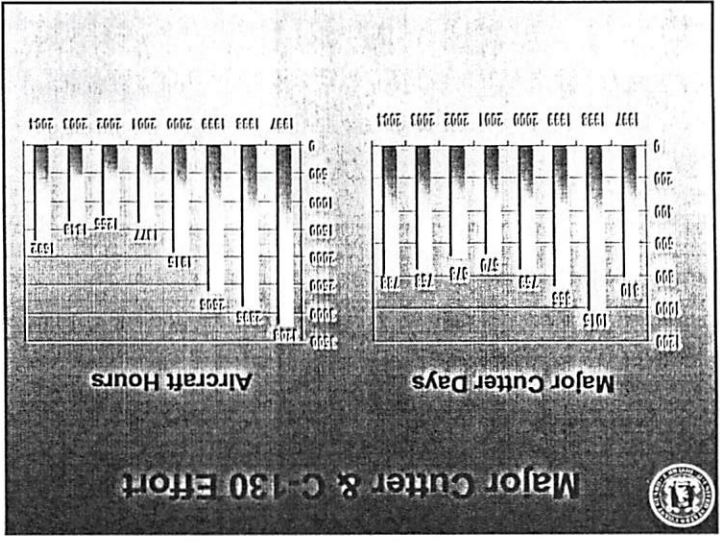
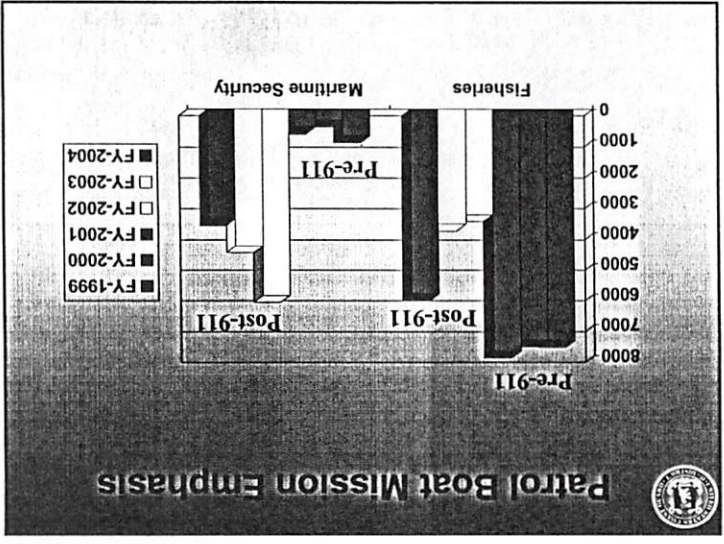
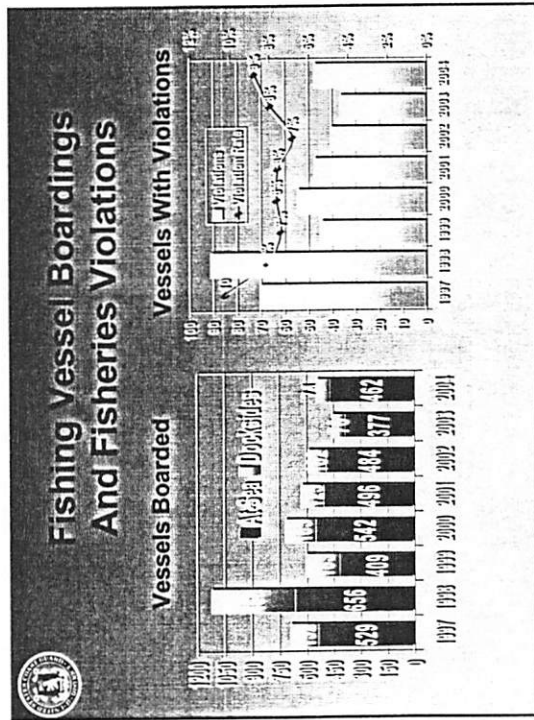


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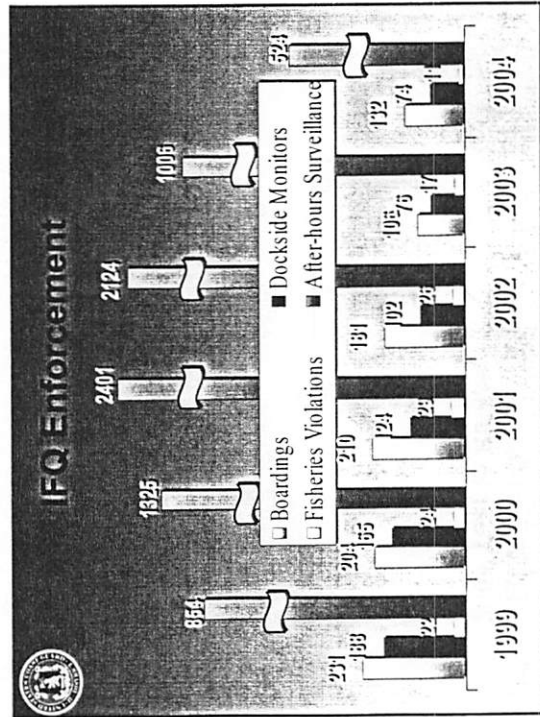
- Overview**
- Resources
 - Domestic Fisheries
 - International Fisheries
 - Safety
 - Search & Rescue
 - Maritime Security





2004 Fishing Violations

- **At Sea**
 - Lacey Act
 - Transshipment
 - Closed Area
 - Bycatch
 - Seabird Avoidance
 - Permits
 - Records/Reports
 - Prohibited Species
 - Highgrading
 - Shark Finning
- **Dockside**
 - Halibut Overage
 - Logbook Violation



