

ENFORCEMENT CONSULTANTS REPORT ON EXEMPTED FISHING PERMITS

The Enforcement Consultants (EC) have reviewed the documents pertaining to Agenda Item D.3, Exempted Fishing Permits (EFP) including D.3 Attachments 1 and 2 and have the following recommendations to the Council:

The EC recognizes the Council's effort to reconsider the EFP applications after the EC's recommendation for further details to be provided by the applicants in the June 2021 meeting. For this statement, the EC views D.3 Attachments 1 and 2 as similar EFP requests since the applicants are using comparable hook-and-line gear configurations.

The EC recommends that National Marine Fisheries Service provides the EC with the opportunity to review and comment on the Terms and Conditions associated with each EFP prior to final issuance. There are several enforcement and safety concerns with the Terms and Conditions associated with D.3 Attachments 1 and 2, and the EC has the following recommendations for National Marine Fisheries Service and the Council to consider:

1. Require 100 percent observer coverage for all vessels under the EFPs. This would ensure enforceability for any bycatch restrictions that may be listed in the terms and conditions.
2. Require all vessels to have VMS installed and in use with the current ping rate intervals.
3. Require all vessels to have automatic identification systems installed and in use when fishing gear is deployed to reduce the possibility of large vessel and gear entanglements.
4. Require the main fishing line be attached to the vessel at all times.
5. Require radar reflectors, flags, and a light be attached to the end of the main fishing line.
6. Require lights be attached to any float along the main line when fishing between sunset and sunrise.
7. When considering the Area of Operation, all gear should be fished at the same predetermined minimum distance seaward of the mainland shore, offshore islands, and specified offshore banks. This will reduce interaction with recreational vessels and increase the distance from container ship traffic separation schemes.

In summary, the EC recommends the terms and conditions of each EFP be updated with the minimum recommendations specified above and the EC be provided with the opportunity to review and comment on the drafted Terms and Conditions prior to final issuance of the EFP.