

## ENFORCEMENT CONSULTANTS REPORT ON SABLEFISH PERMIT STACKING PROGRAM REVIEW SCOPING

The Enforcement Consultants (EC) has reviewed the documents pertaining to agenda item H.3 Sablefish Permit Stacking Program Review November 2013 and has the following comments:

As reported at the September Pacific Fishery Management Council (Council) meeting in Boise Idaho, the EC's primary concern for this fishery is catch accounting. Under the current system, when a sablefish fixed gear tier delivery is made, the delivery by regulation is recorded on a state fish ticket. One to three tiers may be delivered and recorded on this one trip ticket. If not specified by the operator, the delivery is apportioned to the individual tiers (up to 3) by an even split until the tiers are reduced to a point where they are equal to or less than the daily-trip limits (DTLs). All of this tabulation is done by the state agency(s) and then sent to Pacific States Marine Fisheries Commission (PSMFC) for entry into Pacific Fishery Information Network (PACFIN).

We remain concerned that the current reporting system creates an environment that provides limited access to data by officers, does not allow for the tracking of landings for vessels that fish in multiple states, and is limited in its ability to provide accurate landing data for permit transfers. This creates a situation where at sea boarding or dockside inspection can do little besides checking the permit status, but has no real time information on the actual status of the tier(s) being fished.

We heard from Ms. Culver that Washington requires the tier permit number be listed on the state fish ticket and that Washington enforcement and management personnel have ready access to the Washington State landing data. As a result, Washington can accurately track landings made within their state. But for Oregon and California, this is not the case.

Unlike Washington, in Oregon and California there are no state regulatory requirements for the tier permit number to be listed on the state fish ticket. Since inception of the tier program, there has been a voluntary request made to the state agencies to list the federal permit number on the state ticket. To the extent the voluntary request is working is a matter of conjecture, but the reality is that Oregon and California cannot, when asked, answer the question: What is the status of a given tier? To the extent that this is a West Coast fishery, and that a Washington registered vessel may have made a delivery in California or Oregon, Washington enforcement personnel have incomplete information as well.

Can Office of Law Enforcement (OLE) or state enforcement personnel request information from their individual states or from PACFIN? Yes, but the process is laborious, time consuming, dated, and most importantly, does not lend itself to making information available to an agent or officer working in the field 24/7 performing patrol related activities. Contrast this with the trawl rationalization catch accounting system with its web based access to near real time accounting of individual fishing quota (IFQ) vessel accounts, inclusive of PSMFC e-ticket landings data. The EC believes the timeliness of data and access to the PACFIN data could be greatly improved through a Federal regulation requiring all tier deliveries be recorded on a PSMFC E Fish Ticket. The E Fish Ticket program is now in its fifth year of implementation (2 years as an EFP, 3 years under trawl rationalization). Since inception of the trawl rationalization program over 9,000 IFQ

trawl deliveries have been made with 96% of the tickets reconciled and in the data base within 48 hours. Contrast this with the state paper system that can take weeks to months.

As envisioned, the tier permit(s) would be “loaded” with the appropriate pounds within an established corresponding vessel account. When deliveries are made, the operator would be required by rule to designate which tier said pounds should be applied too. As with the corresponding trawl rationalization IFQ data access that is currently enjoyed by all interested parties; the operator, tier owner, science centers, state and federal managers and enforcement would have access to tier delivery information, with no time lag or guessing whether the delivery is a tier delivery, under who’s permit, or is, in fact, not a tier delivery, but a DTL delivery.

The PSMFC E-Fish Ticket already has the appropriate fields and drop down boxed to accommodate this fishery. Washington, Oregon, and California allow “split deliveries” ergo, a trip being landed on multiple e-tickets. This feature will readily accommodate the existing owner on board requirement where the portion of the trip that is attributed to one or more tier permits would be recorded on separate tickets, with the owner of the permit signing the e-ticket as validation that he/she was truly on board during the trip.

The EC encourages the Council to take advantage of the investments made in your e-ticket program. We believe this proposal represents a vast improvement in catch accounting, and is in fact necessary to ensure compliance in this highly valued, highly regarded fishery.

EC recommendations:

- (1) Require all Limited Entry Fixed Gear Sablefish deliveries to be recorded on the PSMFC E Fish Ticket.
- (2) Use the IFQ Vessel Account System to load and track fixed gear sablefish tier deliveries.
- (3) Include analysis of these recommendations in the Phase 1 review.

PFMC  
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