Critical Habitat Effort

Cutters: 3,679 Hours
Aircraft: 565 Hours

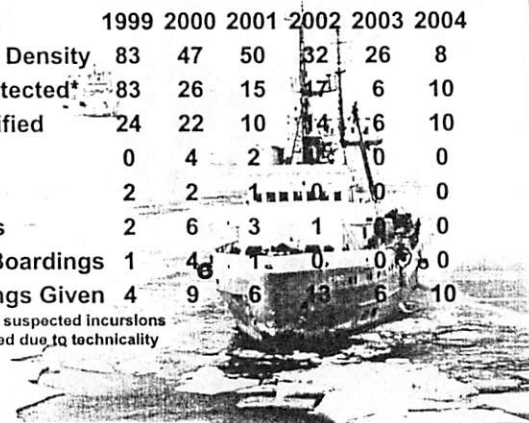


Maritime Boundary Line Activity

	1999	2000	2001	2002	2003	2004
Average Fleet Density	83	47	50	32	26	8
Incursions Detected*	83	26	15	17	6	10
Vessels Identified	24	22	10	14	6	10
US Seizures	0	4	2	1	0	0
RS Seizures	2	2	1	0	0	0
Total Seizures	2	6	3	1	0	0
Joint US/RS Boardings	1	4	1	0	0	0
Verbal Warnings Given	4	9	6	13	6	10

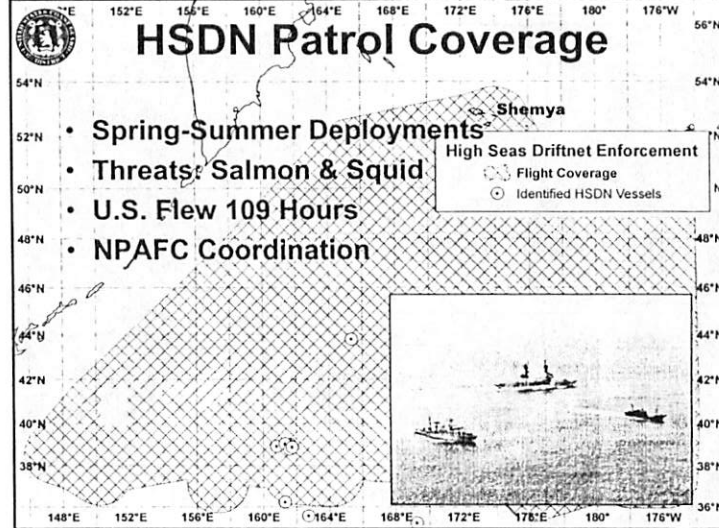
*Includes actual and suspected incursions

**Vessel later released due to technicality



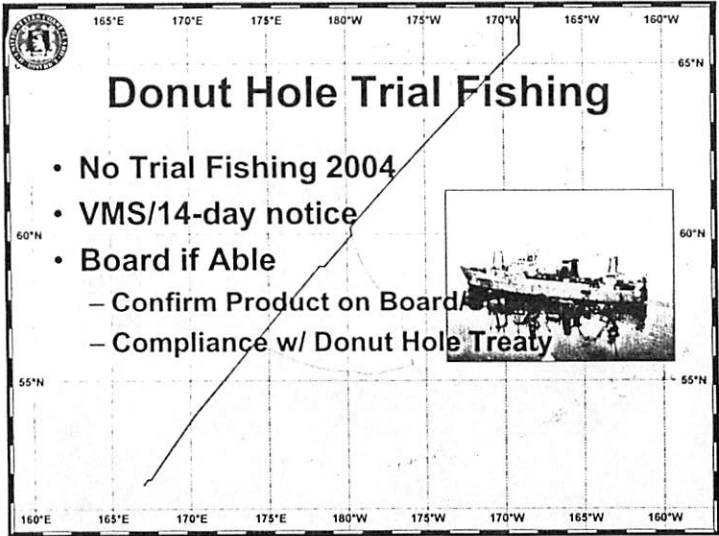
HSDN Patrol Coverage

- Spring-Summer Deployments
- Threats: Salmon & Squid
- U.S. Flew 109 Hours
- NPAFC Coordination



Donut Hole Trial Fishing

- No Trial Fishing 2004
- VMS/14-day notice
- Board if Able
 - Confirm Product on Board
 - Compliance w/ Donut Hole Treaty

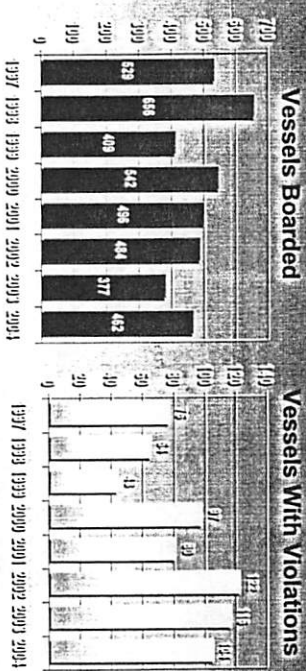


International Fisheries

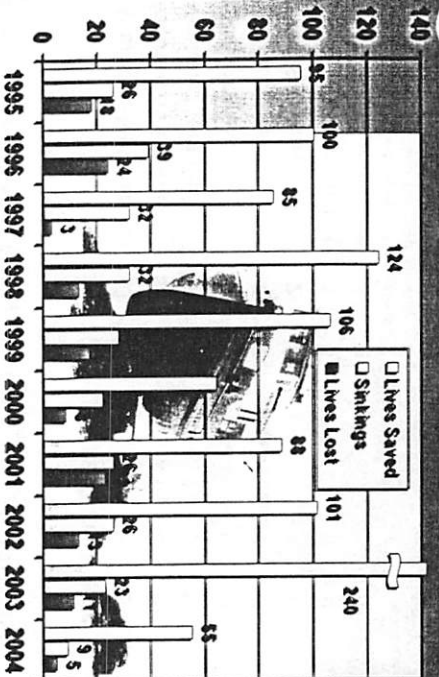
- USCG/Russia FSS Commanders Meeting
- Central Bering Sea Pollock Convention
- US-Russian Intergovernmental Consultative Committee on Fisheries
- North Pacific Heads of Coast Guard
- North Pacific Anadromous Fish Commission
- International Pacific Halibut Commission
- Dixon Entrance



