

FISHING NET CONFLICT RESOLUTION

Action Items:

- ◆ Vessels engaged in fishing must comply with the 72 COLREGS and should not obstruct navigable channels.
- ◆ Deep draft vessels should proactively verify in advance that channels are clear before transiting.
- ◆ Parties shall work together to solve conflicts prior to calling the Coast Guard.
- ◆ Using a non-fishing vessel to move obstructing nets is a last resort and is not always a timely process.

OBJECTIVE

Public safety is one of the Coast Guard's primary missions and safety of navigation will always be of paramount concern. This guidance is applicable to all waters of Puget Sound, but has a focus on the Duwamish waterway as it has been the primary source of conflicts in the past.

For specific guidance on the Duwamish waterways, the following information applies:

- ◆ Vessel operators should coordinate ahead of time with tribal fishermen by calling them directly to ensure they are aware of planned vessel moves/shifts. They can reach the tribe landing building POC, Mike Mahovich, at 206-767-9455 or the enforcement officer, Chief Potts, at 206-660-6492.
- ◆ If a net is blocking passage of the waterway, operators should contact the tribal POCs above, or if not available, the Port of Seattle. Reports should include where net is located and whether it is marked and how.
- ◆ If neither the tribal POC nor the Port of Seattle are available, vessel operators may contact the Coast Guard Captain of the Port.
- ◆ If tribal, Port of Seattle Police, or Coast Guard resources are unavailable, vessel operators must still maintain safe and positive control of their vessels in accordance with International Regulations (72 COLREGS – Navigation Rules) until the obstruction can be mitigated. Inbound vessels may be directed by the VTS to proceed to anchorages or perform race-track turns or other evolutions. Operators should contact the VTS on CH 14.

COAST GUARD POLICY

1. The CG has the legal authority to order movement of barges, fishing nets, and other hazards to navigation when they actually prevent passage of vessels or create a significant safety hazard. It is the Coast Guard's Policy that fishing nets, moored or fleeted barges, or any other obstruction shall not prevent the safe passage of vessels on a navigable channel.

2. Vessels engaged in fishing shall adhere to the requirements of 72 COLREGS, in particular, rules 9 and 10.
3. It is the responsibility of the Master of a vessel to ensure the safe navigation of their vessel in narrow channels. Masters of vessels that are constrained by the draft, length, width, or maneuverability of their vessel should use any available resources, including VTS, the vessel's owner or agent, the appropriate port, and the COTP's office, to ensure that the channel is safe to navigate prior to entering a channel.
4. It is the responsibility of the fishermen and barge owners/operators to ensure that reasonable measures are taken to maintain the safe navigability of a channel. The fishermen must deploy their nets in accordance with all applicable regulations. Barge owners must limit the width of multiple moored/fleeted barges, as practicable, to minimize the impact on the available channel.
5. When an obstruction has been identified, the Coast Guard will expect that responsibility to alleviate the problem lies with the parties involved and they shall act in a timely fashion to clear the navigational obstruction(s) them-selves. Early and proactive communication between concerned parties will greatly increase safety and promote efficient commerce.
6. If the matter cannot be resolved between the affected parties, the COTP may assist in clearing an obstruction, or direct parties to take action to remove it.

DERELICT FISHING NETS

If fishing nets are observed drifting or are lost, they should be reported to the Washington Department of Fish and Wildlife (WDFW) under the no-fault reporting process at http://wdfw.wa.gov/fish/derelict/derelict_gear.htm. WDFW maintains a database of reported derelict fishing gear. Derelict nets are eligible for recovery in coordination with the Northwest Straits marine conservation initiative. They can be contacted at: broadhurst@nwstraits.org.

