

ENFORCEMENT CONSULTANTS REPORT ON DEEP-SET BUOY GEAR EXEMPTED  
FISHING PERMIT CRITERIA TO ADVANCE GEAR AUTHORIZATION

The Enforcement Consultants (EC) has reviewed the documents pertaining to Agenda Item J.4, Deep-set Buoy Gear (DSBG) Exempted Fishing Permit (EFP) Criteria to Advance, and has the following comments.

The EC attended the September 18 HMSAS meeting and participated in extensive discussions regarding the EFP condition pertaining to tending or monitoring of gear. At the June Council meeting, the EC presented a statement on this topic, stating, “If the gear is required to be actively tended, that should be defined.” The June EC statement also asked, “If a DSBG vessel is also participating in another fishery, how would they be able to actively tend their DSBG?” Furthermore, the June EC statement included an example of existing language from a NOAA Letter of Authorization for a similar type of research: “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)” and “When an indicator flag rises, the buoy set would immediately be tended...”

The above examples were presented for the Council’s consideration to assist with creating future regulations which are enforceable. It is premature for the EC to suggest specific regulatory criteria to achieve the objective of tending or monitoring of gear. Rather, the EC’s intention is to work with the Council to ensure your chosen regulatory criteria for tending or monitoring of gear is able to be effectively enforced.

Some examples of criteria pertaining to tending or monitoring of gear the EC heard discussed during the HMSAS meeting, which the EC feels are worthy of consideration, include: Use of technology by participating vessels to assist with indicating gear strikes and location; and taking into account the height of eye of a vessel when determining from what distance effective tending of gear can be achieved. There will also likely be other viable options identified by future applicants.

PFMC  
09/18/16