At-Sea Fishing Vessel Boardings And Safety Violations



Fishing Vessel SAR Statistics



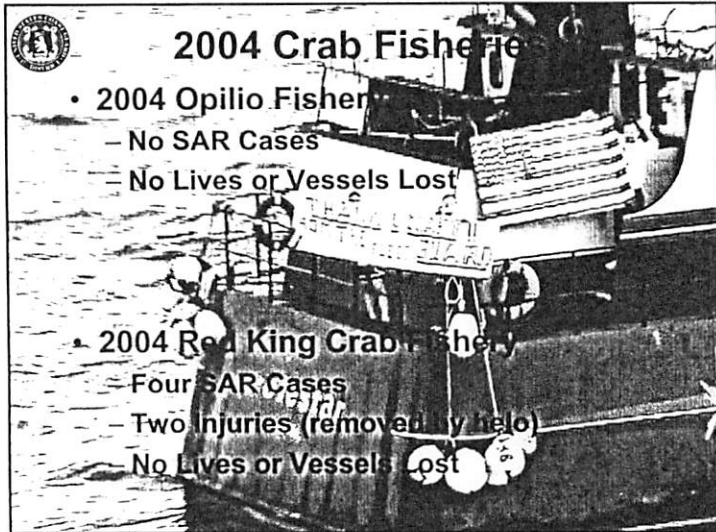
2004 Fishing Vessel Safety Violations

- Insufficient/Expired Liferaft (26)
- Insufficient Immersion Suits and Missing Lights (13)
- Insufficient Fire Extinguishers (10)
- Expired EPIRB/Hydro (15)
- Expired Rati Hydro (10)
- Insufficient Navigation Lights (2)
- Unmaintained Equipment (2)
- Security Zone Violation (2)
- No Bilge Alarms (2)
- Missing/Expired Flares (39)
- Insufficient/Unserviced Ring Buoy/PEP (11)
- No Sound Producing Device (12)
- Missing Placards (6)
- No Documentation (18)
- No MSD (3)
- Insufficient Hull Markings (4)
- Insufficient Drills (3)
- No Waste Plan (2)

Fishing Vessel SAR Statistics

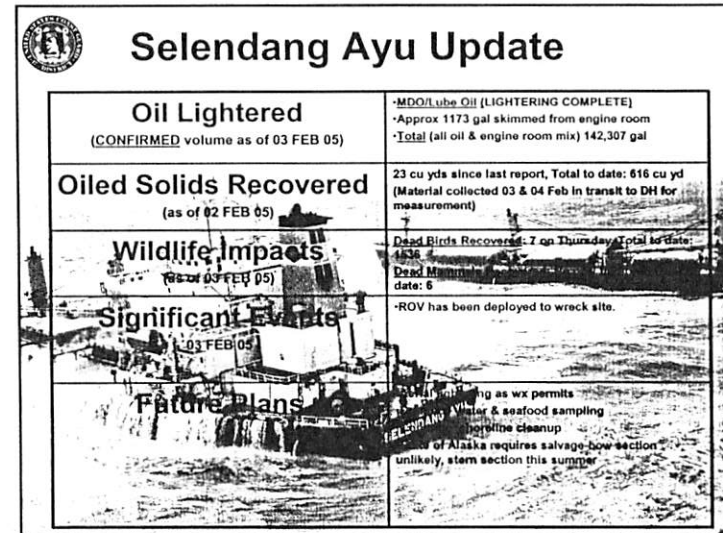
CAUSE	FISHERY
1 Sized	Salmon
1 Fish Hook	Salmon
1 Struck by Paled	Pod.
2 Man Overboard	Salmon
1	Hallbur
CAUSE	FISHERY
1 Capsized	Salmon
1 Rounding	Hallbur
1	Salmon
1	Salmon
1	Salmon

Deaths



2004 Crab Fisheries

- 2004 Opilio Fisheries
 - No SAR Cases
 - No Lives or Vessels Lost
- 2004 Red King Crab Fisheries
 - Four SAR Cases
 - Two Injuries (removed by helo)
 - No Lives or Vessels Lost



