

CONSISTENCY, TRANSPARENCY, COMMUNICATION

Group 1

Key Recommendations

- Identify compliance rate to know if penalties are appropriate
 - More interaction
 - Get buy-in
 - Self-policing
 - To focus education efforts LE dock presence prior to opening of season
 - Re: clear modification and reporting
 - 24/7 accessible—enforcement expertise
 - Good faith effort demonstrated as regulation is being violated by calling before activity documentation
 - Part of protocol
- NOAA ombudsman plays 3rd party neutral role in industry and government
- Penalties by FMP consistent within regions and look at each case (re: how egregious)
- Have councils or industry advisory groups look at penalties together to develop protocols
- More rapid response re: administrative reporting violations
 - NOAA notify person early instead of letting case build

Group 2

Key Recommendations

- Support development of standardized penalty guidelines/checklists
 - OLE and OGC provide data that justifies/supports penalties
 - OLE and OGC database need to be consistent and communicate with each other and must be useful
- Publicize timely NOAA OLE activities
 - Streamline NOAA's public affairs process: timeliness is important
 - Explain rationale for slower timeline for establishing national and regional priorities
 - Provide interim guidance pending completion of initiative(s)
- LE and GCEL need to be efficient and communicate with each other and useful
- Consistency in VMS program
- Support idea of standardized penalty guidelines/checklist

Group 3

Key Recommendations

- Develop consistent criteria for penalties
- Set priorities on a national and regional level
- Improve public outreach, publish schedule for penalties
- NOAA should address its management problems in a transparent fashion
- Penalty should not exceed the level necessary to achieve deterrence
- Preserve field officer discretion

Group 4

Key Recommendations

- Develop national policy and standards with core principles to improve consistency
- Provide stakeholders input into penalty schedules to improve consistency
- Clarify how/how penalties are being assessed (transparency)
- Ensure open discovery (transparency)
- Leadership change in NOAA

Group 5

Key Recommendations

- Education and Outreach, Fair and Equitable Penalty Schedule
- Categorize violations by social/economic/biological priorities within region to increase consistency
- Develop consistent enforcement protocols with consideration for different circumstances
- Evaluate regulations for enforceability when they are proposed
- Officers need to think about education and outreach as part of their mission
- Report out on non-violation activities in standard way
- Create web page of into line (24-hour) for consultation on latest regulations
- Limit cumulating violation counts by determining prior violations

Group 6

Key Recommendations

- Look beyond fishery laws
 - Full resource plate
 - Explain why they are treated differently
- Make way for regional differences
- Penalty schedule needed to reflect final outcome
- Rewrite guidelines
 - Currently too vague
- National level review
 - \$ threshold
 - Explain aggregate sentence in NOVA
 - Website OGC to share
 - Penalty decisions
 - Enforcement reports
 - Useful reporting
 - Details

Group 7

Key Recommendations

- Adequate oversight
 - While balancing efficiency (don't hamstring OPS)
 - While balancing regional differences

- Improve outreach
 - Increase interaction with fishers
 - Increase education on regulations
- Congressional funding for NOAA mandates to reduce dependence on asset forfeiture fund
- Amend civil procedure to allow respondents discovery as a matter of right

Additional Ideas:

- Regional grievance panel
- Professionalize captain
 - Commercial and crew base
 - National registry
 - Licensing
- Increase resources (staff) in GCEL offices
 - GCEL involved in council process
 - GCEL involved in development of regulations
 - Penalty structure for regulation violators
 - Increased enforcement assets
 - Needs to be realistic
 - JEA between NOAA and partners
 - Proper utilization of current enforcement assets
 - Goal of well-crafted regulations
 - Simplified
 - Enforceable
 - Shift in culture of councils
 - Compromise
 - Prioritization
 - Help stay in compliance
 - Enforcement
 - Take complexity into account
- Enforcement protocol review panel (before director)
 - Should have an appreciation of regulation
- Do not repetitively fine for repeated errors
- Public input into penalty schedule
- Adequate oversight
 - Because inefficiency
 - Don't hamstring operations
 - Accommodate regional differences
- Use of discretion by agents in Northeast
- GCEL attorney determine fines
 - Greater transparency
 - Basis of fine should be communicated
- Amend civil procedure to allow respondents discovery as a matter of right
- More outreach with fishers
- Increased education on regulations
 - Face to face
 - Town forum

Group 8

Key Recommendations

- Penalty schedule improved
 - Consistency with regional specificity
 - Aligned with FMPs and level of violation
 - Look at coast guard and FWS as examples
 - Clarify penalty schedule with regard to charging of comparable violations and forfeitures
- Suspend licenses until penalty is paid (FL example)
- Consider additional civil tools
 - Warnings, cameras, rewards for reporting
- Increased information accessibility
 - Publish new penalty schedule- available for review
 - Categories of offenses that are pre-approved for summary settlements and make it available for comments
 - Publicize enforcement actions (at time of charging) and again when case is resolved (PIL concerns)
- NOAA should develop its own database of violations that would be available to the public
 - Compiled with statistics generated at regional level

Group 9

Key Recommendations:

- Communication:
 - Uniformed staff (works in sanctuaries)
 - Improve communication among enforcement players in each region
- Consistency and Transparency
 - OLE management to review consistency across regions on ongoing basis
 - Using data support
 - CG looking at consistency of penalties across
 - Matrix, with range and list of mitigating and aggravating factors/criteria
 - Be strategic in setting enforcement priorities
 - Across regions and with HQ
 - Biggest bang for buck- deter
 - Consistency among council regions