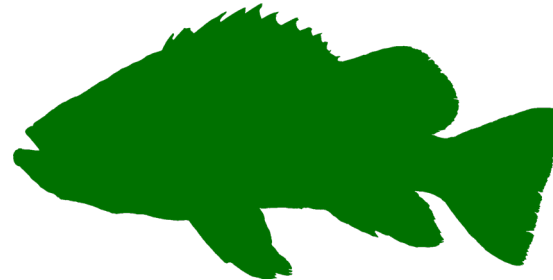




**NOAA
FISHERIES**

Pacific Coast Groundfish Fishery

**Guide for Participating in the Pacific Coast
Groundfish Open Access Fishery Sector**



Pacific Coast Groundfish Open Access Fishery

This compliance guide is intended to serve as a checklist of actions for new and existing participants in the Pacific Coast Groundfish open access fishery, as well as provide quick access to relevant informational resources that explain how the fishery is managed.

For questions on this compliance guide, please contact
Lynn Massey at lynn.massey@noaa.gov, work phone: (562) 900-2060 or
Gretchen Hanshew at gretchen.hanshew@noaa.gov, work phone: (206) 526-6147

For general groundfish questions, please call the Groundfish Branch at 206-526-6140.



NOAA
FISHERIES

Pacific Coast Groundfish Open Access Fishery

Groundfish include over 90 species of rockfish, flatfish, sharks, skates, and roundfish that are associated with the ocean floor during one or more of their life stages. The Pacific Coast Groundfish open access fishery is the sector composed of commercial vessels using open access gear fished pursuant to federal regulations governing the fishing activities of open access vessels. Any commercial vessel that is not registered to a groundfish limited entry permit and which takes and retains, possesses or lands groundfish is a participant in the open access groundfish fishery.

The open access fishery is divided into two subsectors: 1) the directed open access fishery, which includes vessels that target groundfish, and; 2) the incidental open access fishery, which includes vessels that catch and retain groundfish incidentally to other species (*e.g.*, the salmon troll fishery).

A federal permit is not required in order to participate in the commercial open access groundfish sector, however participants should check with their respective states for any fishing license requirements or other applicable state regulations.



**NOAA
FISHERIES**

Checklist for Open Access Fishery Participants

(in no particular order, but before you go fishing for federal groundfish...)

- Check with your respective state for potential state fishing license requirements and other applicable state regulations.
- Sign up for email updates from the National Marine Fisheries Service (NMFS/NOAA Fisheries) West Coast Region.
- Review the relevant federal regulations pertaining to the general groundfish fishery and the open access fishery.
- Plot coordinates for Groundfish Closed Areas (GCAs) and Essential Fish Habitat Conservation Areas (EFHCAs) in your navigation system.
- Download the electronic non-trawl logbook application from the Pacific States Marine Fisheries Commission (PSMFC) website.
- Obtain and set up a Vessel Monitoring System (VMS) unit.
- Stay current on United States Coast Guard (USCG) inspection requirements.

More detail is provided on each of these action items on subsequent pages.



Checklist for Open Access Fishery Participants

- Check with your respective state for potential state fishing license requirements and other applicable state regulations.

Below are the websites for where to obtain a commercial fishing license from each West Coast state:

California: <https://wildlife.ca.gov/Licensing/Commercial-Fish-Business>

Oregon: https://www.dfw.state.or.us/fish/commercial/licenses_limited_entry.asp

Washington: <https://wdfw.wa.gov/licenses/commercial>



Checklist for Open Access Fishery Participants

- Sign up for email updates from the National Marine Fisheries Service (NMFS/NOAA Fisheries) West Coast Region.

Email is the primary method by which NMFS communicates new groundfish regulation updates to the fleet. Register your email at the below website:

<https://public.govdelivery.com/accounts/USNOAAFISHERIES/subscriber/new>

Navigate to West Coast groundfish by clicking the "+" box next to "Regional", scroll down to find West Coast and in that section, click the box next to groundfish, then scroll down to the bottom and click "Submit."

At this website, you may also sign up for notifications regarding other fisheries.



