

ENFORCEMENT CONSULTANTS REPORT ON  
CURRENT ENFORCEMENT ISSUES

The Enforcement Consultants (EC) reviewed the letter to the Council from National Oceanic and Atmospheric Administration (NOAA) Office of Law Enforcement (OLE) Director Bruce Buckson dated October 15, 2012 concerning a request for comment on NOAA's Regional enforcement priorities. The EC supports re-submission to NOAA of the letter from the Council dated December 14, 2011 commenting on National and Regional enforcement priorities. The EC believes that this letter accurately reflects the needed West Coast enforcement priorities.

Another enforcement issue has been brought to the attention of the Enforcement Consultants. The U.S. Coast Guard (USCG) has discovered that there are vessels with Vessel Monitoring System (VMS) that are not submitting valid declarations prior to departing port to fish. These vessels received and installed VMS units through the reimbursement program. The motive may have been that they would someday meet the conditions that require VMS by being registered for use with a groundfish limited entry permit, using non-groundfish trawl gear to fish in the Exclusive Economic Zone (EEZ), or fish open access gear for groundfish in the EEZ. The vessels in question have not yet met these conditions and, as a result, are leaving a VMS track without having the legal requirement to make a valid declaration.

This has caused a drain on enforcement resources and time to verify the activity of these vessels. The Enforcement Consultants recommend the Council propose a regulatory change requiring all vessels with a NOAA approved VMS to submit a valid declaration prior to leaving port to fish in the U.S. EEZ off the West Coast. This requirement would replace the current VMS declaration requirements at 50CFR660.13. This change would not expand the requirement for additional vessels to carry VMS.

PFMC  
11/04/12