enforcing existing fisheries regulations, as well as in the development of new fisheries regulations. It can also be used to improve stock assessments by showing how fishing effort is distributed. Not having VMS on vessels is not without economic effects. For example, knowing where fishermen do not fish is as important as knowing where they do fish. The data provided by VMS could assist in more targeted management decisions that could result in smaller closed areas such as those being considered based on VMS data from the rock and royal red shrimp fisheries. A lack of VMS data could result in management measures that are more broad and sweeping in their scope, thus reducing fishing opportunity more than it needs to be. Not having VMS for enforcement makes it more difficult to apprehend fishermen who fish illegally, which has the potential for harmful biological effects that lead to negative economic effects due to potentially reduced stock abundance.

Alternatives¹

(preferred alternative in yellow)

1. No action. Do not require VMS on federally-permitted snapper grouper vessels.
2. Require VMS on federally-permitted snapper grouper vessels. Purchase of VMS unit will be reimbursed through the VMS reimbursement account.
3. Only if money for VMS reimbursement is available in the VMS reimbursement account, require VMS on federally-permitted snapper grouper vessels. Purchase of VMS unit will be reimbursed through the VMS reimbursement account.

¹See Chapter 2 for a more detailed description of the alternatives.

Note: It is the South Atlantic Council's intent that, under Alternative 2, VMS is required whether or not funding is available.

Note: It is the South Atlantic Council's intent that Gulf of Mexico VMS regulations would apply in the SAFMC exclusive economic zone (EEZ) for both **Alternatives 2** and **3**.

Alternative 1 (No Action) would not have direct economic effects on the participants in the snapper grouper fishery. However, the lack of VMS makes it difficult for fisheries managers to understand completely the effects of fishing behavior.

Alternative 2 and **Preferred Alternative 3** would have direct economic effects on the participants in the snapper grouper fishery. VMS unit costs differ depending upon the model purchased. While **Alternative 2** and **Preferred Alternative 3** would result in significant direct economic effects on fishing businesses/operations, the resulting data would significantly improve the ability of fishery managers to understand fishing behavior, identify productive fishing areas, and potential impacts to habitat.

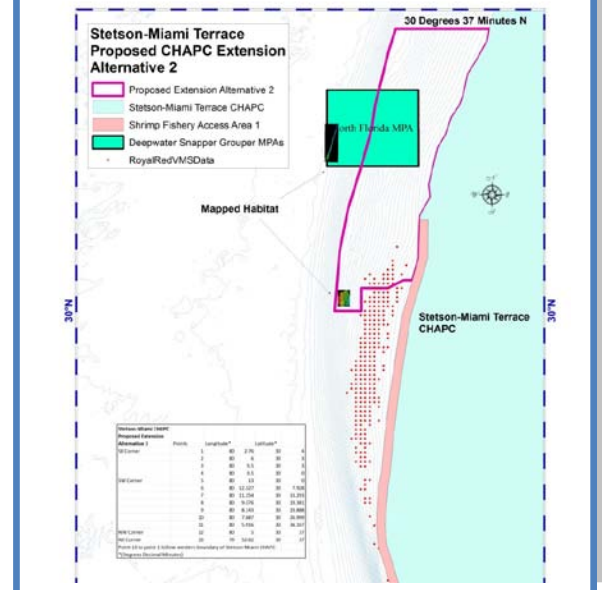
Preferred Alternative 3 could have a lower direct negative economic effect as it requires that there be enough money in the reimbursement account before requiring implementation of VMS.

The NMFS-approved VMS unit costs are shown in **Table S-1**. The VMS regulations changed in 2008 and now only authorize the purchase of Enhanced Mobile Transmitting Units (EMTU). These are VMS units that have a computer screen that enables the fishermen to submit any required forms or make required declarations or pre-landing notices. Previously, highly migratory species and rock shrimp vessel owners were able to purchase “pingers” only, which were half the cost of these newer units. All fisheries where VMS units are required are now required to comply with the new EMTU requirements.

The NMFS Office of Law Enforcement has a fund to pay for the hardware costs of VMS units for all vessels affected by **Alternative 2** and **Preferred Alternative 3** (Personal communication with Otha Easley, NMFS Office of Law Enforcement, October 3, 2012). However, the fund only pays for the cost of the hardware (up to \$3,100, assuming an owner has not previously been reimbursed for another VMS unit on the same vessel). All South Atlantic Snapper Grouper Permit holders (both the Unlimited Permit and the 225-Pound Permit) would have to pay for the installation, maintenance, and communications charges associated with having a VMS (**Tables S-2** and **S-3**).