Checklist for Open Access Fishery Participants

- Review the relevant federal regulations pertaining to the general groundfish fishery and the open access fishery. (Slide 1 of 2)

Federal regulations are published online in the electronic Code of Federal Regulations (eCFR). Below are links to each section that pertains to the groundfish open access fishery:

- [Subpart A](#) – General
- [Subpart B](#) – All West Coast EEZ Fisheries
- [Subpart C](#) – West Coast Groundfish Fisheries
- [Subpart F](#) – West Coast Groundfish – Open Access Fisheries
 - (see next slide for more details on Subpart F)



Checklist for Open Access Fishery Participants

- ❑ Review the relevant federal regulations pertaining to the general groundfish fishery and the open access fishery. (Slide 2 of 2)

Subpart F – West Coast Groundfish – Open Access Fisheries provides the specific rules for the groundfish open access fishery.

- **Table 3 North and Table 3 South** include open access trip limits for species and species groups both north and south of the 40°10' north latitude (N. lat.) management line, *i.e., tells you how much groundfish you can harvest and when/where*. These tables also provide boundaries of the Non-Trawl Rockfish Conservation Area, which is a coastwide closure defined by coordinates approximating depth boundaries.
 - Table 3 North of 40°10' N. lat.
 - Table 3 South of 40°10' N. lat.

Links to trip limit tables can also be found on our website here:

<https://www.fisheries.noaa.gov/species/west-coast-groundfish#commercial>



Checklist for Open Access Fishery Participants

- Plot coordinates for Groundfish Closed Areas (GCAs) and Essential Fish Habitat Conservation Areas (EFHCAs) in your navigation system.

GCAs are conservation areas created or modified and enforced to control the catch of groundfish (e.g., the Non-Trawl Rockfish Conservation Area). EFHCAs are closures created or modified and enforced to protect EFH. Coordinates for GCAs and EFHCAs are provided in federal regulations at [§660.70](#) and [§660.76](#) (coastwide), [§660.77](#) (Washington), [§660.78](#) (Oregon) and [§660.79](#) (California). Files containing coordinates for GCAs and EFHCAs can be downloaded from NMFS' Groundfish Closed Areas webpage at:

<https://www.fisheries.noaa.gov/west-coast/sustainable-fisheries/west-coast-groundfish-closed-areas#rockfish-conservation-areas>



Checklist for Open Access Fishery Participants

- ❑ Download the electronic non-trawl logbook application from the Pacific States Marine Fisheries Commission (PSMFC) website.

Any groundfish fishing that takes place in federal waters (*i.e.*, seaward of 3 nautical miles from shore) with non-trawl gear in the directed open access sector (defined at [§660.11](#)) triggers the requirement to fill out and submit to NOAA Fisheries, a non-trawl electronic logbook entry. The non-trawl electronic logbook is a web-based portal used to send data from non-trawl fishing trips to the PSMFC. Rules pertaining to the non-trawl electronic logbook are provided at [§660.13\(a\)](#).

In order to download the non-trawl electronic logbook application, visit the PSMFC's website at: <https://www.psmfc.org/program/logbooks?pid=17>

The associated Compliance Guide for the non-trawl logbook is provided on NMFS' [Compliance Guide website](#) (scroll to the "Non-Trawl" section). Note that vessels participating in the incidental open access groundfish fishery (*e.g.*, salmon trollers) are not required to complete the non-trawl logbook.



Checklist for Open Access Fishery Participants

- Obtain and set up a Vessel Monitoring System (VMS) unit. (Slide 1 of 3)

Any groundfish fishing that takes place in the U.S. Exclusive Economic Zone (EEZ, *i.e.*, seaward of 3 nautical miles from shore, also referred to as “federal waters”) or transiting federal waters with groundfish on board triggers the requirement for your vessel to have an active VMS unit. VMS is a satellite surveillance system that primarily monitors the location and movement of commercial fishing vessels in the U.S. EEZ and treaty areas. The program supports law enforcement initiatives to prevent violations of laws and regulations.

For more information on VMS, visit our [West Coast VMS webpage](#). Review NOAA Fisheries’ [VMS Compliance Guide](#) (pdf). Your VMS unit must meet NOAA Fisheries standards, also called “NMFS type-approved”. VMS units may be purchased from a variety of sellers. Visit NOAA Fisheries’ [VMS Equipment Provider Directory website](#) for more information about where to purchase VMS units.



