

ENFORCEMENT CONSULTANTS REPORT ON PART 1 OF MANAGEMENT
MEASURES FOR 2009-2010 FISHERIES

The Enforcement Consultants (EC) has reviewed the Groundfish Management Team's (GMT) report on management measures for 2009-2010, along with draft management measure alternatives from the individual west coast states. In general we agree with the GAP statement pertaining to measures which should go forward for analysis and their relative priority. We will continue to monitor the development of these proposals and network with the GMT, Groundfish Advisory Subpanel, and other advisory bodies. We have some additional comments regarding one of the strategies being considered.

Finer Scale Spatial Management: Recognizing that this idea has not yet been fully developed to the extent that we can determine how "cold and hot spot" strategies will be applied, the EC has several concerns, particularly as these management measures relate to recreational fishing.

- **Cold spots**: Small open areas within large closures are extremely difficult to enforce. For example, it is nearly impossible for law enforcement to determine where fish were harvested once a vessel is in transit through a closed area.
- **Hot spots**: Large closures are preferable to numerous small closures. Anglers' ability to remain current on regulations decreases as regulations become more complex. Also, patrolling a patchwork of small closed areas is less efficient than patrolling a smaller number of broad closures. The smaller the closure, the less opportunity for a violation to be detected (i.e. once a vessel is underway, catch location is almost impossible to prove).
- **Warm spots** (i.e. areas open to certain species, but closed to others): It is impossible to determine an angler's intent until a particular species is retained. For example, sport gear configurations used to catch some species (like Lingcod) are also used to catch others (like rockfish or Pacific Cod). Similar to cold spots, once the vessel is in transit, it is challenging to determine the origin of catch.

With regard to how closures are implemented:

There is more opportunity for the public to be confused or uninformed when rules become more restrictive throughout the season. Conversely, if regulations start from a conservative position, liberalizing those rules at a later date can avoid the adverse consequences of this confusion..

Our concerns regarding spatial management are primarily with the recreational fisheries. Some of these concerns also apply to the commercial fishery, but may be mitigated by the implementation of tools such as Vessel Monitoring System.