

ENFORCEMENT CONSULTANTS REPORT ON PRELIMINARY EXEMPTED FISHING
PERMIT (EFP) APPROVAL FOR 2019-2020

The Enforcement Consultants (EC) have reviewed and discussed the proposed Preliminary Exempted Fishing Permit (EFP) Applications for Groundfish Fisheries and have the following comments to make on the Chilipepper/Yellowtail Longleader Exempted Fishing Permit Application (Agenda Item F.8, Attachment 5).

The EC have no concerns with the EFP as presented, however there would be concerns if this EFP were to be used to create a permanent sport fishery through regulation.

1. This would create additional responsibilities for enforcement who are already working with limited resources. If this fishery were to go forward without additional resources other priorities may prevent us from being able to effectively enforce any new regulations.
2. Similar to current regulations in other recreational fisheries (i.e. salmon), illegal gear can be very difficult to detect at sea. If gear is removed from the water or lines are cut as enforcement personnel approach a vessel, it would be impossible to determine the type of gear used to catch any rockfish on board. Inspection of gear could also be further complicated by the more complex gear specifications being proposed.
3. Currently, rockfish can only be taken in specified depths off California. If it was also legal to take rockfish outside of these depths (in the Rockfish Conservation Area [RCA]) using specified gear, there would be the potential for rockfish to be retained in the RCA without the ability to confirm which type of gear was used. For example, currently, if a vessel is fishing for salmon outside an RCA line off California and a black rockfish was landed, it could not be retained. However, under the proposed regulations, an individual could claim to have caught the black rockfish with the longleader gear, but the type of gear used could not be confirmed by enforcement.