

ENFORCEMENT CONSULTANTS REPORT ON LIMITED ENTRY FIXED GEAR CATCH SHARE PROGRAM REVIEW

The Enforcement Consultants (EC) have reviewed the documents pertaining to Agenda Item E.4 Limited Entry Fixed Gear (LEFG) Catch Share Program Review and have the following comments.

The EC previously submitted a statement at the June 2021 meeting in regard to Agenda Item G.2.a, Fixed Gear Catch Share Review – Scoping. In the statement, the EC described an enforcement complexity remaining with the LEFG sablefish fishery related to the owner on board requirement. Currently there are exemptions to the owner on board requirement which make it difficult to enforce on the water. The exemption is for an owner and applies to permits owned by an exempted entity (i.e. the exemption is not an aspect of the permit). As an example of an area needing clarification, what happens if an exempted owner leases their permit for use on a vessel owned/operated by a non-exempted individual? Does the individual leasing the permit from the exempted owner need to be on-board the vessel when it is fishing a permit with an exempted owner (since the lessee is not the owner of a permit)? If not, what if the lessee also has its own permits stacked on the vessel (permits to which an owner-on-board exemption does not apply)? It is not clear how to determine which of the stacked permits the vessel is fishing (the leased permit, to which the owner exemption applies, or the other permits owned by the non-exempted owner) since the allocation of fish to a permit is not assigned until landing.

The EC requests the Council consider including in its recommendations (Section 5 of the [LEFG review document](#)) a request for a report clarifying the owner on board exemption requirements as part of the Limited Entry Fixed Gear Catch Share Program Review and based on that report determine if regulatory or data system changes are needed..

PFMC
03/10/22