

ENFORCEMENT CONSULTANTS REPORT ON
GROUNDFISH ESSENTIAL FISH HABITAT - ENVIRONMENTAL IMPACT STATEMENT

The Enforcement Consultants (EC) have reviewed the alternatives listed in the Preliminary Draft Environmental Impact Statement (DEIS). We have the following comments.:

General Comments on Options:

Describe all areas using latitude and longitude coordinates.

Enforcing small area closures will require changes to the current Vessel Monitoring System (VMS) program to make sure there is adequate polling. GEO fencing may be required. This will likely drive up costs for the fisher. One larger area encompassing many small areas is preferable to reduce complexity and confusion in the regulations.

2.4.2.1 Background and identification of Trawl Footrope Restrictions

Option 1, 2, and 3 are all enforceable, but will likely require expansion of the current VMS program to cover vessels currently not required to carry units. It also appears this would include gear used primarily in state-managed fisheries (i.e., crab pots). Review of the current definition of fixed gear will need to be made to ensure it is adequate.

2.4.3 Impacts Minimization Alternative 3

See general comments.

2.4.6 Impacts Minimization Alternative 6

Areas should be kept as contiguous as possible. Do not create a checker board effect where you have blocks of open and closed waters. Try to eliminate as much as possible the need to transit through closed areas to reach an open area. See general comments.

2.4.7 Impacts Minimization Alternative 7

Same comments as 2.4.6.

2.4.8 Impacts Minimization Alternative 8

Option 1: Same comments as 2.4.6.

Option 2: In order to properly evaluate this alternative, a definition of "bottom-contacting activity" is required. It may be preferable to describe specific gear types that would be prohibited. How fishing gear is used is much more difficult to enforce than prohibiting the use of a specific gear type. For example, If a fisher has any kind of weight on his gear, he could

potentially contact the bottom and it would be very difficult for enforcement to detect contact. See general comments related to enforcing “areas.”

2.4.9 Impacts Minimization Alternative 9

To properly evaluate this alternative, “bottom-tending fishing gear” needs to be defined.

2.4.10 Impacts Minimization Alternative 10

Option 2: To properly evaluate the alternative, the EC needs a clear definition of what a weak link is. Measuring breaking strength could prove challenging? In this situation, we suggest using terminology defining the type of material used to connect the chain to the foot rope (i.e., twine, diameter, etc).

Option 3: To properly evaluate the alternative, a definition of “flat trawl door” is required. Along with prohibiting the use of flat trawl doors, we recommend the prohibition include the possession of them onboard a vessel.

Option 5: Regarding enforcing the length of longline gear, it might be possible to measure the distance between buoys attached to the terminal ends of the gear; however, this distance would not necessarily reflect the length of gear.

Option 7: To properly evaluate the alternative, the EC needs a clear definition of “dredge gear.”

Option 10: Same as 2.4.8.

2.4.11 Impacts Minimization Alternative 11

See general comments.

PFMC

11/03/04