

Enforcement Committee Agenda
February 4, 2014
1pm – 4pm
Marion Room, 4th Floor, Renaissance Hotel
Seattle, Washington

I. Definition of Charter Fishing Guide

Background

The Council is considering a proposed action to amend the definition of “sport fishing guide services” in Federal regulations that govern the charter halibut fishery in Southeast (Area 2C) and Southcentral (Area 3A) Alaska. The intent of the action is to be more consistent with State of Alaska regulations.

The action is intended to address inconsistencies in current Federal and State of Alaska definitions pertaining to sport fishing guide services. A few businesses have developed a guide-assisted model that allows them to provide assistance to anglers during a chartered halibut fishing trip, from shore or adjacent vessels. This practice is not considered to be “sport fishing guide services” under existing Federal regulations because the guide is not on board the vessel. As a result, such anglers are allowed to fish under regulations in effect for unguided anglers, which generally are more liberal. This practice is consistent with State regulations.

In addition to the no action alternative (Alternative 1), the Council identified Alternative 2, which would revise and clarify Federal definitions for guided sport fishing, with three options. Option 1 would remove the requirement that a guide be on board the same vessel as the guided angler. Option 2 would add a definition of “compensation” to Federal regulations. The definition of compensation would be identical (Option 2a) or similar (Option 2b) to the current State definition for compensation. Option 3 would add a definition of guiding activities that would be considered “assistance” to Federal regulations. The Council may proceed with final action on Alternative 2, Option 1 alone, or Options 1 and 2, even if a preferred alternative under Option 3 cannot be identified at the time of final action. Final action is scheduled for February 2014. The agency staffs recommend Alternative 2, Option 2b if the Council adopts Alternative 2, Option 1 as its preferred alternative. The amendment, if approved by the Secretary of Commerce, would be in effect for 2015, at the earliest.

II. Comments by the NOAA LE Director

III. Work Session update on VMS report

Background

The Committee during its December 2013 meeting discussed the way forward in addressing the Council’s motion for development of a report on expanded VMS capabilities for vessels already required to have operational VMS units. A draft outline was provided by the Committee to facilitate discussion on enhanced VMS capabilities and that these capabilities may be beneficial for the monitoring and enforcement of impending Council decisions. The Committee provided feedback to staff on the proposed outline and asks staff to continue working on the VMS report.

The Committee noted that the report should focus first on what current VMS units provide to the region, and whether the current system provides the appropriate level of information needed by the various user groups (NOAA OLE, NMFS, ADF&G, and industry). The second task would be to determine what data

information needs user groups have or anticipate in the future, and identify whether the units are capable of accomplishing these needs. The Committee also discussed using this portion of the paper to be able to evaluate whether other tools or advancements in technology could better meet the same needs.

The Committee has a target of the April Council meeting to bring back a draft of this document for review by the Committee. Council review could be some time after that meeting.