

ENFORCEMENT CONSULTANTS REPORT ON
TENTATIVE ADOPTION OF HARVEST SPECIFICATION,
REBUILDING PLAN REVISIONS,
AND MANAGEMENT MEASURES FOR 2011-2012 FISHERIES

The Enforcement Consultants (EC) reviewed the management measure alternatives under Agenda Item B.3 and offers the following comments.

Define sablefish dressed weight: The EC reviewed federal regulations, and found that it is generally unlawful to process groundfish at-sea, except that heading and gutting is not defined as processing. Heading and gutting is therefore a legal activity, so long as a conversion rate is provided. Sablefish currently delivered on the West Coast are landed in the traditional Eastern J-cut fashion (that is, eviscerated with head and “collar” removed). This practice may constitute “processed” under current federal regulations and is potentially unlawful. A question raised: is a collar part of the head, or is it part of the fish?

Regardless of the number of dressing variations, acceptable practice should only be that which can be concisely defined and associated with an appropriate conversion rate.

In an effort to ensure at least traditional dressing activity be legally accommodated, the EC recommends the following definition be added to regulations:

DRESSED SABLEFISH - “means sablefish that have been eviscerated, and the head removed just behind the collar bone. Dressing by this definition does not constitute processing.”

A rate of 1.6 is applied to convert dressed sablefish to round weight. The Groundfish Management Team may wish to visit whether this is appropriate conversion factor for collar-off.

Evaluate VMS gear storage for fixed gear vessels transiting closed areas: fixed gear vessels wish to be able to bait gear while underway through the Rockfish Conservation Area (RCA) to fishing grounds, and untangle gear on the way back. This practice is currently unlawful as gear must be stowed while transiting the RCA. Apparently, the baiting and untangling of gear is occurring despite the prohibition. The EC met with a Groundfish Advisory Subpanel representative and listened to his concern that the prohibition impedes efficiency. The EC evaluated the current regulation and the benefit to providing additional assurances that closed area fishing would be deterred. Given the ease that fixed gear can be baited and deployed anyway, the EC believes that some flexibility would not be a major set –back to enforcement.

RECOMMENDATION: Buoy line and anchors must be visible and stowed on the deck, and transit through RCA’s must remain continuous. With these two provisions, baiting and un-baiting of fixed gear could be authorized.

Ice and Slime deduction: The issue of ice and slime deduction is currently being addressed for Trawl Individual Quota fishery in the deeming process. The EC recommends that we postpone analyzing this for the other sectors. Per federal law, except for halibut, there are no deductions allowed for slime and ice and accurate weights are required.

Catch Accounting: The EC recommends that all federally managed groundfish be accounted for prior to leaving the Exclusive Economic Zone (EEZ). In other words, prohibit fish harvested from the EEZ from being exported unless the fish are properly documented. This can be facilitated through either a state fish receiving ticket system or vessel activity report as used by the Alaska Region. If the latter is used, some reporting mechanism needs to be implemented to ensure that the data is captured in the PACFIN system.

PFMC
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