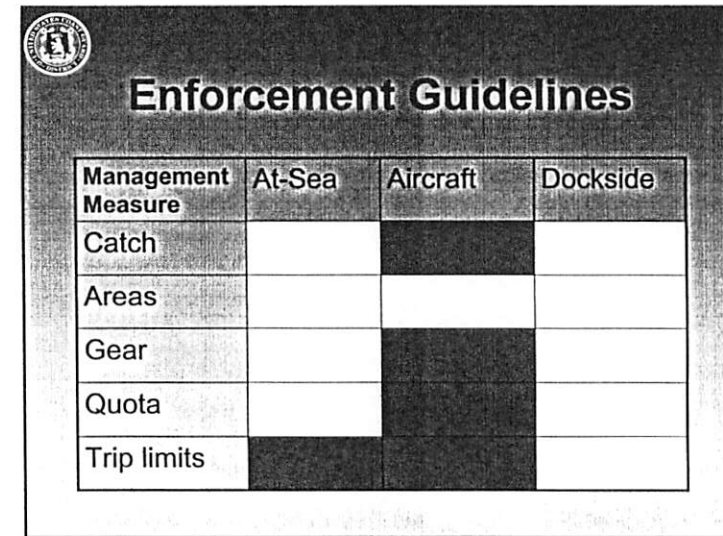
Selendang Ayu Update

Oil Lightered (CONFIRMED volume as of 03 FEB 05)	<ul style="list-style-type: none"> • MDO (ube Oil) (LIGHTERING COMPLETE) • Approx 1173 gal skimmed from engine room • Total (all oil & engine room mix) 142,307 gal
Oiled Solids Recovered (as of 02 FEB 05)	23 cu yds since last report, Total to date: 616 cu yd (Material collected 03 & 04 Feb In transit to DH for measurement)
Wildlife Impacts (as of 03 FEB 05)	<ul style="list-style-type: none"> • Dead Birds Recovered: 7 on Thursday (total to date: 453) • Dead Mammals Recovered: 1 on Friday (total to date: 6)
Significant Events (03 FEB 05)	• ROV has been deployed to wreck site.
Future Plans (03 FEB 05)	<ul style="list-style-type: none"> • Salvage as wx permits • Vessel & seafood sampling • Lightship cleanup • Dept of Alaska requires salvage; bow section unlikely, stern section this summer



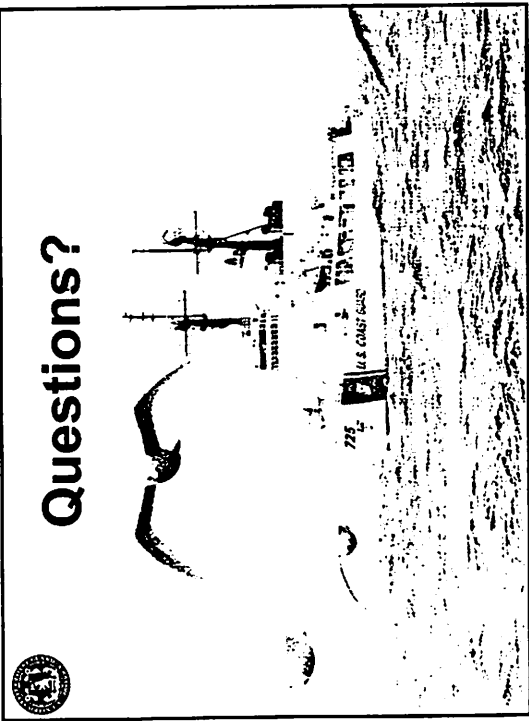
Maritime Homeland Security

- WPB/Small Boat Station in Valdez
- Anchorage MSST
- MTSA Security Plans
- 500 Vessel Escorts



Enforcement Guidelines

Management Measure	At-Sea	Aircraft	Dockside
Catch			
Areas			
Gear			
Quota			
Trip limits			



Questions?



NOAA FISHERIES FEATURE

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WELCOME TO BILL'S CORNER!

January/February, 2005 | ([archive](#))

Dear Constituents:

Here at NOAA Fisheries, we were deeply saddened to end 2004 and start off 2005 with the sinking of commercial fishing vessels that claimed the lives of five scallop fishermen in New England, six snow crab fishermen in Alaska, and a shrimper in Texas. Additional fishermen already have lost their lives to the sea in 2005 as well, prompting me to use this issue of Bill's Corner to address the all-important issue of safety at sea. My deepest sympathy goes out to the family, friends, and communities that have lost loved ones to fishing accidents. Knowing the dangers of the profession, fishermen risk their lives every day to provide Americans with fresh and safe seafood. Increasingly, they have been harvesting in a sustainable manner while contributing billions to our nation's economy. For this, we pay homage to our fishermen.



I have faith that most captains and crew on commercial fishing vessels consider safety above all else when deciding when, where, and how to go fishing. Most also make sure their boats are properly equipped with emergency gear in the event of an accident. However, safety is an important issue and one that warrants ongoing education and constant vigilance, so I am taking some time here to go over a few of the simple things you can do to prevent accidents at sea and be prepared in the event of an emergency.

Commercial fishing is among the most hazardous occupations in the United States, with the winter months proving to be the most deadly. Coast Guard investigations of past fishing fatalities have revealed that one of the primary causes of accidents is bad weather, including rough seas, heavy wind and rain. It is imperative that fishing crews have access to NOAA Weather Radio and monitor it often for weather warnings and small craft advisories. I urge captains to base their fishing decisions on weather conditions. If NOAA has issued a weather warning, do not go out fishing. If you are already out when an advisory is issued, turn back or head to safer areas until the weather system has passed. While this seems like common sense, I understand that other factors – such as lost fishing opportunities and revenue – sometimes lead captains to make decisions that needlessly put the vessel and crew in harm's way.

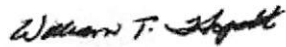
When it comes to safety at sea, accident prevention and survival depends on good decision-making and preparedness. You can be prepared by having the boat properly maintained and equipped with the required safety equipment, such as survival suits, survival craft, personal flotation devices, fire extinguishers, and distress signals. Survival gear must be stored properly so that you can gain quick access to it. Make sure the vessel has the stability required to withstand "capsizing moments," such as heavy winds, large waves, or forces caused by fishing gear. A vessel should be able to counter external forces to maintain an upright position. I can't stress enough the importance of having radio receivers onboard so the crew can get important weather advisories from NOAA Weather Radio.

The Coast Guard offers to inspect commercial fishing vessels for safety readiness. I encourage every commercial boat owner to take advantage of this free government service. The Coast Guard also offers survival training courses to fishermen and requires regular safety drills to ensure that everyone on board knows precisely what steps to take should the vessel capsize. Frequent practice will ensure that the entire crew is ready for any unforeseen emergency.