Installation costs are approximately \$300 per unit depending upon location of the vessel and installer assuming the vessel is already equipped with a wheelhouse or some other structure on the vessel that would protect the parts of the gear that must not be exposed to the elements. Vessels that do not have a wheelhouse or other weatherproofed area would face the additional

Modifications to the Coral Advisory Panel’s (AP’s) original recommendation for expanding the Stetson-Miami Terrace Coral Habitat Area of Particular Concern (C-HAPC) based on suggestions from shrimp industry representatives during the Comprehensive Ecosystem-Based Amendment 3 public scoping process. This figure includes area of mapped habitat within the Coral AP’s original proposed extension and excludes areas of royal red fishery activity based on VMS data.



cost of adding such a space to their vessel. The number of vessels needing such modifications or the cost of those modifications cannot be estimated. Such modifications would significantly increase the \$300 per unit installation cost for those vessels. Maintenance costs cannot be estimated with existing information. Communication costs for each of the models average from \$35 to \$80 per month, depending on owner data usage, and are provided in (**Table S-2**).

Fishermen may be required to seek reimbursement from the NMFS OLE VMS Fund. If that were the case, fishermen would be required to front the cost of the unit and this up-front expense, while only temporary, may represent a significant economic hurdle for many fishermen. The number of fishermen who would have difficulty fronting up to \$3,100 for the unit is not known, but has the potential to be a significant direct negative impact for some fishery participants.

Table S-2. Communication costs associated with some NMFS-approved VMS units.

<ol style="list-style-type: none"> 1. Qualcomm (for Boatracs units) \$30/mo satellite fee, \$.30/message, \$.006 per character for messaging (average price estimated \$35/month which includes 24/7 operations center support) 2. Inmarsat (for Thrane units) \$.06 per position report or \$1.44 per day for 1 hour reporting. If in the “In Harbor” mode, then \$.36 per day. Messaging costs \$.24 per e-mail. (\$30/mo average) 3. Iridium/Cingular Wireless (for Faria units) \$50.25 per month which includes 12,000 Iridium bytes and 35,000 GSM bytes for email and e-forms reporting. 4. Iridium (for CLS America units) \$45 per month for hourly reporting, \$1.75 per Kbyte for e-mail or forms submission. 5. Orbcomm (for Skymate units) \$38.99 for 20,000 characters per month, additional data costs \$1.90 per 1,000 characters for forms/e-mail.

Source: Data provided by NMFS Office of Law Enforcement, April 2013.

With approximately 693 South Atlantic Snapper Grouper Permits, the annual aggregate costs of implementing VMS, assuming management reimburses the cost of the VMS units are summarized in **Table S-3**. Because of participation in other fisheries (Gulf of Mexico reef fish, HMS, and rock shrimp), approximately 20% of the current South Atlantic Snapper Grouper Permit holders already have VMS installed on their vessels. Therefore, the numbers in **Table S-3** only reflect the vessels that would need to add VMS.

Table S-3. Summary of potential annual costs to fishermen of implementation assuming VMS unit cost is reimbursed.

Alternatives	Unit Cost (fishermen)	Implementation of Unit (fishermen)	Unit Maintenance (fishermen)	Communication Costs (fishermen)	Total Cost (fishermen) ²
First year	\$0 ¹	\$168,000	Unknown	\$201,600- \$537,600	\$369,600- \$705,600 + maintenance cost
Subsequent years	\$0 ³	NA	Unknown	\$201,600- \$537,600	\$201,600- \$537,600 + maintenance cost

(Source: Based on data provided by P. O’Shaughnessy, NMFS Office of Law Enforcement.)

Note 1: This table assumes that only the initial VMS hardware unit cost is reimbursed through the NMFS OLE VMS Fund.

Note 2: The Total Cost column uses the lower Unit Cost and lower Communication Cost estimates to calculate the value at the lower end of the range. Likewise, the Total Cost column uses the higher Unit Cost and higher Communication Cost estimates to calculate the value at the lower end of the range.

Note 3: Purchases of replacement units will be paid for by fishermen. Only the initial unit may be purchased using funds from the NMFS OLE VMS Fund.