Checklist for Open Access Fishery Participants

- ❑ Obtain and set up a Vessel Monitoring System (VMS) unit. (Slide 2 of 3)

Important information and action items to remember regarding VMS:

- A VMS unit may cost several thousand dollars. There are limited VMS reimbursement funds for eligible vessel owners and operators, administered by the PSMFC. You can find out more on the [PSMFC website](#), as well as sign up to request reimbursement.
- Once installed, you must confirm with your service provider that your unit is properly transmitting signals to NOAA OLE at the appropriate ping rate. See step 5 of the [Vessel Monitoring Systems Installation and Activation Report for the Pacific Coast Groundfish Fishery](#) (pdf). You must also confirm with NOAA OLE that your unit is properly transmitting signals. See step 6 of the Activation Report and regulations at [§660.14\(d\)\(2\)](#).
- Before you leave port on a trip requiring active VMS, you must submit a declaration report. (more detail on next slide).



Checklist for Open Access Fishery Participants

- ❑ Obtain and set up a Vessel Monitoring System (VMS) unit. (Slide 3 of 3)

Declaration Reports:

- Before you leave port on a trip requiring active VMS, you must submit a declaration report.
 - A declaration is a report that describes the gear you plan to use and fishery sector you plan to participate in.
 - Access the phone-in system by dialing 1-888-585-5518. Reports may be submitted 24 hours a day.
 - Declaration codes are listed in the eCFR at [§660.13\(d\)\(4\)\(iv\)](#) and are also provided on this optional-for-use [Declaration Report Worksheet](#) (pdf).
 - As an open access fishery participant, you may declare more than one fishing activity as per the federal regulations at [§660.13\(d\)\(4\)\(iv\)](#), however you may *not* change your declaration from sea. If you need to change your declaration, you must first return to port.



Checklist for Open Access Fishery Participants

- Stay current on United States Coast Guard (USCG) inspection requirements.

Commercial fishing vessels that operate in federal waters are required to pass a Commercial Fishing Vessel Safety (CFVS) dockside exam at least once every 5 years. Commercial fishing vessels carrying NOAA Fisheries observers are required to pass a dockside exam every 2 years and display a valid CFVS decal sticker on the vessel.

For more information, visit this website:

<http://www.fishsafewest.info/>



Groundfish Observer Program

The Fisheries Observation Science Program at the Northwest Fisheries Science Center places trained scientists, known as observers, on U.S. West Coast fishing vessels to collect data on catch composition and amount, obtain biological samples, collect information on fishing operations, and record interactions with protected species, among other duties.

NOAA Fisheries uses selection criteria for each cumulative period, and you may be notified via a letter that you have been selected to carry an observer for that period. If notified, the vessel may not be used to fish for groundfish without carrying an observer. The notification letter will contain contact information and additional details.

Regulations pertaining to observer requirements can be found in the eCFR at [§660.16](#) and [§660.316](#).



Public Process for Groundfish Fishery Management

The Pacific Fishery Management Council (Council) holds public meetings to discuss new and ongoing fishing issues, including groundfish. They meet five times per year in March, April, June, September, and November. Engaging in this process could help familiarize you with developing fishery management topics that may relate to your business decisions. To view more information about the Council, visit their webpage at pcouncil.org.

Among the Council's many advisory bodies includes the Groundfish Advisory Subpanel (GAP). The GAP is comprised of industry members who represent groups or interests concerned with management of their respective fishery, and who have expertise related to the fishery. This includes representatives who speak for the groundfish open access fishery. To view the current roster of representatives, visit the Groundfish Advisory Subpanel website at: <https://www.pcouncil.org/navigating-the-council/membership-groups-and-staff/advisory-groups/groundfish/>



NOAA
FISHERIES

Informational Links

Federal:

Pacific Coast Groundfish Fishery Management Plan

https://www.pcouncil.org/managed_fishery/groundfish/

West Coast Groundfish Commercial Fishing:

<https://www.fisheries.noaa.gov/species/west-coast-groundfish#commercial>

Federal Regulations for Pacific Coast Groundfish:

<https://www.ecfr.gov/current/title-50/chapter-VI/part-660#subpart-C>

State:

Washington Commercial Fisheries

<https://wdfw.wa.gov/fishing/commercial>

Oregon Commercial Fisheries

https://www.dfw.state.or.us/mrp/regulations/commercial_fishing/

California Commercial Fisheries

<https://wildlife.ca.gov/Fishing/Commercial>

