

ENFORCEMENT CONSULTANTS STATEMENTS ON  
PROPOSED MANAGEMENT MEASURES FOR 2001

The Enforcement Consultants (EC) have reviewed management measures for 2001. Most of our time has been spent discussing the options proposed by California. I will reference Exhibit G.10.b dated September 2000 & the California proposed options.

The EC had some difficulty in dealing with 12 separate ideas, because enforcement impacts can change drastically depending on how the options interact.

We will go throughout each item and give comments; however, several will be grouped together due to their similarity.

**Measure 1** - Enforcement supports the change. Moving the line would eliminate the need for Morro Bay fisherman to land catch by skiff, and transporting fish back to port by vehicles. This would reduce a safety issue identified by the Coast Guard.

**Measure 2** (option A) - This is generally the same measure that was applied in 2000 with an extension of time period.

- a. Clearly define fish species restricted from harvest, (i.e., federal managed or state federal managed species?) (Would like federal notice to footnote that the state managed species are also prohibited?)
- b. Will California close shore based commercial open access?

EC notes the enforceability of this management measure can be very high with clear definitions and limited exemptions for different gear types.

**Measure 4** (option B) - When used in conjunction with measure 1 (Option B) this addresses some of the previous noted questions. This would be the preferred option.

**Measure 7** (option C) - This option appears to eliminate the state managed species.

**Measures 3, 5, 6, 8, 9, and 11** - These measures are all types of measures that have been used in the past. With adequate notice, we don't anticipate problems.

**Measure 10** (California measure 2) - The EC needs more information to evaluate this.

- a. We are not sure where this would apply?
- b. We are not sure what California listed in the permits for restrictions (i.e., can the vessel fish for other species in the closure?)
- c. Can fish be transported and landed in a closed area?

We have met with California staff, but still need a clearer idea of what they are trying to accomplish and how large an area will be impacted. This could greatly impact the effectiveness of enforcement to enforce area management measures.

**Measure 12** - We spent considerable amount of time discussing this option. Our understanding from the California Fish and Game Commission is that this is largely a protection plan for cowcod.

EC recognizes this option raises the same questions that will need to be answered for the Council in

Phase II of the marine reserves discussion.

1. Two options are listed for comment. Enforcement sees option 2 as opening the door for abuse by allowing some species to be harvested, but not others. We recommend option one as the preferred option. We also request the California Fish and Game Commission adopt the complementary regulations affecting state managed fisheries.
2. The type of other fisheries and number of participants in the area will greatly effect the amount of law enforcement presence needed to assure compliance. This relates to the number of at-sea contacts required.
3. The EC would recommend that possession of groundfish as well as the prohibition of fishing be added.
4. The size of Area 1 and its location 60 miles offshore create some enforcement challenges. This relates mainly to availability of assets and their costs. Preliminary analysis identifies that an enforcement vessel and some kind of air support would be required to monitor the closure. No assets have been identified for use at this time. The following is an estimate of some costs:

California Fish and Game Boat - \$2,000 per day	USCG 41' Patrol Boat - \$1,334 per hour
California Twin Engine Aircraft - \$ 750 per hour	HH 60 Helicopter - \$6,306 per hour
USCG 110' Patrol Boat - \$1,010 per hour	HH 65 Helicopter - \$4,559 per hour
USCG 82' Patrol Boat - \$ 790 per hour	

The EC suggest consideration of a smaller bag limit and a possession limit of one daily limit for recreational groundfish with no retention of cowcod. Currently, some vessels engage in multiple day trips that allow them to fish further offshore where cowcod are found. This may curtail effort by the recreational fleet and greatly reduce the number of vessels fishing groundfish in this area.

See the attached Coast Guard closed area enforcement cost estimate paper.

# Coast Guard Closed Area Enforcement Costs Associated with Groundfish Fishery Regulation Options for 2001 California Fisheries:

## Assumptions:

- Unable to fly all portions of Closed Area 1; exceeds mission capability of rotary wing aircraft
- Probability of detecting a violator at night is very low particularly from aircraft.
- 5 patrol boats are homeported in SOCAL region.
- The current AIRSTA San Diego Aviation Management Plan contains only 539 hrs for Law Enforcement; with 100 hrs designated for fisheries.
- The current AIRSTA Los Angeles Aviation Management Plan contains less than 100 hrs for Law Enforcement.

## Area 1

Example Enforcement Plan:

AIRSTA Los Angeles (HH65)

- 2 flights/week. 2 hour flights w/ 1.5 hrs in closed area. 156 hours annually in closed area; 210 hours (including transit to/from patrol area)
- Cost = 210 hrs X \$4560/hr = \$958,000

AIRSTA San Diego (HH60)

- 1 flight/week. 4.5 hour flights w/2.5 hrs in closed area. 130 hours annually in closed area; 234 hours (including transit to/from patrol area)
- Cost = 234 hrs X \$6300/hour = \$1,474,000

Cutters (110' or 82' Patrol Boat)

- 1 patrol boat day/week in closed area. 1250 hours annually in closed area (doesn't include transit time)
- 12 response events (i.e. helo sighting w/o surface asset in area). 12 X 24 hrs/event= 288 hours
- Cost = 1550 hours X 1010/hr= \$1,566,000

**Total Area 1 Annual Enforcement Cost = \$3,998,000**

## Area 2

Example Enforcement Plan:

AIRSTA San Diego (HH60)

- 4 flights/week in conjunction with other Law Enforcement flights. .75 hrs in closed area/flight. 156 hours annually in closed area; 16 hours add'l enforcement hours gained from helo flight transiting to/from Area 1. 172 total hours in Closed Area 2.
- Cost = 156 hrs X \$6300/hr=\$983,000

Cutters/Boats (110' or 82' Patrol Boat; 41' Utility Boat)

- ½ patrol boat day/week in closed area. 625 hours annually in closed area (doesn't include transit time). Cost = 625 hrs X \$1010/hr = \$631K
- 1 utility boat patrol/week. 5 hour mission w/ 2.5 hrs in closed area. 130 hours annually in closed area; 260 hours (including transit to/from patrol area). Cost = 260 hrs X \$1335/hr = \$347K.
- 12 response events (i.e. helo sighting w/o surface asset in area). 12 X 8 hrs/event= 96 hours. Cost = 96 hours X 1010/hr= \$97K.
- Total Cutter/Boat Cost= \$1,075,000

**Total Area 2 Annual Enforcement Cost = \$2,058,000**

### Additional Comments:

- Aviation requirements for above sample enforcement plan (210 hours AIRSTA Los Angeles; 390 hours AIRSTA San Diego) well exceed the annual resource hours those units have for Fisheries Enforcement.
- The 2225 patrol boat hours to patrol closed areas 1 and 2 per the plan outlined above alone exceed 25% of the available patrol boat hours from the 5 USCG patrol boats homeported in SOCAL region.

PFMC  
09/14/00