Maritime safety falls under the purview of the U.S. Coast Guard. I am including several links below to Coast Guard sites that offer all the information you need to ensure your own personal safety while on fishing trips. Please review these resources and call the Coast Guard should you have any questions.

In closing, I'd like to note that fishing regulations are never intended to force fishermen to be on the water in bad weather or to offer incentive for captains to keep fishing in unsafe conditions. If these perceptions exist in our fishing communities, I urge fishermen to work with our regional fishery management councils to analyze why. Fishermen should continue to express their views through the council process so that the councils and NOAA Fisheries can determine how best to conserve and manage fishery resources, while providing fishermen with an appropriate amount of flexibility to participate in their respective fisheries. National Standard 10 for fisheries management requires the councils and NOAA Fisheries to consider the impact on safety of any regulation under consideration. Through the Council process, you have a forum to relay your expertise and share your concerns and ideas, and I encourage your involvement so we can all work to make commercial fishing a safer profession.

Until next time, I wish you all a very safe winter and happy fishing.



Bill Hogarth
Director, National Marine Fisheries Service

References

[U.S. Coast Guard's Commercial Fishing Vessel Safety Web site](#)

[Federal Safety Requirements for U.S. Commercial Fishing Vessels](#)

[Safety Guidelines for Commercial Fishing Vessels
\(in English, Spanish, and Vietnamese\)](#)

[Schedule a Free Dock-side Safety Exam of your Vessel](#)

[Coast Guard Local Marine Safety Offices](#)

[Best Practices Guide to Vessel Stability \(PDF\)](#)

[NOAA Weather Radio](#)

For more information, contact Lt. Vasquez at the Coast Guard: 202-267-0478;
KVazquez@comdt.uscg.mil

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mandat

**Enforcement Perspective Guidelines
for
Resource Managers in the North Pacific Region**

Developed by NOAA Fisheries Enforcement and the USCG

Jan 2005

Table of Contents

<i>Table of Contents</i>	<i>i</i>
<i>Introduction</i>	<i>ii</i>
<i>General Concerns</i>	<i>1</i>
Effectively Enforced	1
Less Effectively Enforced	2
Penalties	2
<i>Enforcement Effectiveness Matrix</i>	4
Reference Matrix	5
<i>Matrix Explanations</i>	7
1. Bycatch Reduction by Limiting Amount/Percent Landed	8
2. Bycatch Reduction by Limiting Amount/Percent Onboard	9
3. Bycatch Reduction by Prohibiting Retention	10
4. Catch Size Restrictions	11
5. Closed Areas	12
6. Closed Seasons	13
7. Gear/Vessel Restrictions	14
8. Individual Quota Management Systems	15
9. Record Keeping & Reporting	16
10. Permits	17
<i>Appendix A</i>	18
Alaska Fisheries Enforcement Contact Information	18

Introduction

The current fisheries management system consists of a multitude of regulations designed to protect our Nation's Living Marine Resources. Once these regulations are created, it falls on the enforcement agencies to safeguard their integrity through fair and effective enforcement.

Effective enforcement instills the confidence of the stakeholders in the management system by ensuring that regulations that are created are properly enforced and evenly applied across the board. Enforcement works to discourage illegal actions and targets bad actors that seek to gain an unfair advantage over regulation abiding fishers.

To ensure the effectiveness of enforcement, resource managers need to be cognizant of the impact various measures will have on the enforceability of the regulations being drafted, as well as those in effect. Without consideration of the enforceability of the management measures regulators run the risk of creating a regulation that is unenforceable. This creates a situation in which resources users ignore the particular regulation and ultimately lead to degradation of confidence in the management system.

This guide was developed to assist resource managers in the formation of fisheries regulations by providing the enforcement viewpoint on various fisheries management measures.¹ The guidelines are limited to the viewpoint of enforcement and do not take into account other management factors such as socioeconomic or biology.

¹ The basis for this guide was derived from the Atlantic States Marine Fisheries Commission's Law Enforcement Committee Guidelines published Nov 2002.

General Concerns

There are a few general rules to apply to all regulatory measures under consideration:

Regulations are easier to enforce if they:

1. Are simple, realistic and easy to understand.
2. Clearly defined.
3. As few as possible.
4. Are based on controlling inputs and not output or operational measures.
5. Are written to promote voluntary compliance.
6. Consider the availability and capabilities of enforcement resources.

Effectively Enforced

Simple and easy to understand: Regulations that are clear in meaning and devoid of exemptions and exceptions allow little interpretation of the meaning of the regulation making it clear to the fishers what they can or cannot do. A clear line leaves no legal wiggle room. For example, possession of an undersize halibut on a commercial vessel is a clear violation regardless of where taken or how it was harvested or any other variable, condition or stipulation.

Clear Definitions: Clarity avoids confusion for both resource users and enforcement. For example define when fishing begins for a trawler as the time the net is deployed not when it reaches a specific depth.

Commonality of Regulations: To the extent possible, consideration should be given to consistently similar management measures amongst the FMP's and regulatory areas as well as state and federal jurisdictions.

Few as possible - Adding too many control measures frustrates the industry as well as enforcement. Too many regulations allow for more possibilities for mistakes to be made and reports to be forgotten creating more work for enforcement. Reports should be consolidated where possible, and instructions made simple. Regulations sometimes have to be very restrictive, but compliance should be easy for the industry.

Product Transparency: Required documentation and labeling requirements give transparency to the fish distribution system. The ability to trace a product back from the

distributor to the harvester gives enforcement a powerful tool . Transparency also promotes voluntary compliance by distributors and harvesters alike.

