

ENFORCEMENT CONSULTANTS REPORT ON
EXEMPTED FISHING PERMITS

The Enforcement Consultants (EC) have reviewed the material associated with Agenda Item E.2, Exempted Fishing Permits (EFPs), and provide the following comments. The Deep-Set Buoy Gear (DSBG) and Night-Set Buoy Gear (NSBG) EFP conditions have two enforcement concerns. Specific comments are below, with the related EFP conditions:

Gear Marking requirements (EFP Conditions E.7, E.8, and E.9): DSBG and NSBG have nearly identical gear marking requirements. To facilitate at-sea enforcement, the EC recommends that marking be required to indicate which fishery the gear is used for, along with the vessel's official number (e.g. "DSBG" or "NSBG" also being marked on the buoy).

NSBG is also required to attach a light to the strike detection buoy, however, there is no DSBG condition that prohibits DSBG from also having a light on the strike detection buoy, which some operators may use to help tend and locate their gear during the three-hour period after *sunset*. In the event enforcement came across EFP gear actively fishing three or more hours after *sunset*, the additional gear marking would aid enforcement to determine if this was legal NSBG or illegal DSBG, since lighting could be used by operators participating in either fishery.

Notification of Lost Gear. The EC is concerned that there is not a mechanism or condition that requires the DSBG or NSBG EFP holders to notify NMFS when they lose a piece of gear. Notification of lost gear could help reduce the amount of time enforcement spends monitoring gear for compliance with tending requirements.

PFMC
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