

Draft Sector Dockside Monitoring Program Standards

August 3, 2009

PURPOSE STATEMENT: *This document is NMFS's proposed baseline protocol (a modified version of what was originally developed collaboratively by sector organizers) of a Dockside Monitoring Program for both 100% and less than 100% dockside monitoring. The New England Fishery Management Council has approved 50% random dockside monitoring as a requirement in Amendment 16 to the Northeast Multispecies Fishery Management Plan. Acknowledging that individual sectors present unique technical challenges, participants in this process opted to articulate protocols they felt should be met by all sectors, at a minimum. However, while it will be the responsibility of individual sectors to design a Dockside Monitoring Program that is consistent with these protocols, the approach taken by an individual sector will vary based on the unique circumstances of that sector. NMFS revised this document in August 2009 to reflect regulatory expectations and requirements, as well as lessons learned from the Dockside Monitoring Pilot Study (Phase I) conducted by AIS and funded by Environmental Defense.*

I. HAIL

1. Prior to depart port on a trip for which catch will count against sector ACEs, each sector vessel will HAIL TRIP START, meaning notify the Sector Manager (SM) and Dockside Monitoring (DSM) vendor that the vessel is departing on a Groundfish (GF) Trip. The HAIL TRIP START will include basic identifying information. Basic identifying information includes vessel name (or other data that uniquely identifies the vessel) and estimated trip duration.
2. Transmission of the HAIL will be either as an email via Vessel Monitoring System (VMS) or some other electronic method as determined by the sector. In all instances hail notification must be provided to NOAA Fisheries Office for Law Enforcement (OLE); the mechanism for hail notification should be detailed in the sector's operations plan. The DSM vendor will send a confirmation to the vessel that the HAIL TRIP START was received; if the vessel does not receive confirmation within 10 minutes, the captain should contact the vendor to confirm their HAIL via a backup phone number (to be set up by the DSM vendor).
3. At the appropriate time before landing (detailed below), the sector vessel will HAIL TRIP END, meaning notify the DSM vendor of the vessel's specific offload location, estimated time of arrival, and estimated weight of all fish on board. For all trips greater than 6 hours, and occurring more than 6 hours from port, vessels must HAIL TRIP END at least 6 hours in advance of landing. For trips less than six hours in length or occurring within six hours of port, HAIL TRIP END notification time should be defined in the sector's operations plan, after being agreed upon by the sector, the monitoring provider, and OLE.
 - a. **If there is 100% Dockside Monitoring**, meaning a DSM or Roving Monitor (RM) will be present for the offloading of every sector vessel groundfish trip, then the HAIL TRIP END will include the following:
 - i. Unique vessel identification (e.g., permit number), Trip ID# (which is the VTR number on the first VTR page used for that trip).

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- ii. Specific offloading location (dock/dealer, port/harbor, and state), estimated time of arrival, estimated time of offload, declaration of all dealers intending to offload at, and estimated weight of each species.
 - iii. The DSM vendor will send a confirmation to the vessel that the HAIL TRIP END was received. If the vessel does not receive confirmation prior to landing, the captain must call the backup phone number prior to landing.
 - iv. If the DSM has an emergency and cannot meet the vessel as required, the DSM vendor will notify the vessel, the sector manager and OLE as soon as possible.
- b. **If there is less than 100% dockside monitoring**, meaning any trip may or may not have a DSM or RM present to witness offloading, then the DSM vendor will provide a confirmation that the HAIL TRIP START was received and the DSM vendor will subsequently apply a randomization method (as specified in the sector's operations plan) to determine whether that vessel will be subject to DSM upon landing. The vessel will subsequently HAIL TRIP END as required with 100% Dockside Monitoring. The DSM vendor will inform the vessel at the time of HAIL TRIP END (and no earlier), in its confirmation, that:
- i. The vessel will have a DSM/RM present, OR
 - ii. The vessel is issued a DSM Waiver for the trip, (meaning no DSM or RM will be present to witness the offload).

II. Responsibilities of the Dockside Monitoring Vendor

1. The DSM vendor should ensure that all individual monitors are trained as described in Amendment 16 (Section 4.3.3.5.5) and this document. The vendor must also ensure that background checks and any authorizations (such as Transportation Worker Identification Credential cards) needed for individuals to access fishery facilities and vessels at ports serviced by the DSM vendor are obtained.
2. The DSM vendor should have a back-up phone service available, capable of accommodating problems with the electronic hail system.
3. The DSM vendor must be able to receive HAILS 24 hours per day, 7 days per week, and must be able to send a confirmation of the HAIL back to the vessel within 10 minutes of receiving the hail.
4. The DSM vendor must keep a running list of all open trips.
5. Upon receiving a HAIL TRIP END, the DSM vendor will respond by sending the vessel and the SM a confirmation that includes whether or not a DSM will be at the unloading station at a time certain; (or be able to communicate with the vessel to coordinate a time for offloading to commence). This can be any time agreeable to the unloading facility, the vessel, and the DSM, but not less than the required time notice between HAIL TRIP END and landing.

