



## APPENDIX B – Ocean Guardian Task List

The following action items constitute the OCEAN GUARDIAN task list, to provide a specific blueprint for improving and strengthening Coast Guard fisheries law enforcement. It was developed with input from nine regional constituent listening sessions (Appendix A), feedback from the Great Lakes Fish Commission, meetings with Congressional staffs, and various entities within the fishing industry; governance; and the scientific, academic, environmental and enforcement communities. Accomplishment of task list line items shall be reported in the monthly Living Marine Resource Enforcement Summary Report.

This Task List is grouped according to the four strategic foundations of OCEAN GUARDIAN. Although it contains very specific line item tasking for HQ, Area, District and field units, it is intended to serve as a general guide for improving the fisheries law enforcement program and shall in no way be construed as being all-inclusive.

### Ongoing Initiatives

The following is a summary of ongoing initiatives currently in place that were identified in the task lists of the 1993 and 1999 Fisheries Enforcement Strategic plans. These initiatives are fully established and shall be continued to ensure the continued effectiveness of Coast Guard fisheries enforcement:

- Distribute Fisheries Enforcement Study and Implementation Plan.
- Understand Congressional interests.
- Communicate with non-governmental organizations.
- Establish law enforcement advisory panels in all fishery management councils.
- Improve clarity of regulations generated by regional fishery management councils.
- Continue flag officer representation at annual council chair's meeting.
- Continue Area/District commander participation in council activities.
- Maintain effectiveness of USCG council designees.
- Continue multi-district participation in council activities.
- Advise councils on safety and enforcement issues.
- Provide USCG input to secretarial FMP/protected resource regulation development.
- Continue dissemination of USCG enforcement reports.
- Establish/maintain interagency relationships at national and regional levels.
- Continue postgraduate training for USCG fisheries officers.
- Use fishing industry vessels and facilities for USCG training.
- Closely align USCG training with fishery management plan changes.
- Balance enforcement with safety.
- Revalidate fisheries enforcement study and strategic plan.
- Continue emphasis on foreign fishing vessel enforcement.
- Continue Regional Fishery Training Centers



## Sound Regulations

### Establish/Maintain Robust Presence in Fishery Management Fora

As the Federal agency responsible for projecting a law enforcement presence into and beyond the US EEZ, many of the regulatory schemes developed at regional Fishery Management Councils, coastal state Marine Fish Commissions, international Regional Fishery Management Organizations (RFMOs), and multi-lateral fishery management conventions (such as those found in Appendix H) will directly impact the Coast Guard. Maintaining an influential presence in these fora is necessary to ensure the safety and enforceability of regulations. To accomplish that end:

- Areas, Districts, and RFTCs shall continue active involvement with Fishery Management Councils (FMC) as a non-voting member. Participation on associated committees (in particular the Law Enforcement Committee) is strongly encouraged.
- Attendance of FMC meetings by local commands with an interest in fisheries enforcement or fishing vessel safety is strongly encouraged.
- HQ, Areas, and Districts shall continue active participation in RFMOs and other international fora where appropriate.

### Advise on Safety and Enforceability

It is incumbent upon Coast Guard representatives to Councils or members of international delegations to ensure that managers who develop regulatory schemes are cognizant of enforcement issues involved with each proposed regime. The regulations governing a fisheries management scheme must be enforceable and cannot bring about the unintended consequence of reducing the safety of a fishery. As professional mariners and enforcement officers, the Coast Guard is uniquely qualified to assess safety and enforceability implications and advise accordingly. To accomplish that end:

- Areas, Districts, and/or RFTCs shall closely review all proposed management regimes developed by FMCs. In conjunction with the Regional NOAA Enforcement and General Counsel, provide a written enforcement assessment of proposed regulatory actions.
- Areas, Districts, and/or RFTCs shall coordinate with the cognizant District Commercial Fishing Vessel Safety (CFVS) Coordinator for a review of safety – related issues.
- HQ shall actively participate in annual new FMC member indoctrination training.
- Area, District, and RFTC participants shall, as opportunities arise, conduct formal and informal training on enforceability and safety issues for Council or delegation members.
- HQ, Areas and Districts shall encourage enforcement consistency between federal and state regulations and regional enforcement policies.



