

ENFORCEMENT CONSULTANTS REPORT ON PRELIMINARY APPROVAL OF
NEW EXEMPTED FISHING PERMITS

The Enforcement Consultants (EC) has reviewed the documents pertaining to Agenda Item D.3, Preliminary Approval of New Exempted Fishing Permits (EFP), and has the following comments.

The Council will be considering the authorization of Deep Set Buoy Gear (DSBG) as a fishing method to selectively target swordfish and other highly migratory species. Being that this is a new type of gear with which the Council and the EC have a limited amount of experience, it is important that the conditions of any permit should be well defined to achieve the goals and objectives of the Council. The EC recommends careful consideration be given to the following areas.

The Tending or Monitoring of the Gear – If the gear is required to be actively tended, that should be defined. If a DSBG vessel is also participating in another fishery, how would they be able to actively tend their DSBG? The applicant states that one will, “...continually monitor the gear for strike indication while conducting traditional harpoon fishery practices...” This statement of the gear being “continually monitored” needs to be well defined in order to be an enforceable condition of this EFP. NOAA has previously issued a Letter of Authorization for similar type of research that contained the following permit conditions that the Council may consider for inclusion in a DSBG EFPs:

- “The buoys are to be deployed in a restricted spatial grid such that the applicant can visually monitor all of the indicator buoys from the vessel (within a maximum four nm grid).”
- “When an indicator flag rises, the buoy set would immediately be tended...”

Permit conditions such as these will help clarify and define what is expected by the applicant, and help facilitate the enforcement of an EFP.