

GROUND FISH MANAGEMENT TEAM REPORT ON FIXED GEAR MARKING AND
ENTANGLEMENT RISK REDUCTION; LIMITED ENTRY FIXED GEAR FOLLOW ON -
P&N AND ROA

Fixed Gear Marking and Entanglement Risk Reduction

The Groundfish Management Team (GMT) supports the draft Purpose and Need proposed in [Agenda Item G.4, Attachment 2](#) and does not propose any revisions. The GMT does not see a strong management need to include sector-specific buoy and line marking in the Range of Alternatives (ROA) at this time, but we provide the following considerations to aid the Pacific Fishery Management Council (Council) in decision making, recognizing that the timeline for this action may be limited. If the intent of sector-specific marking would be to take action to restrict individual sectors in response to entanglement event(s), the team discussed the likelihood that any such action would lead to equity concerns. For example, if a whale entanglement was attributed to the Open Access (OA) sector and the Council chose to take action to restrict the OA sector from fishing with pot gear within a certain area to minimize whale entanglements, while still allowing the Limited Entry Fixed Gear (LEFG) sector to continue fishing with pot gear in the same area, there could be concerns that one sector was being unfairly restricted more than another, despite the impacts from both sectors being similar given similar gear types. On the other hand, if sector-specific marking is used and NMFS identifies that one sector is consistently resulting in more entanglement events driven by a different level of risk, the Council could take action to restrict only that sector and thereby reduce impacts to other sector(s) that did not contribute to impacts to the same extent.

Furthermore, if differences in sector-specific operations (other than just gear type) pose different levels of risk to whales, sector-specific markings may be justified. Some examples of these differences may be line thickness or type, soak times, total time of gear in water, etc. Additionally, the Council could consider developing risk reduction measures that address sector-specific operations that pose substantially different risks. The GMT recognizes sector-specific identification of entangled gear might be gained through information/markings required on buoys but also is aware that it can be difficult to discern this information/markings in the field (e.g., blurry photos, faded markings).

If temporary line marking is allowed, the GMT seeks clarification about how long each segment of line would need to be marked if methods such as dipped or spray paint are used. The GMT also suggests adding a sub-option under Alternative 2 of “Method of Marking” for an interval of “at least every 10 fathoms”. Under Item 2, “Method of Marking”, the GMT also discussed the potential impacts to fixed gear participants required to use manufacturer-marked line in the event that one or more of the facilities manufacturing line closes or is severely limited in capacity. The GMT also notes public comment offered during the June 2023 meeting, which emphasized the resulting inflexibility for individual vessels should manufacturer-marked line be required. The Council should consider those potential impacts if Alternatives 1 or 3 are included in the ROA, whether that means including a sub-option provision allowing for flexibility in the event of a manufacturing constraint or whether that means considering such a flexibility when writing the rule. The GMT continues to note that the Council should be mindful of cumulative impacts from the combination of federal marking requirements and marking practices and/or requirements in other state regulated

fisheries. Being cognizant of existing state fishery practices or requirements while avoiding timeline overlaps could minimize those cumulative impacts to participants of both.

LEFG Follow-on

The GMT supports the draft Purpose and Need proposed in [Agenda Item G.4, Attachment 2](#) and does not propose any revisions. In June 2023 ([Agenda Item H.4.a, Supplemental GMT Report 1, June 2023](#)), the GMT provided comments and recommendations on the Range of Alternatives (ROA) that have been incorporated into the current range proposed in Attachment 2. The team did not see the need for any additional revisions to the ROA. Regarding Item 1: LEFG permit endorsement, the GMT requests that the preliminary analysis attempt to address the question about whether gear-specific endorsements are still necessary to limit harvest capacity such that the Council is able to provide sufficient allowable catch while protecting the resource, as outlined in the purpose of [Amendment 6](#).

The analysis to support Amendment 6 noted that gear-specific endorsements (trawl, longline, and fishpot) were established to place greater constraint on capacity. The analysis also noted that “the connection between fishpot and longline gear did not appear to be stronger than the connection between fishpot and trawl gear in terms of vessels switching between gears,” and that, with Amendment 6, “vessels would not be allowed to switch from a less powerful to a more powerful type of limited entry gear (e.g., longlining to trawling for rockfish).” Thus, the Council should consider whether there is still a need to limit capacity of specific commercial non-trawl gear types within the LEFG fishery. Preliminary analysis to address this question could inform further revisions to the ROA, such as alternative(s) or sub-option(s) that restrict traditional fishpot (i.e., not including slinky pot) capacity if it is determined that conservation and/or habitat concerns warrant continuing to limit capacity of that gear type.

PFMC
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