

Report of the Enforcement Committee
North Pacific Fishery Management Council
April 17, 1994

The Council's Enforcement Committee met on Sunday, April 17 to discuss issues relative to the Council's agenda for the following week. Present were Committee members Ron Hegge (Chairman), Steve Meyer (NMFS Enforcement Division), Bill Karp (NMFS Observer Program), Ron Berg (NMFS Region), and Bill Anderson (U.S. Coast Guard). Also attending were Chris Oliver (Council staff), Joe Sullivan (Mundt, McGregor), Al Burch (Alaska Dragger), Chris Blackburn (Alaska Groundfish Data Bank), Brent Paine (United Catcher Boats), Joe Blum (AFTA), Phil Smith (NMFS RAM Division), and Shari Gross (HANA). The following is a summary of the discussions and recommendations from the Committee.

1. Pribilof Islands Trawl Closure

Regarding this proposal, the Committee has concerns over whether the proposal would apply to all trawling, as opposed to only on-bottom trawling. Again, enforcement would be more effective if the amendment pertained to all trawling, so that enforcement personnel would not be faced with differentiating between on and off bottom trawling.

Additional alternatives in the document identify specific geographic coordinates for the proposed closed area, as opposed to a depth contour line in the ocean. The Committee feels that it is imperative that any alternative adopted be based on actual geographic coordinates, not a contour line.

2. Directed Fishing Standards

If the Council deviates from the status quo on this issue, the Committee recommends adoption of either Alternative 2 or 3, noting that Alternative 3 could encourage further "topping off". Either alternative must be tied back to PRRs. Secondly, the Committee notes that DFSs will be enforced based upon the retained catch of the vessel. This should eliminate concerns that a plant's utilization patterns could alter the DFS attributed to the delivery vessel, as long as it is fully recorded on the fish ticket. The Committee strongly notes that the DFSs do not work unless discards are reported on the fish tickets.

3. Total Weight Measurement

The discussion regarding the Total Weight Measurement proposal centered on the issue of necessary levels of observer coverage to ensure compliance (whether scales are on board, whether they are being used, and whether they are properly calibrated). No specific recommendations were made by the Committee; rather, there was a general discussion of issues surrounding this proposal, including the observation that, unless applied fairly and equitably, the program could experience compliance problems.

4. Sablefish and Halibut IFQ Program

Three aspects of this program were discussed by the Committee: first, the Committee expressed concern regarding the hail weight requirements for vessels landing IFQ species. Specifically, the group felt that such requirements would "carry little or no teeth" unless the regulations specified that the landed weight be within some percentage of the hailed weight. The specific percentage should be established by the industry and the Council.

Secondly, the Committee discussed the issue of fishing beyond the 200 mile limit. There currently exists a problem, which could continue or worsen under the IFQ program, whereby vessels claim fish were landed from beyond the EEZ. The Committee recommends that some provision be implemented (similar to the action taken

with regard to Donut Hole fisheries) which would prevent vessels from fishing for these species in International waters, if they plan to participate in EEZ fisheries.

Lastly, the Committee addressed the issue of freezing on board relative to the provisions which allow catcher vessel IFQ to be utilized on freezer vessels. Due to existing regulations which prohibit processing of halibut, coupled with the market for specific product forms for sablefish, the Committee feels that allowing freezing of non-IFQ species will not present a significant enforcement problem.