

## ENFORCEMENT CONSULTANTS REPORT ON EXEMPTED FISHING PERMITS

The Enforcement Consultants (EC) have reviewed the documents pertaining to Agenda Item G.3 Exempted Fishing Permits (EFP) and provide the following comments related to the five EFP applications requesting changes to the standard Deep Set Buoy Gear (DSBG) or Linked Deep Set Buoy Gear (LSBG) EFP Terms and Conditions:

Night Setting (Attachments 6, 10 and 11): The EC previously submitted an [EC statement at the September 2020](#) Pacific Fishery Management Council (Council) meeting on the use of night set buoy gear (NSBG) and recommends continuing to mark and light gear so that it is clear whether the gear was set during the day (DSBG) or night (NSBG).

Extended Gear Footprint (Attachments 6 and 12): The EC previously submitted an [EC statement at the November 2018](#) Council meeting noting concern about a vessel's ability to tend gear when spread out over a large area where multiple other vessels are operating. The use of GPS trackers noted in Attachment 6 would mitigate our concern related to tending gear, but gear conflicts are still of concern, as is enforcement's ability to determine if a vessel is actively tending their gear.

Additional Gear (Attachments 6, 8, 10, 11, and 12): The EC continue to be concerned with potential overcrowding of vessels and gear in localized areas, as vessels will likely converge on schools of fish within areas like the Southern California bight. This may create difficulty for an enforcement officer to readily identify gear and attribute it to a specific vessel, as well as determine if that vessel is actively tending the gear within any required footprint. In addition, this situation could further contribute to gear conflicts, safety, and navigation concerns.

Reporting of Lost Gear: The EC recommend the reporting of lost gear be as soon as practicable to assist law enforcement in determining whether gear is lost or not properly attended. The following recommended language is recommended as a replacement to the current 24 hour after landing reporting requirement contained within DSBG EFP Terms and Conditions:

“In the event that any piece(s) of gear are lost and not recovered on board the vessel, notice must be made immediately upon returning to port to the NMFS WCR primary contact, (Name here), listed below, and if departed from or landed to a California port, to CDFW primary contacts listed below. Notice must include the last known GPS coordinates of the gear and the prevailing direction of current drift.”