## **Effective Presence**

Presence is more than the historic axiom of “Steel on Target”. Presence today means effective presence. The ability to project deterrence amid a landscape of constrained resources, highly technical regulatory schemes, and smarter violators is the nexus of *effective* presence. To accomplish this goal, the USCG will need to:

### **Identify and Employ Resources**

Despite advances in technology, there is still no substitute for a surface resource and boarding team being on scene. To meet the demand for physical enforcement presence amidst resource constraints:

- Areas, Districts, Groups and units shall incorporate partner enforcement agencies in joint enforcement operations.
- Commandant shall ensure that fisheries law enforcement is included in the Integrated Deepwater System (IDS) portfolio. IDS technologies shall include those with specific fisheries enforcement applications. IDS systems will be tested in simulated fisheries enforcement scenarios to ensure mission compatibility.
- As part of its ten-year strategic vision and five-year strategic budget, Commandant (G-O) will investigate development of deployable LMR boarding teams similar to LEDETs.
- Unit commanders shall ensure appropriate documentation of law enforcement boarding information and resource hours dedicated to fisheries enforcement operations through careful preparation of MISLE and Abstract of Operations database entries. The numbers contained in the databases are used to document the Coast Guard’s resource investment in the fisheries enforcement mission and directly support mission growth and capital investment.

### **Cast a Better Net**

In an era where the maritime, multi-mission, and military character of the Coast Guard is increasingly competing for resource hours in non-fisheries missions, it is necessary to follow the lead of fishers and now cast a better net, not a larger net. There are a number of ways the Coast Guard can accomplish this:

- Increase intelligence collection and data analysis capabilities. New billets have been created at some Areas and Districts with more planned in the strategic budget. Operational Commanders must exploit all intelligence sources to queue enforcement resources on known or suspected violations.
- Operational Commanders are encouraged to conduct more pulse operations utilizing a “saturation” concept of operations; maximizing the number of boardings in a short period of time.
- Commandant (G-O) will continue to work with NOAA Fisheries and seek access to the National Vessel Monitoring System (N-VMS) and develop monitoring protocols as it is developed. Carriage of VMS is already compulsory in many fisheries. Area, District, and RFTC representatives participating in the Fishery Management Council process shall continue to support expansion of VMS technology in fishery



- management plans. Area, District, and RFTC representatives shall also continue to market the benefits of VMS technology to industry.
- Operational Commanders shall institute a “Frequent Flyer” list of vessels that have been boarded repeatedly and found to have no violations. Periodic and abbreviated boardings of legitimate fishers promotes commerce, improves relations with industry, and is a more efficient use of resource hours.
  - Increased non-confrontational dockside presence by boarding team personnel, not just Commercial Fishing Vessel Safety Examiners, will go a long way toward building a rapport with fishers and reducing the “us versus them” attitude so often encountered on at-sea boardings. Operational Commanders are highly encouraged to have boarding officers and boarding team members “walk the docks”. Not only will this improve public relations, promote compliance and safety, but it will also present a training opportunity for boarding personnel.

### Train

One programmatic weakness identified at every constituent listening session was training. Specific training gaps were identified in species recognition and in regulation application. Properly training boarding officers is one of the key elements of effective presence.

- Commandant shall review specific training gaps identified during listening sessions at the 2004 RFTC Commanding Officer’s Conference, including a training needs assessment and front end analysis. RFTC COs shall develop innovative ways to address those gaps through changes in curriculum and/or practicum.
- Commandant and RFTCs shall conduct a review of current Fisheries Enforcement Personal Qualification Standards (LMR PQS) and seek an improved system for delivering and managing LMR PQS.
- Districts and RFTCs are encouraged to support requests for training received from other federal, state, or local agencies. RFTC COs are highly encouraged to seek classroom participation from representatives of industry and other agencies.
- Districts and RFTCs are encouraged to support requests for training of foreign students on a “not-to-interfere with normal operations” basis. Training of foreign students shall be coordinated through G-OPL and G-CI.
- Commandant, in conjunction with RFTCs shall develop an input/output performance measurement for effective fisheries training.

