

**Sector Dockside Monitoring Program Standards
for Fishing Year 2010
August 24, 2009**

[Significant changes since May 25, 2009, are marked in red.]

PURPOSE STATEMENT: NOAA's National Marine Fisheries Service's (NMFS) has developed these standards for dockside monitoring (DSM) programs (a *modified version* of what was originally developed collaboratively by the Sector Monitoring Working Group). *In June 2009 the New England Fishery Management Council approved 50 percent random DSM in 2010, and 20 percent random DSM in following years, for sectors as a requirement in Amendment 16 to the Northeast (NE) Multispecies Fishery Management Plan. It will be the responsibility of individual sectors to adopt a DSM program that is consistent with these standards. NMFS revised this document in August 2009 to reflect regulatory expectations and requirements, as well as lessons learned from the Dockside Monitoring Pilot Study Final Report 2009 authored by AIS, Inc., and funded by Environmental Defense.*

1) HAIL

- i) Transmission of all vessel hails must 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 by either the sector manager (SM) or DSM vendor to NOAA Fisheries Office for Law Enforcement (OLE)**; the mechanism for hail notification must be detailed in the sector's operations plan.
- ii) Prior to leaving port on a sector trip for which catch will count against sector annual catch entitlements (ACE), each sector vessel must **hail trip start**, meaning notify the SM and DSM vendor that the vessel is departing on a sector trip. The trip start hail must include vessel permit number, the **trip ID# (which is the VTR number on the first VTR page used for that trip)**, and estimated trip duration. The DSM vendor must immediately send a confirmation to the vessel that the trip start hail was received; if the vessel does not receive confirmation within 10 minutes, the captain must contact the vendor to confirm the trip start hail via an independent backup system (*e.g.*, a phone number) that must be set up by the DSM vendor.
- iii) At the appropriate time before landing (detailed below), the sector vessel must **hail trip end** to the DSM vendor. **For all trips greater than 6 hours in length, 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 6 hours in length, or occurring within 6 hours of port, trip end hail notification time must be defined in the sector's operations plan, after being agreed upon by the sector, the monitoring provider, and OLE.**

The trip end hail must include the following:

- A) Permit number;
- B) Trip ID#;
- C) Specific offloading location(s): Dock/dealer, port/harbor, and state (**for all dealers or facilities where the vessel intends to offload**);
- D) Estimated landing time;
- E) **Estimated offloading time**; and
- F) Estimated weight of **each** species of fish being landed.

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- iv) **The DSM vendor must immediately send a confirmation to the vessel that the trip end hail was received. If the vessel does not receive confirmation prior to landing, the captain must use the backup system to contact the DSM vendor prior to landing. The DSM vendor must inform the vessel in the trip end hail confirmation (and no earlier) that:**
 - A) **The vessel will have a dockside monitor (DM) or roving monitor (RM) present; or**
 - B) **The vessel is issued a DSM waiver for the trip (meaning no DM or RM will be present to witness the offload).**

- v) **If the DM has an emergency and cannot meet the vessel as scheduled, the DSM vendor must notify the vessel, the sector manager, and OLE as soon as possible to resolve the pending DSM event.**

- vi) **If the vessel retains a portion of the landings from a trip to be offloaded during a future landing event, the VTR for the trip on which the landings were caught must include those landings with the code for fish retained for future sale. The VTR for the subsequent trip, after which the retained landings are finally sold, must include the previously retained landings in addition to the current landings from trip. The previously retained landings must be identified by a unique code on the VTR. Landings will only count against ACE once.**

2) Monitoring of Offload at Dealer

i) If the vessel will get a DSM Waiver:

The DSM vendor, when confirming that it has received the trip end hail, must notify the vessel that the vessel is receiving a waiver from DSM for the trip. The vessel operator must provide copies of all VTRs and dealer receipts for the trip to the SM, or SM-designated third party, within 24 hours of offloading.

ii) If the vessel has been selected for DSM:

- A) The vessel may land, but no offloading may commence until the DM is present.
- B) **Vessels offloading at more than one dealer or facility must have a DM present during offload at each location.**
- C) Upon meeting the vessel at the offloading site, the DM must:
 - (1) Take copies of all VTRs filled out for the trip, with all information available (no blocked cells).
 - (2) Record whether or not the scales are certified by the dealer's state.
 - (3) **Observe and record whether ice and box weights are tared by the dealer before the catch is added. If the dealer does not tare the box and ice, the DM must obtain the estimated weight of the ice and box from the dealer and record that weight in his/her report.**
 - (4) **Ask the captain whether all fish have been offloaded, and whether any are being retained for personal use. The DM must record the captain's estimate of weight of each species being retained for home use or retained on the vessel and record the reason(s).**

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- (5) **Either the DM or dealer** must record the weight of offloaded fish, by species (and market class, if culled), in a report. This report must be signed by the DM, and the DM must keep a copy of the signed report.
- (6) **Provide accurate and complete data to the SM, and/or any SM-designated third party, within 24 hours of the completion of the DSM event.**
- (7) Send copies of the VTR(s), the dealer receipt(s) if separate from the DM's report, and the DM's report to the SM or any SM-designated third party.
- (8) Keep a copy of his/her report, which must be **electronically** stored by the DSM vendor.

