

ENFORCEMENT CONSULTANTS REPORT ON PART 1 OF MANAGEMENT MEASURES  
FOR 2011-2012 FISHERIES

The Enforcement Consultants (EC) considered the full list of proposed analyses for 2011 and 2012 management measures and provides the following comments for Council consideration. Only those issues that had a nexus with an enforcement concern are addressed in this document.

*Overarching*

**Revise selective coordinates of rockfish conservation area (RCA) boundaries for trawl and fixed gear to more appropriately approximate depth contours.**

The EC's reaction is that this could be a major undertaking, requiring law enforcement input and design changes with the Vessel Monitoring System (VMS). Because of competing workload that rises to a higher priority, our recommendation is that this item should be addressed as inferred by the issue title, surgically. Identify areas where a specific problem(s) exists, and fix only that.

**Conduct hot spot/cold spot analysis for canary and yelloweye rockfish for potential groundfish fishing areas or closures for both commercial and recreational fisheries.** While the EC is not saying "don't move this forward as part of the range of management measures for consideration," we are saying, the concept makes us nervous as it relates to recreational fisheries; i.e. increased complexity for anglers, lack of technology.

**Include in the definitions section, the sablefish dressed weight definition.** We support defining this since a conversion rate already exists, and that weight is based upon a particular interpretation of what dressed means with this species.

*Vessel Monitoring Systems*

**Evaluate VMS gear storage for fixed-gear vessels transiting closed areas:** The EC supports evaluating this, and is prepared to go to work with the Groundfish Advisory Subpanel at any time to capture and present proposals.

**Evaluate VMS technologies to allow drifting by limiting entry and open access vessels:** The EC has serious concern over any blanket change allowing drifting in the RCA, which could have the potential to degrade the enforceability of the RCA landscape and negatively affect vessel safety. Instead, the EC recommends that industry design an exempted fishing permit (EFP) as a mechanism to evaluate any proposals related to drifting allowances.

**Reconvene Ad Hoc VMS Committee:** The committee was designed to act as a deeming session of sorts, and an issue list has already been generated as a result of the meeting that occurred last year. We are not advocating another VMS committee discussion. A better strategy in our view would be for the council to provide advisory bodies direction to address specific issues already identified.

### *Fixed-Gear Fisheries*

**Analyze the impacts of allowing fishing within 100fm of Catalina Island for California:** The EC does not support any change to the current 60 fathom closure due to the location of an expanded area near proposed marine protected areas. The increased regulatory complexity potential associated with small fishing opportunity in this area does not seem to justify the change and investment in resources to evaluate it.

### *Recreational Fisheries*

**Develop a long leader recreational fishery seaward of 150fm in California, similar to the Golden Gate Fisherman's Association EFP:** Pending analysis of the EFP data and development of regulatory language the EC remains cautious concerning the proposed fishery.

**For California, analyze the impacts of allowing fishing within 100 fm of Catalina Island:**

As with the fixed-gear proposal, this will create additional regulatory complexity for relatively small benefit. This would be even more evident for recreational fishers who may not have the same level of technology as the commercial fleet.

### *Addition to the list.*

**Catch Accounting:** For the most part, National Oceanic and Atmospheric Administration relies on the individual states catch accounting systems in order to document fish harvest from the Exclusive Economic Zone (EEZ). However, those state rules do not apply until a landing occurs. The EC is concerned about U.S. vessels fishing (to include processing) exclusively in the EEZ and transporting catch to another country, such as Canada and Mexico, thereby circumnavigating catch accounting. Given direction from the Council, the EC is willing to conduct an analysis and develop if necessary, suggested regulatory language to ensure that Federal regulations provide for full catch accounting before catch leaves the United States.

**Ice and Slime deduction:** Where quotas or other catch limit constraints exist, accurate fish weight is paramount and can be compromised by arbitrary deductions for ice and slime. Given this, the West Coast enforcers have maintained a strong stance on total catch accounting. In the trawl rationalization program, this issue will be partially resolved as recommended catch monitoring plans will describe the methodology for accurately weighing fish. The EC recommends that a consistent approach to ice and slime reductions for other fisheries be considered for adoption in the Federal Register.

PFMC  
04/14/10