### Manage Personnel and Resources

- In keeping with the Commandant’s vision outlined in ALCOAST 575/03, Commandant shall work to improve the personnel qualification and assignment processes to better match skill sets with unit missions.
- Through the annual law enforcement guidance letter, Commandant will commit to dedicating a finite percentage of constrained resources to the fisheries enforcement mission.



- Due to increasing political sensitivities to fisheries enforcement issues, Commandant shall maintain a close liaison with Congressional staffs and industry groups.

#### **Communicate**

The vast majority of fishers are responsible, law-abiding citizens. Commercial fishing contributes over \$27 billion annually to the United States' Gross Domestic Product, and recreational fishing contributes nearly \$25 billion. Since these are legitimate industries, it is extremely important to communicate effectively, both overarching enforcement program issues and specific operational requirements.

- Operational Commanders are strongly encouraged to develop public outreach programs to market the fisheries enforcement mission and build a rapport with industry constituents. The programs may take the form of speakers bureaus, listening sessions, industry day participation, static displays, unit open houses, or similar activities.
- Areas, Districts, RFTCs, and unit commanders are encouraged to widely publicize enforcement successes as a means of deterrence.
- As part of the Commandant's vision for a law enforcement qualification program, Commandant will address the issue of bi-lingual Boarding Officers/BTMs.

#### **Application of Technology**

Constrained resources cannot be in all places at all times, hence the need for comprehensive maritime domain awareness. One method for increasing awareness is through applying various technologies. To ensure maximum use of available technology is accomplished and to ensure new technologies are developed and fully exploited:

- Commandant and C2Center will continue to work with NOAA Fisheries to gain access to N-VMS as it is implemented. Area, District, and RFTC representatives to Fishery Management Councils shall encourage expansion of VMS technology in management schemes. Coast Guard Liaison Officers at NOAA Fisheries and Department of State shall advocate use of US compatible VMS in international fisheries management regimes.
- Coast Guard council representatives to Fisheries Management Councils shall advocate electronic logbooks and similar technologies that will assist partner agencies in various aspects of management and enforcement.
- Commandant will improve awareness of EEZ incursions through development of maritime domain awareness.
- Commandant shall investigate or support those entities within the Coast Guard investigating new technologies, which may aid in enforcement operations.

#### **Productive Partnerships**

Through effective partnerships it is possible to significantly increase not only the number of available resources, but also the compliance level that results from the visibility of those additional resources.



- Commandant shall continue international engagement through such organizations as the North Pacific Heads of Coast Guard Organization, Regional Fishery Management Organizations, and direct involvement with international enforcement partners through Memorandums of Understanding, International Conventions or International Plans of Action. Operational Commanders with AORs adjacent to international boundaries are encouraged to work directly with counterpart enforcement agencies to foster operational relationships. Ensure all interaction is appropriately documented to Commandant (G-OPL and G-CI).
- Area, District, Group and unit-level representatives shall work closely with NOAA Fisheries personnel when conducting operations, gathering intelligence, conducting training, etc. Commandant shall work closely with counterparts at the national level to ensure close alignment between NOAA Fisheries and Coast Guard enforcement philosophies, policies and strategies.
- Joint Enforcement Agreements (JEAs) are formal agreements between coastal states and NOAA Fisheries, which establish anticipated state support of federal fisheries enforcement. Operational Commanders shall support state enforcement agencies to the best of their abilities. RFTCs shall conduct training for state enforcement personnel on a “not-to-interfere with normal operations” basis.
- Operational Commanders shall partner with industry to address key enforcement concerns, self-policing programs, market new technologies, and maintain a rapport with the constituency.