



NOAA
FISHERIES

**Southeast
Regional
Office**

Dolphin and Wahoo/Rock Shrimp Operator Card Overview

September, 2014

What is an operator card?

- An operator card functions like a driver's license, and is required in two southeast fisheries.
- Operator cards are generic, one card is issued for all fisheries the require them. Cards issued from the Northeast Region are valid for use in the Southeast Region and vice versa.
- An operator is defined as the master or other individual on board a vessel who is in charge of that vessel (see 50 CFR 620.2).
- Operator cards are valid for three years.

Who is required to have an operator card?

- Southeast Region – South Atlantic rock shrimp (Shrimp Amendment 5, May 16, 2003).
- Southeast and Northeast Regions – dolphin and wahoo (Dolphin-Wahoo FMP, November 23, 2004).
- Northeast Region 50 CFR 658.5 – All federally managed fisheries.
- Atlantic Coastal Fisheries Cooperative Management – American lobster 50 CFR 648.5.

Operator Card Applications

- Operator cards maybe be obtained through NMFS Southeast Regional office (\$50.00) or through the Northeast Regional Office for free.
- SERO Application:
http://sero.nmfs.noaa.gov/operations_management_information_services/constituency_services_branch/permits/permit_apps/documents/vessel/OperatorCardApplication.pdf
- NERO Application:
<http://www.greateratlantic.fisheries.noaa.gov/permits/forms/vopapp.pdf>
- Both regions issue a generic operator card that is valid for three years.

Council's intent for operator cards

- Increase compliance for vessel owners and operators.
- Vessel owners may ask for proof of a valid operator card prior to hiring an operator.
- Accurate and expedient method of identifying the operators of vessels, which in turn can provide data to managers regarding catch, bycatch, fishing areas, effort, CPUE, and other needed information.
- Enforcement is enhanced by having another means of sanctioning violators.

Dolphin and Wahoo FMP

The implementing action states:

Require that the operator of a commercial or for-hire vessel obtain an operator's permit issued by the National Marine Fisheries Service to harvest or possess dolphin or wahoo in or from the Atlantic EEZ. On each federally permitted dolphin/wahoo commercial or for-hire vessel, there must be on board at least one operator who has been issued a federal operator's permit for the dolphin/wahoo fishery. The federally permitted operator will be held accountable for violations of fishing regulations and also may be subject to a permit sanction. If an operator's permit has been sanctioned, during the permit sanction period the individual operator may not work in any capacity aboard a federally permitted fishing vessel.

Dolphin and Wahoo FMP cont.

The action analysis states: “This action will improve enforcement and aid in data collection. It should decrease costs to vessel owners from fisheries violations.” “Will make vessel captains more accountable for damaging habitat or violating regulations intended to protect the long-term viability of the stock.”

Dolphin and Wahoo FMP cont.

Council Conclusion: “The Council concluded that requiring an operator’s permit will make vessel captains more responsible for complying with fishery regulations, thus helping to achieve optimum yield. The Council addressed Advisory Panel member concerns by allowing the possession of any operator permit under any FMP to meet this requirement. This action will especially reduce the impact on all HMS and many Mid-Atlantic and New England fishermen. Many Mid-Atlantic and New England fishermen are already required to have operator permits.”

Shrimp Amendment 5

- The operator card requirement also exists in the rock shrimp fishery.
- The operator permits in the rock shrimp fishery were requested by industry (mostly vessel owners) because in this fishery many owners are not the operators.
- Owners wanted a way for the vessel operator rather than the vessel owners to be held liable for violations.

Shrimp Amendment 5 Cont.

Rock Shrimp Amendment 5 indicates the Council was leaning toward applying operator permits to all fisheries:

“In the long run NMFS will have to deal with the issue of operator permits across all fisheries.” (p106)

How many permits and operator cards exist?

- Dolphin-wahoo permits (commercial) = 2,136
- Dolphin-wahoo permit (for-hire) = 1,578
- Rock shrimp permits (limited access) = 103
- Rock shrimp permits (open access) = 101
- Since January 31, 2011, the Southeast Region has issued a **2,002** new and renewed operator cards for the dolphin-wahoo and rock shrimp fisheries.
- Since January 31, 2011, the Northeast Region issued **9,200** operator cards.

*Permit counts are valid permits as of September 4, 2014

How are operator cards being used?

Northeast Region

- Operator cards are required for anyone operating a vessel in a federally managed fishery.
- Operator permit data base is linked with the electronic reporting system (VTR).
- The system requires operators to enter the card holder's name and the operator permit number.
- NERO uses the operator card number to link an individual with every trip report for compliance purposes.

How are operator cards being used?

Southeast Region

- Currently operator cards are not used for gathering data, distributing information, or enforcement to a large extent.
- The permits office process approximately 15 operator card issuances and renewals per day, it is a labor intensive activity because the applications are processed and the cards are issued through two different databases.
- OLE would support requiring operator cards across all fisheries as they could be used for enforcement/identification purposes consistently.

Southeast Operator Card Violations

- 2 past cases in which NOVAs were issued for not having a dolphin-wahoo operator permit, one in 2006 and one in 2007.
- One recent violation being processed, occurred on September 3, 2014, for a dolphin-wahoo operator card that had been expired for 2 years.

Questions?