Less Effectively Enforced

Enforcement Resource Intensive Regulations: Any new plan or regulation must take into consideration the enforcement resources of the NMFS and the Coast Guard in terms of maximum capable enforcement contact and investigative effort. With limited enforcement assets available new regulations that require increased enforcement effort disperse enforcement effort. Nationwide enforcement is spread thin. Adding more regulations to enforce usually means decreasing, or in some cases ceasing, effort in other areas. Use of technologies such as VMS and electronic logbooks can allow enforcement to monitor remotely, reducing enforcement resource needs.

Complex or Convolutated Regulations: Regulations such as by-catch limits on catcher vessels are nearly impossible to enforce at-sea. Enforcement of these regulations requires monitoring the entire catch during offload. At that time, it is too late for the vessel to do something about any overages it may have. The fisherman must rely on their ability to estimate catch composition at sea to stay in compliance.

Lack of Accountability: Fish can become “legal” merely by doctoring the records, without traceable accountability, or the ability to audit. Records to track fish from harvest, to the offload, and through the processing and shipping add to good accountability (See product transparency above).

Estimates - Regulations requiring a vessel captain to estimate catch, catch composition, and/or discards are difficult to enforce. Using estimates may work just fine for managing a fishery. However, enforcement cannot prove the false reporting of an estimated weight of a discard, nor can we establish how close an estimate must be before we can cite someone.

Penalties

The Penalty schedule of NOAA General Counsel is constantly evaluated to ensure it is sufficient to effectively penalize civil offenders commensurate with their violations. However, chronic repeat offenders who do not possess resources to pay their fines may warrant permit sanctions or revocations. Those who commit egregious crimes must be punished via criminal sanctions up to the felony level. In these cases, incarceration may be the appropriate avenue of attaining justice.

NOAA Fisheries Law Enforcement: Once regulations are in place penalties are discussed. The goal of regulatory enforcement agencies is to ensure compliance, whereas prosecution agencies exist to assess responsibility and punish violations. The NOAA

Fisheries Office for Law Enforcement (OLE) has both mandates. These two mandates often lead to conflict when enforcement is criticized for not pursuing cases of wrongdoing more aggressively, and then criticized for being too heavy handed when pursuing major civil and criminal violations.

OLE works with various NOAA and NMFS divisions, the Fishery Management Councils, NOAA General Counsel, and the U.S. Attorney's Office to determine the appropriate prosecution method for an offense. OLE has one of the most versatile selections of penalties of any agency in the United States. For civil violations, these include verbal warnings, fix-it notices, written warnings, summary settlement fines, monetary penalties from NOAA General Counsel, permit sanctions, permit suspensions, permit revocations and hearings with a Civil Administrative Law Judge or with a federal judge in federal civil court. Our goal is to seek the lowest penalty to gain compliance.

If a penalty is too low, it may result in being the cost of doing business. If a penalty is too high, a person discovering they have committed a civil violation may decide to cover-up the error instead of reporting it. Or they may feel the need to challenge the violation in court, not to claim innocence, but to petition for a lower penalty.

For criminal violations, penalties include monetary penalties, home confinement, and/or imprisonment. Criminal investigations and prosecutions are saved for the intentional violators who commit the same violation many times, conspire with others, or those who intentionally commit one serious offense where a civil penalty would not be appropriate or adequate.

Enforcement Effectiveness Matrix

The U.S. Coast Guard and NOAA OLE completed a matrix to help fishery managers better understand enforcement aspects related to certain management measures. It is important to note these guidelines address the enforcement effectiveness of the regulation, not the merits of the regulation. Similarly, the guidelines did not address safety, economics or biology considerations. While those items need to be considered, these guidelines allow the manager to view the enforcement issues associated with a particular management measure.

For ease of reference, this matrix was developed to quickly let a manager understand the enforcement effectiveness of a particular management measure in terms of at-sea cutter, at-sea aircraft, and dockside enforcement. The matrix is supplemented by an analysis defining each management measure, outlines the enforcement advantages and disadvantages of the measure, and then concludes with guidance on how make the measure more effectively enforced.

Reference Matrix

	At Sea Ship	At Sea Aircraft	Dockside
ByCatch Reduction by Limiting Amount/Percent Landed			
ByCatch Reduction by Limiting Amount/Percent Onboard			
ByCatch Reduction by Prohibiting Retention			
Catch Size Restrictions			
Closed Areas			
Closed Seasons			
Gear/Vessel Restrictions			
Individual Quota Management Systems			
Record Keeping & Reporting			
Permits			

Matrix Key	
	Impractical
	Reasonable with Difficulty
	Reasonable

If you have questions or concerns about a specific regulation and the effect it will have on enforcement talk directly with enforcement personnel listed in appendix A.

Matrix Explanations

1. *Bycatch Reduction by Limiting Amount/Percent Landed*

Effectiveness of Enforcement		
At Sea Ship	At Sea Aircraft	Dockside

Defined:

This management measure aims to reduce bycatch (and minimize bycatch mortality) by limiting the amount or percentage of a bycatch landed.

Advantages:

1. There is a high incentive to limit bycatch if the fishery will be closed if a bycatch quota is exceeded.

Disadvantages:

1. Since this is a landing provision, it is difficult to enforce at sea. Effectiveness is directly proportional to dockside effort expended.
2. High-grading (fishing after trip limit is met and keep a high-grade (in most cases - larger) fish and discard a lesser grade fish) can occur. Full and accurate count of catch onboard cannot be done at sea during most fisheries.

Guidance:

1. Maintain same standards across state boundaries.
2. Combine prohibition with regulations to restrict types of gear or operation to minimize bycatch.
3. Policies should incorporate industry best practices and other industry recommendations.
4. Segregating catch at sea would facilitate enforcement.
5. Regulations should prescribe that eventual landing limit shall not be exceeded while at sea. This allows for enforcement at-sea as well as dockside. If at-sea boarding determines that the trip limit is met, then the F/V goes home to preclude further resource degradation/economic advantage.
6. Regulations should specify how much primary catch is required to justify a bycatch, and in what amounts. This is necessary to preclude allowed bycatch from becoming a targeted catch.

