

ENFORCEMENT CONSULTANTS REPORT ON
COMMERCIAL-DIRECTED FISHERY REGULATIONS FOR 2023

The Enforcement Consultants (EC) have reviewed the material associated with Agenda Item E.2, Commercial-Directed Fishery Regulations for 2023, and have the following comments:

Regarding E.2.a, Supplemental NMFS Report 1: The EC appreciates the initial regulations National Marine Fisheries Service published concerning the management of the Pacific halibut fishery, including the provisions on permitting, and documentation of vessel length. The EC remains concerned with enforcement's long-term ability to effectively enforce the series of 3-day fisheries due to resource constraints; however, we believe our efforts through the use of pulse operations and spot checks have been adequate to date to promote a high level of compliance in the fishery, as documented in our [2021 IPHC Enforcement Report](#).

The EC has identified an issue related to the gear included in the fishing definition used in Pacific Halibut Fisheries regulations in 50 CFR 300.61 that may cause confusion. The EC recommends that within 50 CFR 300.61, "Hook-and-Line" gear be used in place of "Setline" gear. "Hook-and-Line" gear is currently defined within West Coast Groundfish regulations (50 CFR 660.11), and is listed as an authorized commercial gear for the Pacific Halibut Fisheries within 50 CFR 600.725. (Note: Authorized recreational gear is listed as hook-and-line and spear). Setline gear is only defined within the Pacific Halibut Fisheries regulations.

The EC continues to recommend consideration of the following:

- Vessel Monitoring System (VMS): The EC recommends adding a requirement for vessels participating in any non-tribal commercial halibut sector to carry VMS. This will greatly facilitate enforcement, particularly when operating near groundfish conservation areas.
- Logbooks: The EC recommends removing the logbook exemption for incidental Pacific halibut fishing during the commercial salmon troll season.
- 72-hour pre-season closure and hold inspections: The EC recommends retaining the 72-hour pre-season closure and hold inspections.
- Seabird Avoidance Measures: The EC recommends seabird avoidance gear be required when participating in the non-tribal Directed-Commercial Area 2A halibut fishery, regardless of whether a vessel retains groundfish or not.