

Science, Service, Stewardship



Multispecies Sectors: Overview

Mark Grant August 5, 2009



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Amendment 16

- Biennial adjustment to rebuilding plans for overfished stocks.
- Incorporates latest science and new requirements for ACLs and AMs.
- Revises reporting for all groundfish vessels to increase speed/ accuracy.
- **Revises sector management.**



Sectors

- Voluntary groups of fishermen who are allocated quotas (annual catch entitlements or ACE) and are exempted from certain fishery management plan requirements in exchange for increased responsibility and accountability.
- Similar to Harvest Cooperatives.

3



Sector Responsibilities

- Must ensure quotas are not exceeded.
- Must cease fishing in a stock area if that quota is reached.
- Must have third-party dockside monitoring starting in 2010.
- Must have third-party at-sea monitoring starting in 2012.

4



Monitoring

- 50% random Dockside Monitoring (DM) for sectors in 2010.
- 20% random DM for sectors in subsequent years.
- Entire fishery will have 20% random DM starting in 2012.



At-sea Monitoring

- Less than 100% at-sea monitoring with coverage levels set by NEFSC.
- Voluntary in 2010 and 2011.
- Replaces assumed discard rates.



Sector Reporting

- Weekly report of landings and discards, by stock, to NMFS.
- No exemptions from existing reporting requirements.
- Annual report within 60 days of year end.

7



NMFS Responsibilities

- Determine assumed discard rates.
- Determine at-sea monitoring levels.
- Reconciliation of weekly reports.
- Reconciliation of annual catch and ACE.
- Determine quota reductions to pay back any overages.

8



Quota Trading

- Sectors may trade ACE.
- NMFS must approve trade, but will be based on reporting compliance.
- Sectors responsible for overages.



Rulemaking

- Three separate rules promulgated:
- Amendment 16: Sets sector management system in place.
 - ACL rule: Sets fishery-wide quotas.
 - Approval of sector operations plans: Authorizes fishing activity and allocates ACEs to individual sectors.

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Multispecies Sectors: Monitoring Provider Standards

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Provider Standards

- A16 includes detailed standards for monitoring providers (4.3.3.5.5).
- NMFS has put together a draft template to compile the information necessary for provider approval.
- Template sections are referenced in this presentation.



Provider Approval

- Details demonstrating that the provider meets requirements must be in a sector operations plan due September 1, 2009.
- Only certain provider and monitoring program requirements require documentation in the operations plan submission.

13



Section 1

Identification of Corporate Structure:

- Names and duties of controlling interests.
- Articles of incorporation or partnership agreement.

14



Sections 2 and 3

Signed statements from each owner,
board member and officer:

- Free from conflicts of interest;
- Description of any criminal convictions;



Section 3

Signed statements continued...

- Description of any Federal contracts held and performance;
- Previous decertification while working as monitor or service provider.

NMFS has provided examples.



Section 4

- Description of any prior experience placing individuals in remote field or marine environments.
- Description of ability to carry out the responsibilities of sector monitoring.

Document you can do the job.



Section 5

Evidence of adequate insurance:
injury, liability, and accidental death.

- Copy of insurance certificate;
- Description of coverage;
- Insurance binder.

Minimum \$5M maritime employers liability has been accepted in past.



Section 6

Providers must provide benefits and personnel services in accordance with the terms of each monitor's contract or employment status.

- Describe benefits of employees or employment contracts.

Does not need to be lengthy.



Section 7

Proof monitors are trained.

- At-sea monitors must pass training course consistent with NEFOP, unless otherwise specified by NMFS.
- Dockside monitors must be trained by vendor.

This will be discussed later.



Section 8

Emergency Action Plan:

- Cover dockside, roving, and at-sea monitors, as appropriate.
- Including, but not limited to, personal injury, death, harassment, or intimidation.

Detail specific actions and timelines of complete process.



Section 9

Evidence the company is in good financial standing:

- For example, a signed statement of financial security.



Section 10

Comprehensive plan to deploy
NMFS-certified monitors:

- Must be available to industry 24/7.
- Must service all ports used by sector.
- Must be representative of sector's fishing activity (gears, areas, times).

23



Section 10

Comprehensive plan continued:

- Must report deployments to NMFS and sector manager in timely manner.
- Explain how 50% dockside monitoring coverage will be applied randomly.

More on dockside standards later.

24



Section 10

Comprehensive plan continued:

- Detail formal vessel selection program for at-sea monitoring.
- Must meet at-sea monitoring coverage levels set by NMFS.

More on at-sea monitoring later.



Section 11

Reporting potential problems:

- Provider must report possible problems to NMFS and/or manager*.
- Harassment, discrimination, safety concerns, injuries, conflicts of interest or breach of standards.

***NMFS will specify.**



Section 12

Information must be available to NMFS on request:

- All signed and valid contracts.
- Any information developed and used or distributed (description of duties, payment notification, etc...).
- Hails, deployments, refusals, reports of incidents or non-compliance.

27



Section 13

Refusal of service:

- May refuse for any reason.
- Refusal and reason must be reported to NMFS in timely fashion.
- Process for issuing waivers to vessels selected for monitoring should be detailed in operations plan.

28



Section 14

Vendor (or sector) must maintain a system to record, retain and distribute the following information:

- Hails;
- Deployments of monitors;
- Incident and compliance reports;
- Refusals and reasons for refusals.



Section 14

Continued...

Monitoring provider must also:

- Detail means to protect confidentiality of data, and
- Provide monitors with sufficient data-gathering and safety equipment.

More on this later.



Sections 15 and 16

Standards for individual monitors:

- Operations plans must demonstrate that individual at-sea and dockside monitors meet NMFS certification requirements.

More on this later.



Summary

- A16 specified requirements for vendor providers and individual monitors.
- NMFS has developed a template to help you compile the information that must be included in sector operations plans