2. *Bycatch Reduction by Limiting Amount/Percent Onboard*

Effectiveness of Enforcement		
At Sea Ship	At Sea Aircraft	Dockside

Defined:

This management measure aims to reduce bycatch (and minimize bycatch mortality) by limiting the amount or percentage of a bycatch species allowed on board a fishing vessel.

Advantages:

Allows for at sea enforcement. If at-sea boarding determines that the limit / percentage is met, then the F/V goes home to preclude further resource degradation/economic advantage.

Disadvantages:

1. Full and accurate count of catch onboard cannot be done at sea during most fisheries (due to species mixing, loading, icing, safety of boarding party in accessing fish hold at sea, etc.).
2. High-grading (fishing after trip limit is met and keep a high-grade (in most cases - larger) fish and discard a lesser grade fish) can occur.

Guidance:

1. Maintain same standards across state boundaries.
2. Regulations should specify how much primary catch is required to justify a bycatch, and in what amounts. This is necessary to preclude allowed bycatch from becoming a targeted catch.
3. Combine prohibition with regulations to restrict types of gear or operation to minimize bycatch.
4. Policies should incorporate industry best practices and other industry recommendations.
5. Segregating catch at sea would facilitate enforcement.

3. *Bycatch Reduction by Prohibiting Retention*

Effectiveness of Enforcement		
At Sea Ship	At Sea Aircraft	Dockside

Defined:

This enforcement measure aims to restrict bycatch (and minimize bycatch mortality) by prohibiting the retention of that species aboard fishing vessels.

Advantages:

1. Prohibition violations are easier to document and enforce than regulations that allow a limited percentage or amount of bycatch to be retained.
2. A bycatch prohibition removes the incentive to waste resource by high grading. Allows for at sea enforcement. If at-sea boarding determines that the limit / percentage is met, then the F/V goes home to preclude further resource degradation/economic advantage.

Disadvantages:

Detecting a violation of regulations to minimize bycatch mortality once landed is very difficult.

Guidance:

1. Maintain same standards across state boundaries.
2. Combine this with a regulation to restrict types of gear to prevent bycatch.
3. Policies should be fluid enough to change with industry recommendations.
4. Segregating catch would facilitate enforcement.

4. *Catch Size Restrictions*

Effectiveness of Enforcement		
At Sea Ship	At Sea Aircraft	Dockside

Defined:

Possession or fish below or above a specified size is prohibited.

Advantages:

1. Violations are easy to document and prosecute

Disadvantages:

1. Effectiveness is limited by the amount of processing done at sea. Only a fully intact specimen can be measured.
2. Effectiveness is proportional to the effort expended in dockside checks and at-sea boardings. Has potential to be resource intensive.
3. Full and accurate count of catch onboard cannot be done at sea during most fisheries

Guidance:

1. Prohibit processing at sea for species with size restrictions. Measurements should include head and tail intact.
2. Standardize measurement procedures, equipment and technique and regulations across state and federal boundaries.

5. Closed Areas

Effectiveness of Enforcement		
At Sea Ship	At Sea Aircraft	Dockside

Defined:

Fishing in specific area is prohibited.

Advantages:

1. Fairly easy to monitor if below recommendations are followed.
2. Areas are easy to monitor if vessels equipped with VMS. However, even with VMS cueing, a response asset is generally required to sufficiently document the violation for prosecution.
3. Easy to document vessel *presence* in the closed area by cutter radar and aircraft overflight and over the horizon cutter monitoring. It is more difficult to document *fishing activity*, depending on the fishery and gear type.

Disadvantages:

1. For vessels not equipped with VMS, effectiveness is directly proportional to surveillance effort.
2. If not defined clearly it becomes difficult or impossible for fishers to follow.

Guidance:

1. Clearly define the areas. Use straight lines following exact latitude/longitude. Avoid stating distance offshore, center point and radius, or depth contours.
2. Areas should be regular shapes. Closed areas are easier to enforce if they are square or rectangular, since it is more apparent that a vessel is west/east, north/south of an indicated line.
3. One large closed area is preferred. Small closed areas with open areas in between allow a vessel to quickly enter and exit a closed area.
4. If possible, close an area to all fishing activity; limit grandfathering and other exemptions. Where practical, areas should be closed to all types of fishing as well as transiting fishing vessels.
 - a. If transit is allowed, fishing gear should be stowed and transit must be continuous. Stowage requirements must be clearly defined.
 - b. Regulated gear areas are difficult to enforce. They still require an enforcement unit to verify that fishing vessels are using legal gear in the closed area.
5. Clearly define the timeframe. Avoid shifting area closures (rolling closures); this provides an opportunity for violators to claim ignorance on what was closed, and what was opened.

6. Closed Seasons

Effectiveness of Enforcement		
At Sea Ship	At Sea Aircraft	Dockside

Defined:

Directed fishing during specific times of the year is restricted based on a specified amount of a particular species. The specified amount may be allocated annually or apportioned throughout the year.

Advantages:

1. Large vessel fisheries are easy to monitor since vessels are in port or in other fisheries.
2. Gear intensive fisheries are noticeable if a vessel gears up for a trip.
3. The presence of species in a closed season should be detected if it shows up in the market.
4. Limited seasons can allow enforcement to focus efforts only on those species that are open and have not exceeded their TAC.
5. Generally results in predictable fishing periods as fishers focus efforts on high-value fisheries that would close first before moving on to the next species.