Alternative 2 and **Preferred Alternative 3** would have economic effects that could negatively impact producer surplus (profit) for fishing businesses/operations through ongoing transmission costs, maintenance, future unit replacement, and lost fishing opportunities due to fishing trips that would need to be ended early should the VMS unit fail to operate properly for any reason that might cause a vessel to have to return to port earlier than it otherwise would have. However, not every instance of a VMS malfunction would require an early return to port. Additionally, should funds not be available from the NMFS Office of Law Enforcement to reimburse the purchase of VMS units, fishermen would have to pay the cost of their VMS unit. Implementation of VMS would further reduce vessel and industry producer surplus because the use of a VMS is not expected to either increase revenue or decrease other fishing costs (those not associated with the VMS). **Alternative 1 (No Action)** would have the least direct economic effect on fishery participants. **Alternative 2** and **3 (Preferred)** would have the same increased direct economic effect on fishermen assuming the NMFS OLE VMS Fund is available to provide reimbursement for unit costs. If the NMFS OLE VMS Fund is not able to reimburse the cost of the VMS units, then **Alternative 2** would have the greatest negative economic effect on the fishermen, and the economic effect of **Preferred Alternative 3** would be the same as **Alternative 1 (No Action)**.

In the long run, **Alternatives 2** and **3 (Preferred)** could have positive economic benefits to the snapper grouper fishery. The data provided by VMS could help improve the quality of fisheries management by implementing more precise and targeted measures. It could also benefit the fishery by helping enforcement of regulations with those who are not obeying the law and potentially harming fishery stocks through illegal behavior.

Social

The VMS requirement under **Alternative 2** and **Preferred Alternative 3** would result in a range of effects on the commercial snapper grouper fleet. In part, negative impacts would be

associated with the economic impacts of additional cost for the vessel owner, particularly small fishing operations, but it is also likely that many fishermen would oppose a VMS requirement because of the independent characteristic of the industry. **Alternative 1 (No Action)** would be expected to result in minimal or no negative impacts on the commercial snapper grouper fleet, although some long-term benefits could be expected under **Alternative 2** and **Preferred Alternative 3**.

At the individual level, a VMS requirement is expected to have the most impact on small vessels and any associated businesses and communities. Short-term and long-term additional costs on fishing businesses under **Alternative 2** and **Preferred Alternative 3** could be excessive if costs are already high and fishing profits are decreasing due to changes in the stocks and regulatory closures from recently implemented annual catch limits. Additionally, some smaller vessels may not have wheelhouses, which could increase the maintenance costs for a small fishing business due to higher risk of damage to the unit, or require additional funds to build a storage area on the boat for a VMS unit. **Alternative 1 (No Action)** would be expected to result in the least short-term negative impact to smaller fishing businesses. In addition, a requirement without guarantee of reimbursement for the initial purchase of the unit under **Alternative 2** may impact smaller businesses if they cannot pay the costs up-front, and even any delay in reimbursement for purchase of the VMS unit under **Preferred Alternative 3** could result in a business no longer participating in the fishery.

The VMS requirement could have a negative impact on a community due to cumulative effects on individual vessels noted above. Communities in the Florida Keys have a high number of residents with snapper grouper permits, and additional costs---specifically in this region with a high cost of living---could negatively affect job opportunities for crew, new entrants into the fishery, and small family businesses. Another county that may experience similar negative impacts is Horry County, South Carolina, primarily the community of Little River. In North Carolina, negative community-level impacts would be most likely to occur under **Alternative 2** and **Preferred Alternative 3** in Southport (Brunswick County), Wanchese and Hatteras (Dare County), Sneads Ferry (Onslow County), and several communities in Carteret County. Due to the small number of permit holders in Georgia, a VMS requirement under **Alternative 2** and **Preferred Alternative 3** may affect individuals but would not be expected to result in community-level impacts.

There are some expected benefits to the fleet and other long-term broad social benefits from the VMS requirements under **Alternative 2** and **Preferred Alternative 3**. VMS on all commercial snapper grouper vessels would be expected to improve data collection, communication, enforcement, and compliance with reporting requirements, area closures, seasonal closures, and other management measures. A VMS mandate for all commercial snapper grouper vessels would eliminate the unfair advantage to fishermen who do not comply with regulations and fish when and where it is not allowed, reducing opportunities for illegal fishing activities. VMS requirements under **Alternative 2** and **Preferred Alternative 3** would also likely provide a less expensive means to improve information for enforcement, particularly when compared to costs of additional patrol vessels, airplanes, and search time. Additionally, many VMS units have internet and e-mail capabilities (for a fee), which some fishermen may find useful in accessing weather information, communicating with the fish house about incoming

catch and estimated time of arrival at the dock, and staying in touch with family during fishing trips.

VMS on commercial snapper grouper vessels (**Alternative 2** and **Preferred Alternative 3**) would also improve data collection on fishing behavior and important fishing grounds. For example, impacts on commercial vessels from a potential MPA would be clarified and quantified if data are available on exact locations and time spent in a particular area. VMS data are currently being used in development of Amendment 8 to the Fishery Management Plan for Coral, Coral Reefs, and Live/Hardbottom Habitats of the South Atlantic Region to understand how potential closed areas would impact the rock shrimp fishery, with accurate and verifiable information on rock shrimp fishing grounds to improve analysis of potential impacts. Data could also be used in broader long-term studies to better understand fleet dynamics and environmental factors affecting fishing decisions.

