

ENFORCEMENT CONSULTANTS REPORT ON
AMENDMENT 22: LIMITED ENTRY IN THE OPEN ACCESS GROUND FISH FISHERY

The Enforcement Consultants suggest consideration of two additional options for permitting open access fishing in federal waters. Given the current options, enforcement personnel must rely on retained catch before a permitting violation could be addressed. In other words, someone intending to retain federally regulated species could maintain that they are targeting state regulated species. Until retention of a federally regulated fish actually occurs, there is no case. Both options suggested putting provisions in place to allow a fisherman to keep incidentally taken groundfish in federal waters and broaden our ability to enforce permit regulations when someone is fishing, versus only when someone possesses associated species. .

Option 1: Consider a minimum of a Type C permit for any person fishing with groundfish gear in federal waters. This permit would allow the person to keep incidentally caught groundfish in federal waters. The EC encourages strict incidental catch limits on groundfish to discourage any incidental (target) fishery as a result of these changes.

Option 2: Allow state nearshore open access permits to be valid to retain incidentally taken groundfish in federal waters. This is consistent with the current salmon permit requirement where no federal salmon permit is required to take salmon in federal waters. Again strict incidental catch limits on groundfish would be required.

PFMC
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