Disadvantages:

1. Small vessel fisheries are more difficult to monitor. Smaller quantities are easier to hide in the market.
2. Fisheries with multiple gear types for the same species are especially difficult to enforce if only one gear type has a closed season.
3. Makes the tracking system complicated to enforce when dealing with multiple species being open or closed to fishing.

Guidance:

1. Ensure closures are clearly defined; limit exemptions to the closed season, and dates/times should be defined to the minute (See Closed Areas).
2. Regulations should fully describe what activity is allowed to occur before, during, and after the closure. For example: all gear must be hauled in prior to the closure, gear may not be set prior to the opening. For short duration fisheries prohibit fishing with the gear type for any species for the vessel participating in that fishery 72 hours before and after the fishery.
3. Consider the apportionment of quota to allow focused enforcement efforts.

7. Gear/Vessel Restrictions

Effectiveness of Enforcement		
At Sea Ship	At Sea Aircraft	Dockside

Defined:

Specific gear types or gear modifications are prohibited. “Gear” is meant to include not only the primary methods and tools to harvest the resource, but also includes the vessels, horsepower and other such variables. Certain regulatory gear may be required to minimize bycatch and/or protect certain marine species.

Advantages:

1. Gear is easy to inspect dockside and in most cases, readily visible at sea.

Disadvantages:

1. Restrictions on gear employment (i.e. set/trawl depth) are difficult to enforce.
2. Gear needs to be inspected at-sea to ensure gear is in compliance while engaged in the act of fishing. This becomes resource intensive as it may require multiple checks at sea. For the fishers, these checks are intrusive. It will require the gear to be inspected while at sea, possibly impacting the vessel’s fishing operations.

Guidance:

1. If use is prohibited, then don’t allow the gear onboard. Make the possession of any gear out of compliance prohibited, not just its use.
2. Gear restrictions should be standardized across state and federal boundaries.
3. Federal and state enforcement officers should develop and use standard measurement procedures, equipment and techniques.

8. Individual Quota Management Systems

Effectiveness of Enforcement		
At Sea Ship	At Sea Aircraft	Dockside

Defined:

Individual Quota Management Systems. These delineate a specified amount of particular fish species to be allocated to an individual, to a particular vessel, group of vessels, processor, community or cooperative.

Advantages:

1. Individual Quota Management Systems (IFQs, ITQ, and Coops) are often praised for their safety benefits. By allowing a fisher a set quota to be caught over a period of time the fisherman is able to choose when to fish rather than being forced to fish during bad weather based on predetermined time periods. These safety benefits are passed on to enforcement, who operate in the same conditions.
2. Once an Individual Quota is met, enforcement can treat additional fish above the quota as prohibited species, thereby eliminating the enforcement issues associated with bycatch (see Bycatch Reduction by Prohibiting Retention).

Disadvantages:

1. Resource intensive; may require the contracting of dockside observers to watch for overages.
2. Spreads out fishing effort spatially and temporally. Coast Guard experience with the Halibut/Sablefish IFQ program reveals that it takes **three times** the cutter days to achieve acceptable compliance levels.

Guidance:

1. Should be written to be primarily enforced dockside. This allows at-sea enforcement to focus on gear restrictions, prohibited species, and other non-IFQ regulations.
2. Effectiveness depends on accurate accounting of IFQ/ITQs. A well-developed and easily updated, and accessible IFQ/ITQ accounting system must be in place.
3. Because of disadvantage #2 above, it is critical to leverage technology (including VMS, AIS, Video Monitoring etc.) to make effective use of existing resources.

9. Record Keeping & Reporting

Effectiveness of Enforcement		
At Sea Ship	At Sea Aircraft	Dockside

Defined:

A requirement to keep a logbook of specified information onboard the vessel. As technology permits, the data from a logbook could be transmitted to managers for decision-making depending on the fishery and the requirement for catch or effort information.

Advantages:

1. At-sea boarding can verify the presence and use of the logbooks and dockside monitoring of offloads can verify accuracy of catch data.

Disadvantages:

1. It is difficult to determine accuracy of logbook information on fishing activity, adherence to gear, size limits, or prohibited species regulations.
2. Full and accurate count of catch onboard cannot be done at sea during most fisheries, making it impossible to corroborate data.

Guidance:

1. Identify the time-lapse requirements for entering logbook data (per set, daily, end of trip). By specifying the time requirement, the type of enforcement required (at-sea, dockside) can be better determined.
2. Standardize logbook format for both state and federal fisheries.
3. Use of electronic logbooks can simplify data collection that can be used by enforcement. Electronic logbooks can be used as a way to provide enforcement near real-time data before or during a boarding.

10. Permits

Effectiveness of Enforcement		
At Sea Ship	At Sea Aircraft	Dockside

Defined:

Fishing for specific species is prohibited unless authorized by the issuance and possession of a permit.

Advantages:

1. Easy to track and identify.
2. Revocation or suspension of permit is an effective penalty provision

Disadvantages:

1. If permit holder is a person or corporation in lieu of the vessel, the different vessels can operate under that permit on a trip-by-trip basis, and would require more thorough monitoring and surveillance to ensure only one vessel is operating under the permit.

Guidance:

1. Original, not copies, must be carried on board the vessel at all times.
2. Permits should be issued to individual vessels, not a person or corporation (see *Disadvantages*).
3. Permit transfers must follow strict guidelines and should require adequate notification to enforcement agencies. The time of advance notification should be specified, and sufficient to allow administrative changes to take place.

Appendix A.

Alaska Fisheries Enforcement Contact Information

AST

NMFS

Special Agent in Charge.....(907)586-7225

USCG

Office of Planning and Analysis (p)(907) 463-2223

Office of Law Enforcement (ole)(907) 463- 2283

North Pacific Regional Fisheries Training Center (NPRFTC)(907) 487-5699