Overall, the expected benefits to the fleet and to the public would be reduced by the negative impacts from the additional short-term and long-term costs to purchase and maintain a VMS unit for smaller fishing businesses, which in some cases may be more than a small business can pay. Improved enforcement, safety, and data collection expected under **Alternative 2** and **Preferred Alternative 3** would only be beneficial to fishermen who can and would continue participating in the snapper grouper fishery if a VMS unit is required.

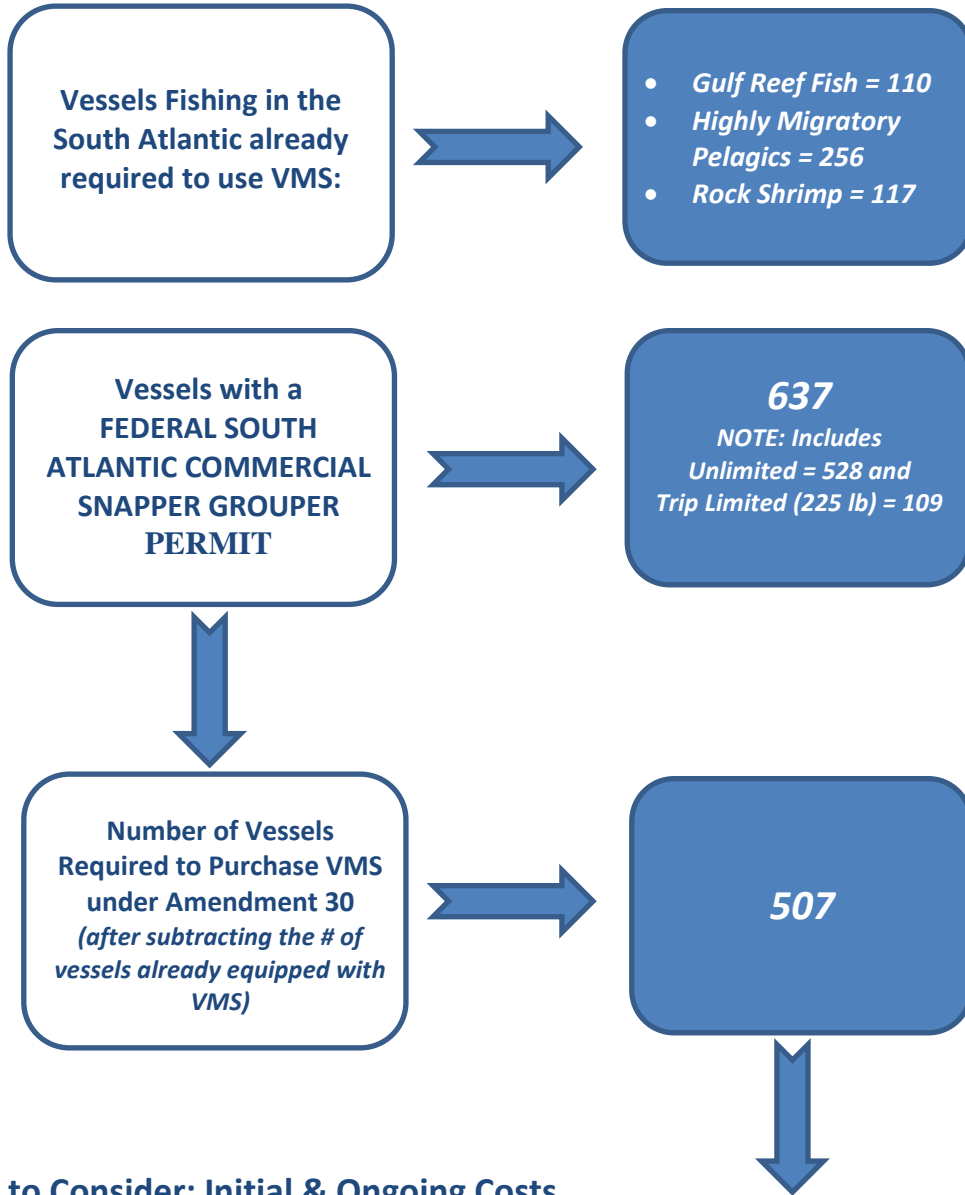
Administrative

Alternative 1 (No Action) would not establish a requirement for VMS aboard snapper grouper vessels and would not impact the administrative environment. **Alternative 2** and **Preferred Alternative 3** would result in large administrative impacts to both NMFS and the fishery participants. Under **Alternative 2** and **Preferred Alternative 3**, all commercial snapper grouper vessels would be required to have VMS onboard their vessel. Administrative impacts associated with this alternative relate to rule-making, enforcement, monitoring, and education and outreach. Establishing a VMS provision is not a trivial administrative task for NMFS and would result in significant burden. For the fishery participants, the same is true.