3) Monitoring Offload to a Truck

- i) Each sector must specify in its operations plan the remote unloading facilities where sector members will be allowed to offload catch to trucks.
- ii) Offloading of landings to trucks and subsequent weigh out of landings at all dealer facilities are considered separate **(in terms of individual monitors) but conjoined (in terms of fishing trip) events. If a trip is selected for DSM and will offload to a truck, the trip must have a RM present to witness all offload activities, as well as a DM present at each dealer that receives the fish to certify weigh-out of all landings. The RM and DM may be the same or different individuals.**
- iii) If the landings are weighed **by a representative of the receiving dealer** in front of the RM before being loaded into the truck, the event must follow the protocol for offload at a dealer (Section 2 of this document).
- iv) If the landings are not weighed **by a representative of the receiving dealer** in front of the RM before being loaded into the truck, all requirements of DSM when offloading to a dealer will apply (except weight and dealer-receipt records), and the additional requirements of this section will also apply.
- v) Additional requirements:
 - A) All fish must be weighed in the presence of a DM at the receiving dealer(s) when the truck offloads.
 - B) Upon meeting the vessel at the offloading site the RM must:
 - (1) Take copies of all VTRs filled out for the trip with all information available (no blocked cells).
 - (2) If there are no scales at the offload site, record the number of totes of each species and the captain's estimate of the weight of each species in each tote.
 - (3) **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 species being retained for home use or retained on the vessel and record the reason(s).**
 - (4) Record all offloaded fish, by species (and market class, if culled), in a report, **unless the driver creates such a report that the RM may use. This report shall be signed by the RM, and the RM shall keep a copy of the signed report.**
 - (5) Ensure that each tote is tagged 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.
 - (6) Send copies of the VTR(s), driver manifest(s) if separate from the RM's report, and the RM report to the sector manager or SM-designated third party.

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(7) Keep a copy of his/her report, which must be **electronically** stored by the DSM vendor.

4) Responsibilities of the DSM Vendor

- i) The DSM vendor must ensure that all individual monitors are trained as required in Amendment 16 (Section 4.3.3.5.5). The DSM vendor also must 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.
- ii) The DSM vendor must have a back-up communications method (*e.g.*, phone), capable of circumventing problems with the electronic hail system.
- iii) 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.
- iv) The DSM vendor must keep a running list of all open trips.
- v) The DSM vendor is responsible for developing a randomized methodology that assigns DSM to **50 percent of sector trips and issues a DSM waiver to the other 50 percent**. The method must assign DSM without regard to any preference of the sector or its members, the assignment of DSM must be representative of fishing activities within the sector, and the method must be approved by NMFS in the sector operations plan. The DSM vendor must determine whether or not a trip is assigned a DM or RM after the DSM vendor provides a confirmation that the trip start hail was received.
- vi) Upon receiving a trip end hail, the DSM vendor must respond by sending the vessel a confirmation that the hail was received. The confirmation must inform the vessel whether or not the trip is assigned a DM or RM. The DSM vendor must either provide a time certain for the DM or RM to meet the vessel, or stipulate that the DM or RM will communicate with the vessel to coordinate a time for offloading to commence. This may be any time agreeable to the unloading facility, the vessel, and the DM or RM, but not less than the required time notice between the trip end hail and landing.
- vii) The DSM vendor must immediately notify and provide the SM and OLE with all information contained in the trip end hail (including a breakdown of species to be landed and estimated weight of each species on board) and whether or not the vessel is assigned a DM or RM for the trip.
- viii) The DSM vendor must ensure a DM or RM, when assigned, is present at the offload site by the vessel's specified offloading time.
- ix) In cases where reproducible dealer-receipt forms, driver-manifest forms, and tote tags are not provided or utilized by fishing industry personnel, the DSM vendor must develop such materials or capabilities and provide them to each DM or RM that may encounter these cases.
- x) The DSM vendor must keep an **electronic** record of information collected from each offload and **must make electronic and other records available to NMFS upon request**.
- xi) The DSM vendor must work with the SM and OLE to establish an acceptable process for safe harbor situations when a sector vessel is unable to follow normal DSM protocols due to an emergency situation.

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5) DEFINITIONS

Dockside Monitoring (DSM) – Monitoring of all landings from sector trips taken by sector vessels in order to verify landings of the vessel at the time they are weighed by a dealer and to certify the landed weights are accurate as reported on the dealer report.

DSM Event – The observation of landings either offloaded to a truck or being weighed by a dealer.

Dockside Monitor (DM) – A certified dockside monitor tasked with observing either the weighing of fish by a dealer at the time of landing or the weighing of fish by a dealer at the time of offload from a truck.

Roving Monitor (RM) – A certified dockside monitor tasked with observing the offload of fish to a truck at the time of landing without first being weighed.

DSM Vendor – A sector monitoring service provider approved by NMFS to conduct dockside monitoring (DSM).

Landing Time – The time when a vessel arrives in port.

Port – Defined by the local port agent.

Offloading Time – The time when a vessel begins offloading fish.

Trip Duration – The time range from when the vessel departs port until its return to port (landing time).

Trip ID# – The VTR number on the first VTR page used for that trip.