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6. The DSM/RM will be required to sign the dealer receipt (dealer slip, weighout slip, etc...), and retain a copy of the receipt, to document that the offload was observed.
7. The DSM vendor will be required to keep an electronic record of each offload and make the records available to NMFS upon request.
8. If there is less than 100% DSM required, then the DSM vendor will notify the SM and OLE with the complete HAIL TRIP END information (including a breakdown of species to be landed and estimated weight of each species on board) and whether the vessel will have a DSM present at offloading or not.
9. The DSM/RM must provide accurate and complete data to the SM, and/or any third party designated by the SM, immediately upon completion of weighing, to provide enough time to produce an accurate and complete weekly report to NMFS.
10. If less than 100% coverage is required, the DSM vendor is responsible for developing randomized methodology for determining allocation of DSMs/RMs and waivers that must be approved by NMFS in the sector operations plan.
11. The DSM vendor is responsible for working with Sector Managers and OLE to establish an acceptable process for safe harbor situations when a sector vessel is unable to follow normal dockside monitoring protocol due to an emergency situation.

III. Actual Monitoring of Offload at Dealer

1. The vessel may enter port and tie at safe berth, but no offloading can commence until the DSM/RM is present.
 - a. Vessels offloading at more than one dealer or facility must have a DSM present during offload at each location.
 - b. **If 100% dockside monitoring is required:**
 - i. The DSM will take copies of all VTRs filled out for the trip, with all information available (no blocked cells).
 - ii. The DSM will record whether or not the scales are certified by the dealer's state and record the weight of offloaded fish, by species or market class, in a report.
 - iii. The DSM will ask the captain whether all fish have been offloaded, and whether any are being retained for personal use. The DSM will record the captain's estimate of weight of any amounts being retained for home use or retained on the vessel and record the reason.
 - iv. The DSM will sign the dealer receipt.
 - v. The DSM will collect a copy of the dealer receipt.
 - vi. The DSM will send copies of the VTRs, the dealer receipt, and his/her report to the sector manager. If the sector has contracted with a third party to collect and process its data, then the DSM will send all documents to that third party.

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- vii. The DSM will keep a copy of his/her report and it shall be electronically stored by the DSM vendor.
- c. **If less than 100% DSM is required and the vessel will get a waiver:**
The DSM Vendor, when confirming that it has received the HAIL TRIP END, will notify the vessel that the vessel is receiving a waiver from DSM for this trip. It will be the responsibility of each vessel operator to provide copies of the VTR and dealer receipt to the Sector Manager or designated third party within 24 hours of landing.
- d. **If less than 100% DSM is required and the vessel will have a DSM or RM,** then the process for 100% DSM will be followed.

IV. Offloading to a Truck / Roving Monitors

1. The vessel will HAIL TRIP END as described for dockside monitoring.
2. It will be the responsibility of each individual sector to specify in its operations plan at which remote unloading facilities sector members will be allowed to offload to trucks.
3. All fish offloaded to a truck must be weighed in the presence of a DSM, either at the offload site by a licensed dealer (in which case it is treated as a dockside monitoring event), or at the dealer when the truck offloads.
4. **If 100% DSM is required:**
 - a. The DSM vendor will be responsible for ensuring a RM will be present at the offload site when the vessel arrives to offload. All landing events at remote ports that are selected for DSM will be required to have a RM present to witness offload activities to the truck, as well as a DSM present at each dealer to certify weigh-out of all landings.
 - b. The DSM will take copies of all VTRs filled out for the trip, with all information available (no blocked cells).
 - b. If the landings are not weighed at the time of offload to the truck, the receiving truck must provide a receipt of all received catch to the DSM.
5. **If less than 100% DSM is required:**
 - a. The HAIL TRIP END will include the captain's estimate of weight of each species on board.
 - b. The vessel will be notified by the DSM Vendor (when it sends its confirmation) that:
 - i. The vessel will have a RM, or
 - ii. The vessel is issued a DSM Waiver for the trip.
 - iii. The DSM vendor will notify the Sector Manager and OLE with the complete HAIL TRIP END information (including a breakdown of species to be landed and estimated weight of each species on board) and whether the vessel will have a DSM/RM present at offloading or not.

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- c. Offloading of landings at remote ports and weigh out of landings at all dealer facilities will be considered two separate events. The DSM vendor will be responsible for establishing a selection process that randomly selects remote port offloads that will be monitored by combined RM at offload and DSM at dealer facility.

V. Actual Monitoring of Offload at a Remote Port

1. The vessel may enter port and tie at safe berth, but no offloading can commence until the RM is present.
 - a. The RM will take copies of all VTRs with all information available (no blocked cells).
 - b. If there are scales, then the RM will verify whether or not the scales are certified by the dealer's state, and record the weight of offloaded fish by species or market class.
 - c. If there are no scales at the offload site, then the RM will record the number of totes of each species and the captain's estimate of the weight in each tote.
 - d. The RM will ask the captain whether all fish have been offloaded, and whether any are being retained for home use. The RM will record the captain's estimate of weight of any amounts being retained for home use or retained on the vessel for any reason.
 - e. The RM will ensure that each tote is labeled with appropriate identifying information, including but not limited to: Serial number of first VTR page filled out for that trip, RM name, tote number and species;
 - f. The RM will confirm that the driver's manifest includes an accurate list of all totes, the species they hold, the VTR serial number, and the RM's name/contact information, and sign the manifest.
 - g. The RM will take a copy of the signed manifest.
 - h. The RM will electronically send copies of the VTRs, manifest, and the offload report to the sector manager, or designated third party.
 - i. The RM will keep a copy of the report and it shall be electronically stored by the DSM vendor.