

ENFORCEMENT CONSULTANTS REPORT ON
PROPOSED MANAGEMENT MEASURES FOR 2003

The conservation measures under consideration for 2003 represent an unprecedented shift in emphasis from dockside to at-sea enforcement. Over the course of time, dockside trip limit management has been the mainstay of groundfish enforcement on the West Coast. This enforcement responsibility has been shouldered almost exclusively by the state officers in many coastal ports. It is inappropriate and an unfair expectation that state agencies should now be expected to shoulder a major at-sea enforcement regime. An increased responsibility now falls on the federal agencies jointly responsible for management and enforcement in the federal exclusive economic zone (EEZ).

NOAA Fisheries Office of Law Enforcement, the U.S. Coast Guard, fisheries managers, and many agencies with audit and oversight responsibilities such as the Office of Inspector General and General Accounting Office have provided guidance and direction to our Fisheries Management Councils encouraging them to adopt conservation and management measures that are cost effective and enforceable. Where dockside measures alone will not achieve the desired conservation goals for a co-managed resource, the Councils, states, and NOAA Fisheries increasingly rely on Vessel Monitoring System (VMS) technology.

The bathymetric restrictions proposed for a majority of the West Coast fisheries extending from Canada to Mexico mark a transition to major dependence on costly at-sea enforcement. The low optimum yields (OYs) for the most stressed stocks of groundfish can be easily exceeded by only a few unlawful incursions by vessels with gear capable of catching relatively large quantities of these prohibited species. This represents a daunting challenge for the Coast Guard, states, NOAA Fisheries, and the Council to deter those few unlawful incursions which could compromise the management goals.

At their present capabilities, Enforcement Consultant (EC) agency patrol vessels and aircraft are unable to provide year-long, coast-wide coverage of the EEZ out to the seaward bathymetric restricted area, to the degree required to meet the management goals. As a result, the Council will need to embrace new enforcement capabilities (VMS, expanded observer coverage, procurement of new, long-range patrol vessel platforms, etc.) or rely almost exclusively on the multi-mission Coast Guard, recently overburdened with Homeland defense responsibilities, to provide this extensive coverage.

The EC sees major challenges in the proposed 2003 fishing regimes. We suggest creating a subgroup from the EC, Groundfish Management Team, Groundfish Advisory Subpanel, and others to begin work immediately on identifying fisheries and specific requirements where implementation of a VMS will assist in achieving our management goals. We remain committed to seeking resolution to these challenges while ensuring viable fisheries for coastal communities and protection of our nations valued marine resources.