

ENFORCEMENT CONSULTANTS REPORT ON PRELIMINARY CATCH SHARING PLAN AND REGULATIONS FOR IMPLEMENTATION IN 2024 OR LATER

The Enforcement Consultants (EC) have reviewed reports associated with Agenda Item D.1 Attachment 6 and have the following comments.

The EC has made prior statements on this topic, [F.3.a, Supplemental EC Report 1](#) at the November 2019 Council meeting, [E.2.a, Supplemental EC Report 1](#) at the September 2022 Council meeting, and [E.1 Supplemental EC Report 1](#) June 2023 Council meeting.

1. Vessel Monitoring System (VMS):

As stated prior, the EC is concerned with the ability to enforce closed area regulations on directed commercial halibut vessels that do not carry VMS. Currently, monitoring activity in closed areas is only possible by on-scene enforcement assets. Identifying vessels and determining whether or not gear was illegally set in a closed area is extremely difficult to detect due to the large area, limited number of patrol assets, and the vessel's ability to set and recover gear undetected at night or during periods of reduced visibility.

The EC discussed the need for VMS on salmon trollers incidentally retaining halibut and does not believe VMS should be required for those vessels that do not also retain groundfish since there is no difference in retention requirements if the vessel is operating inside or outside of the Non-Trawl Rockfish Conservation Area.

The EC requests the Council adopt Option 1.b and require all vessels participating in the non-tribal commercial directed halibut fishery to carry VMS, and implement any regulations associated with a VMS requirement. The EC also requests a 15-minute ping rate for consistency purposes with the groundfish requirements.

2. Fish Receiving Ticket Forms

The EC requests the Council adopt Option 2.b and require all non-tribal commercial fish receiving tickets to report the number of pounds and the number of individual fish for halibut landings. The individual number of fish is helpful to both enforcement and fish managers regardless if it is a ratio or vessel limit.

3. Seabird Avoidance Gear:

The EC recommends Seabird Avoidance Gear be required when participating in the non-tribal Directed-Commercial Area 2A halibut fishery. Currently, only those retaining groundfish are required to deploy Seabird Avoidance Gear. The same fishing gear is being used during the directed halibut fishery, whether retaining halibut or mixing halibut and groundfish. Having vessels alongside one another in this fishery adds enforcement challenges when one vessel is deploying the Seabird Avoidance Gear and the other is not. Enforcement has cited several vessels

each of the past three years for non-compliance with Seabird Avoidance Gear requirements during the directed commercial halibut fishery, and continues to inform fishers of this requirement in a pre-season web-story. Requiring everyone to conduct business the same way will likely improve compliance.

The EC requests the Council adopt Option 3.b and require vessels participating in the non-tribal commercial directed halibut fishery to deploy streamer lines, when the rules governing the use of Seabird Avoidance Gear in the Pacific Groundfish Fishery are met, e.g. vessel length, time, gear, etc.

PFMC
09/09/23