

ENFORCEMENT CONSULTANTS REPORT ON FIXED GEAR MARKING AND ENTANGLEMENT RISK REDUCTION - PRELIMINARY PREFERRED ALTERNATIVE

The Enforcement Consultants (EC) have reviewed reports associated with [Agenda Item F.6, Revised Attachment 2](#) Fixed Gear Marking and Entanglement Risk Reduction Preliminary Preferred Alternatives and have the following comments.

2.1 Buoy Marking: The EC is supportive of Alternative 1B. Durable tags that are attached to buoys provide assurance that the gear is identifiable. The Dungeness crab fishery uses these tags and the EC has observed that years after being used in the marine environment the letters and numbers are still readable. Buoy markings have been known to fade over time requiring regular maintenance. The EC does not believe there needs to be a specific tag shape or color for this fishery but recommends that identifying information be specified on the buoy tag (e.g., U.S. Coast Guard number). We understand why the tag shape and color would be helpful, however, there are many fisheries using cattle ear tags with designated shapes and colors. We believe having the ability to physically inspect the buoys and/or tags is the most important piece to this regulation for positive identification.

2.2 Line Marking

Alternative 1:

(A) Portion Of Line Marked: The EC can enforce both surface and vertical options.

(B) Distance Of Marking: The EC is supportive of Alternative 1.B.1. where marking occurs for at least the first 5 fathoms of vertical line. The EC is concerned about having to pull longline/pot gear off the bottom to enforce the vertical line marking regulation the further down the line you go with marks.

(C) Method of Marking: The EC is supportive of Alternative 1.C.1. Manufactured in a gear-specific color scheme for the entirety of the “Distance of Marking” option. If continuous color is used the EC cautions to be specific to the color. For example, if using a manufactured continuous color RED, some in the EC have observed a reddish/pink colored line that could be argued as red or pink. For this reason, a multicolored strand line should be used.

The EC is supportive of Alternative 1.C.2.A. Temporary markings – Require lines to be marked, with a gear-specific color mark of at least 12 inches (e.g. spray painted/dipped/spliced colored twine/tape), at specific intervals from the main buoy with no more than 5 fm unmarked line between marks. The EC is also supportive of the revised F.6.a, National Marine Fisheries Service Report 1 recommending lines to be marked, with a gear-specific color mark be at least 24 inches at specific intervals from the main buoy with no more than 2 fm unmarked line between marks. Shorter distances between marks makes it easier to enforce on the water.

(D) Transition Period: The EC is supportive of 1.D.2. 5-year transition period.

2.3 Surface Gear Requirements

The EC is supportive of No Action: Fixed gear vessels are required to use surface gear (buoys and flag poles) attached at each terminal end of the groundline. The EC recommends maintaining the requirement that both ends of the gear be marked with surface gear. Marking one end would make it very difficult to enforce as unmarked portions of the gear could be set in a closed area. In addition to the closed area concerns there are numerous examples of gear being crossed/tangled during longline fisheries. Without having both ends marked the fisher risks gear being lost when the gear is cut in the middle by a vessel's crew whose line was crossed or an end being cut by a passing vessel. With the low number of entanglements documented in fixed gear fisheries the EC believes there is a greater environmental impact with gear loss.

2.4 Surface Line Length Restrictions

The EC has no enforcement concerns for any of these options.

Application to Directed Commercial Halibut Fishery. The EC recommends that gear marking provisions required for the fixed gear fisheries also be applied to the directed commercial halibut fishery. This will help eliminate confusion and ensure consistency in fisheries using similar types of gear.

2.5 Escape Panel Requirements

The EC supports Alternative 1: Add clarification to escape panel regulations to prohibit panel placement on the bottom of the pot, with exception for slinky pots, which do not have a bottom. The EC also recommended at the June 2023 Pacific Fishery Management Council meeting under [H.4.a, Supplemental EC Report 1](#), that the Council consider changing the thread count of the line used to close the biodegradable panel from No. 21 to No. 30 or smaller untreated cotton twine. This would allow fishers who fish in both Alaska and West Coast pot fisheries to use the same gear without having to change the biodegradable twine used to close the escape panel. The EC supports the draft revised regulation language, with the exception of considering use of No. 30 or smaller untreated cotton twine.

2.6 Best Practices Guide

The EC supports the creation of a best practices guide and recommends EC members assist with its development.

PFMC
03/08/24