Council Conclusions

The South Atlantic Council discussed this action in December 2012 and again in March 2013. There is concern about the cost to fishermen and the fact that right now there is money in the NMFS account to reimburse fishermen and this may not be available in the future. The South Atlantic Council recognizes that a number of fishermen disagree with the potential requirement but they concluded requiring VMS would improve (1) safety at sea, (2) data collection, (3) enforcement of closed areas (HAPCs and MPAs), and (4) enforcement of other regulations. The South Atlantic Council concluded these benefits outweigh the costs of requiring VMS and selected **Preferred Alternative 3** that would require VMS if funding is available to reimburse fishermen. In addition, 20% of vessels with a federal South Atlantic Unlimited or 225-Pound Snapper Grouper Commercial Permit already have VMS units through requirements in other fisheries for which they also have a permit (Gulf of Mexico reef fish, rock shrimp, and Highly Migratory Pelagics (HMS)). The South Atlantic Council also concluded this alternative best meets the purpose and need, the objectives of the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region (Snapper Grouper FMP), as amended, and other applicable law.

Who Would Have to Purchase VMS Units?



Things to Consider: Initial & Ongoing Costs

If Amendment 30 approved = VMS required in 2014. Fishermen buy units in 2013.

Fishermen pay for initial unit purchase up front & reimbursed up to \$3100.

Fishermen pay for installation (average=\$300) & communications cost starting at \$45/month.

In future years, fishermen pay for replacement without reimbursement.

Estimated Fleetwide Costs:

Assume Average Unit Cost = \$3100

Initial Cost to NMFS = \$1,571,700

Initial Cost to Fishermen = \$1,571,700 (prior to reimbursement)

Initial Cost to Fishermen after reimbursement = \$152,100

Public Hearings Were Held (A summary of public hearing and written comments will be available at the June Council meeting):

<p>MONDAY, April 15, 2013 4 PM to 7 PM</p> <p>Jacksonville Marriott 4670 Salisbury Road Jacksonville, FL 32256 Phone: 904-296-2222</p>	<p>TUESDAY April 16, 2013 4 PM to 7PM</p> <p>Radisson Resort at the Port 8701 Astronaut Boulevard Cape Canaveral, FL Phone: 321-784-0000</p>	<p>WEDNESDAY April 17, 2013 4 PM to 7PM</p> <p>Holiday Inn Key Largo 99701 Overseas Highway Key Largo, FL 33037 Phone: 301-451-2121</p>
<p>TUESDAY April 23, 2013 *NOTE: Time of hearing is 5:30 PM to 7:00PM</p> <p>Hilton Garden Inn 5265 International Boulevard North Charleston, SC 29418 Phone: 843-308-9330</p>	<p>THURSDAY April 25, 2013 4 PM to 7 PM</p> <p>DoubleTree by Hilton New Bern/Riverfront 100 Middle Street New Bern, NC 28560 Phone: 252-638-3585</p>	

Other Items to Address:

Does the Committee want to approve **Snapper Grouper Amendment 8** for formal review and implementation?

Option 1. APPROVE SNAPPER GROUPE AMENDMENT 30 FOR FORMAL SECRETARIAL REVIEW AND GIVE STAFF/CHAIRMAN EDITORIAL LICENSE TO MAKE ANY NECESSARY CHANGES.

Option 2. DO NOT APPROVE SNAPPER GROUPE AMENDMENT 30 FOR FORMAL SECRETARIAL REVIEW.

Option 3. Others???

Codified Text:

Option 1. APPROVE THE CODIFIED TEXT FOR SNAPPER GROUPE AMENDMENT 30 AS NECESSARY AND APPROPRIATE AND GIVE STAFF/CHAIRMAN EDITORIAL LICENSE TO MAKE ANY NECESSARY CHANGES TO THE CODIFIED TEXT AND THE CHAIRMAN AUTHORITY TO DEEM THE CODIFIED TEXT NECESSARY AND APPROPRIATE.

Option 2. DO NOT APPROVE THE CODIFIED TEXT FOR SNAPPER GROUPE AMENDMENT 30.

Option 3. Others???

Follow the Status of Amendment 30:

