

Draft Addendum XXIX / IV

Electronic vessel tracking in the federal lobster and Jonah crab fisheries



March 31, 2022

Presentation Outline

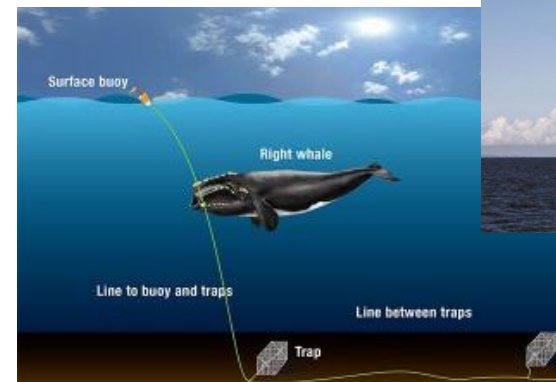


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Background



- August 2021: the Board initiated Addendum XXIX/IV to consider vessel tracking requirements for federally permitted lobster and Jonah crab vessels under ACFCMA
- Critical need for high-resolution spatial and temporal data to characterize effort in the federal American lobster and Jonah crab fisheries for:
 - Stock assessment
 - Protected species issues
 - Marine spatial planning
 - Law enforcement



Objective



- Addendum objective:
 - **Collect high-resolution spatial and temporal data to characterize effort in the federal American lobster and Jonah crab fisheries for management and enforcement needs**
 - **These data will improve stock assessment, inform discussions and management decisions related to protected species and marine spatial planning, and enhance offshore enforcement**

Timeline



Date	Activity/Action
August 2021	Board initiated Draft Addendum XXIX/IV
December 2021	Board approved Draft Addendum Document for public comment
January 2022	Public comment period including virtual public hearings
Feb 2022	Advisory Panel Meeting Board meeting to review public comment
TODAY	Board Considers Final Action on Addendum

Management Options



- **Option A: Status quo**
 - No requirements for electronic tracking devices
- **Option B: Implement electronic tracking requirements for federally-permitted lobster and Jonah crab vessels with commercial trap gear area permits**

Management Options



- **Option B: Implement electronic tracking requirements**
 - Federal lobster and Jonah crab vessels w/ commercial trap gear area permits would be required to install approved electronic tracking device to collect and transmit spatial data
 - Federally-permitted vessels **without** an approved electronic tracking device prohibited from landing lobster or Jonah crab taken with trap gear
 - Device must remain on board and powered at all times when vessel is in the water, unless authorized to power down by the principal port state
 - Tampering with devices prohibited

Applicable Permit Categories



Federal Permit Category Name	Permit Category Abbr.	Description
Commercial Trap Gear Area 1	A1	May harvest lobster in Federal LMA 1 using trap gear
Commercial Trap Gear Area 2	A2	May harvest lobster in Federal LMA 2 using trap gear
Commercial Trap Gear Area 3	A3	May harvest lobster in Federal LMA 3 using trap gear
Commercial Trap Gear Area 4	A4	May harvest lobster in Federal LMA 4 using trap gear
Commercial Trap Gear Area 5	A5	May harvest lobster in Federal LMA 5 using trap gear
Commercial Trap Gear Outer Cape Area	AOC	May harvest lobster in Federal Lobster Management Outer Cape Area using trap gear
Commercial Trap Gear Area 5 Waiver	A5W	May harvest lobster in Federal LMA 5 under the black sea pot waiver

*Commercial Trap Gear Area 6 is excluded

Option B



- **Option B would not apply to**
 - State-only permitted vessels
 - Inactive federal permits (confirmation of permit history status)
 - Vessels that will not fish trap gear during the fishing year

Option B: Tracking Requirements



- **Option B specifies:**
 - Requirements for devices to be approved for the fishery
 - Administrative responsibilities of the Commission, States, and NOAA Fisheries
 - How tracking data would be processed, stored, and provided to managers

Tracking Device Requirements



- Collect location data at one ping per minute for at least 90% of the fishing trip
- Data sent must contain device's current date/time, lat/long, device and vessel identifier
- Accuracy and precision specs
- Ruggedness specs
- Vendor customer service requirements
- Vendor must maintain the confidentiality of personally identifying information and other protected data in accordance with federal law

Administrative Processes



Several levels of administrative processes:

- Commission level
 - Device approval work group
- State level
 - Certifying device installation
 - Permit holder support
 - Data validation and compliance monitoring
- Federal level
 - Federal permit data
 - eVTR data processing

Data Processes



ACCSP will house tracking data

- ACCSP will receive location data from tracking vendors, eVTR data from GARFO
 - All data must be submitted in accordance with the API specifications
- ACCSP will match vessel tracks with trips
- ACCSP will maintain data confidentiality in accordance with federal law and disseminate data to authorized entities

Federal/state agencies responsible for data reporting compliance

- GARFO is responsible for validation of eVTR data
- State management agencies are responsible for validation of trip location data



Frequently Asked Questions

FAQs



- **How many vessels were involved in testing and what were the failure rates?**
 - Approximately 75 vessels from ME, MA, RI
 - Only 1 reported device issue not caused by user error/ lack of power supply

FAQs



- **How will states certify that vessels required to install tracking devices have done so?**
 - State notifies permit holders of requirement and effective date
 - Permit holders would return a signed affidavit (either that an approved tracking device is installed, or that the harvester will not fish with trap gear for the duration of the fishing year)
 - Permit holders will be allowed to fish once they have submitted this affidavit
 - State staff will verify device connectivity and/or signal transmission
 - The state will send notification to the harvester to confirm that the device is functioning

- **How will states determine if a harvester is not required to have a tracker?**
 - GARFO will provide the states with up-to-date information on American lobster trap gear area permit ownership
 - ACCSP will generate reports on non-matched reports and tracks that are accessible to state managers for review

- **What will be required of harvesters if their tracking device stops working?**
 - If a harvester recognizes that the device is not the harvester must contact their state authority to report the device malfunction/failure
 - Each state will establish a procedure harvesters must follow to notify the state of device failures (e.g. text, phone, etc.)
 - Harvester may continue fishing without tracker for up to two weeks while the device is under repair or being replaced

- **Who will be able to view vessel tracking data?**
 - State and federal confidentiality laws that prohibit the disclosure of confidential data that can lead to the identification of either individuals or individual contributions
 - Individuals (managers, ASMFC staff, and law enforcement officials) must be granted confidential access by state or federal agencies to view confidential tracking data
 - Harvesters will be able to access and distribute their own vessel tracking data

FAQs



- **How will data be used by law enforcement?**
 - Tracking data will not be available to law enforcement in real time in order to initiate an investigation.
 - Law enforcement may use data to support operations, law enforcement investigations, and prosecution efforts

FAQs



- **How will data be presented while still maintaining confidentiality under federal law?**
 - Any publicly disclosed data summary must include information from at least three dealers, three harvesters and three vessels
 - Confidential data would not be released by the Commission nor states/federal agencies in response to information requests

Next Steps



- Board action: Consider final action on Addendum
- Begin state processes to implement regulations
- Form Commission Work Group to identify and approve vendors and tracking devices
- Federal rulemaking, potential implementation for fishing year 2023

Questions?

