

## ENFORCEMENT CONSULTANTS REPORT ON FIXED GEAR LOGBOOKS – FINAL ACTION

The Enforcement Consultants (EC) have reviewed the documents pertaining to Agenda Item E.5 Fixed Gear Logbooks – Final Action and have the following comments. The EC recognizes the Council's recommendation to the National Marine Fisheries Service (NMFS) to initiate a mandatory logbook requirement for the limited entry and open access fixed gear fishing fleets.

The proposed fishery sectors required to submit the Federal fixed gear logbooks to NMFS during the initial rollout would be the open access groundfish, limited entry fixed gear (LEFG) primary sablefish, LEFG daily trip limit (DTL), and trawl individual fishery quota program gear switchers that use fixed gear to take and retain groundfish between 3-200 nautical miles from the coast.

With respect to vessels other than those covered by a limited entry program, the EC is concerned with the proposed definition used to identify the directed open access vessels that would be required to complete a logbook. NMFS Report 1 includes the following proposed definition:

Directed Open Access: Directed open access means that a fishing vessel lands groundfish under the requirements of 50 CFR 660 Subpart F without landing any other species besides groundfish, except for any prohibited or protected species with retention requirements.

Under this definition, if a vessel targeting groundfish catches a single non-groundfish species they would not be required to complete a logbook

The EC recommends that any vessel targeting groundfish with “nontrawl gear” as defined in 50 CFR 660.11 be required to complete a logbook. This will help eliminate confusion for the fisher and enforcement as to whether or not a logbook is required.

The EC recommends consistent logbook requirements within both state and Federal waters. There are groundfish vessels that retain groundfish in both state and Federal waters on the same fishing trip. Currently, these vessels would only be required to make logbook entries for their fishing activity that occurred in Federal waters if there is not a corresponding requirement within state waters. This is confusing to the fishers and makes enforcing the accuracy and completeness of a logbook difficult. Fish tickets would remain the only accurate accounting of the landing, and enforcement would be reliant on vessel monitoring systems to determine which trips had a portion occur in Federal waters to ensure logbook entries were completed.

The EC recommends the states, under their own legal authority, conform their state regulations to the Federal management measures, so the management measures, including the logbook requirements that apply to Federal and state waters, are consistent.