

## STAFF REPORT ON ISSUES INCLUDED IN TRAWL TRAILING ACTION GEAR PACKAGE

The Council has prioritized a trawl gear package for final action in March 2016 and implementation in 2017. The issues initially included in this package were developed as part of the omnibus groundfish deliberations at the September 2014 Council meeting. Delimiting what is eligible for inclusion in the package has been somewhat challenging. Nearly any fishing regulations might be construed as a gear use regulation. As a result of this broad scope, the package has grown to include more issues than can be covered while still meeting the 2017 implementation target.

In the initial package presented at September 2015 meeting, most of what was included had to do with how a gear is configured, what gear is carried, and what gears can be used on the same trip, *independent of where or when it is used*. The primary exception to this was provisions for changing selective flatfish trawl requirements, which is a gear requirement that only applies in one specific area (shoreward of the rockfish conservation areas (RCAs) north of 40° 10' N. lat). When issues were added at the September 2015 meeting, the Council indicated that the additions should only go forward if they would not delay the package. Therefore, decisions were made to eliminate some issues from the package.

The initial list of issues for the gear package presented in advance of the September 2015 meeting included the following:

- Trawl Gear Configuration
  - Minimum mesh size for bottom trawl (reduce or eliminate)
  - Selective flatfish trawl gear (eliminate 2 seam restriction or eliminate the gear type)
  - Chafing gear (liberalize or eliminate restriction)
- Gear Use
  - Multiple gears onboard (allow carrying and possibly use)

At the September 2015 meeting, the Groundfish Advisory Subpanel (GAP) recommended the following issues be added to the package:

- 1. Allow use of midwater trawl gear inside the RCA south of 40° 10' N. latitude**
2. Update the mesh size measurement method 660.11 General definitions - Mesh Size
3. Allow fishing in multiple individual fishing quota management areas on the same trip: Subpart D, 660.112 Trawl fishery—prohibitions, (b)(1)(vii)
- 4. Allow whiting fishing with any trawl gear: Subpart D, 660.112 Trawl fishery—prohibitions, (b)(1)(viii)**
5. Allow a new tow to start before previous catch is stowed: Subpart D, 660.112 Trawl fishery—prohibitions, (b)(1)(xi)

Additionally, there was general guidance to review and revise the trawl gear requirements and restrictions in Subpart D, 660.130(b) and (c) (attached). Through that review, a number of other possible issues and options were inferred:

6. Eliminate codend restrictions
7. **Eliminate bottom trawl/midwater trawl distinctions**
8. **Eliminate large footrope specifications**
9. **Eliminate whiting/non-whiting distinction in midwater gear**

A tenth new possibility, elimination of seasonal restriction on use of midwater trawl to target non-whiting might be inferred but was not included because it appeared to be more of a season regulation. Additionally, with respect to this season change, the Council and National Marine Fisheries Service have discussed the need for additional data that might be most appropriately collected through an exempted fishing permit ([June 2015 Council meeting](#)).

**To allow this package to move forward on the desired timeline, at this time Items 1, 4, 7, and 9 are not included in the package moving forward.** These issues entail analyses that would be particularly challenging given data limitations (e.g., use of midwater gear in the southern RCAs) and/or the elimination of gear distinctions that interact with other parts of regulations and policy. **Additionally, Item 8 (elimination of large footrope specifications) was not moved forward** because the Council has indicated its intent to maintain a restriction on large footropes in the areas shoreward of the RCA.

## ATTACHMENT

The following is the current version of sections of the regulations that the GAP recommended be reviewed and revised (Council concurred with this recommendation).

### § 660.130 Trawl fishery—management measures.

(b) Trawl gear requirements and restrictions. Trawl nets may be fished with or without otter boards, and may use warps or cables to herd fish.

(1) Codends. Only single-walled codends may be used in any trawl. Double-walled codends are prohibited. Chafing gear may not be used to create a double-walled codend. {revised at 79 FR 71340, 12/02/2014, effective 1/1/2015}

(2) Mesh size. Groundfish trawl gear must meet the minimum mesh size requirements in this paragraph. Mesh size requirements apply throughout the net. Minimum trawl mesh sizes are:

Bottom trawl, 4.5 inches (11.4 cm); midwater trawl, 3.0 inches (7.6 cm). Minimum trawl mesh size requirements are met if a 20-gauge stainless steel wedge, less one thickness of the metal wedge, can be passed with only thumb pressure through at least 16 of 20 sets of two meshes each of wet mesh.

(3) Bottom trawl gear {revised at 79 FR 71340, 12/02/2014, effective 1/1/2015}

(i) Large footrope trawl gear. Lines or ropes that run parallel to the footrope may not be augmented with material encircling or tied along their length such that they have a diameter larger than 19 inches (48 cm). For enforcement purposes, the footrope will be measured in a straight line from the outside edge to the opposite outside edge at the widest part on any individual part, including any individual disk, roller, bobbin, or any other device. {revised at 79 FR 71340, 12/02/2014, effective 1/1/2015}

(ii) Small footrope trawl gear. Lines or ropes that run parallel to the footrope may not be augmented with material encircling or tied along their length such that they have a diameter larger than 8 inches (20 cm). For enforcement purposes, the footrope will be measured in a straight line from the outside edge to the opposite outside edge at the widest part on any individual part, including any individual disk, roller, bobbin, or any other device. {revised at 79 FR 71340, 12/02/2014, effective 1/1/2015}

(A) Selective flatfish trawl gear. Selective flatfish trawl gear is a type of small footrope trawl gear. The selective flatfish trawl net must be a two-seamed net with no more than two riblines, excluding the codend. The breastline may not be longer than 3 ft (0.92 m) in length. There may be no floats along the center third of the headrope or attached to the top panel except on the riblines. The footrope must be less than 105 ft (32.26 m) in length. The headrope must be not less than 30 percent longer than the footrope. The headrope shall be measured along the length of the headrope from the outside edge to the opposite outside edge. An explanatory diagram of a selective flatfish trawl net is provided as Figure 1 of part 660, subpart D. {added at 79 FR 71340, 12/02/2014, effective 1/1/2015}

(B) [Reserved] {added at 79 FR 71340, 12/02/2014, effective 1/1/2015}

(iii) Chafing gear restrictions for bottom trawl gear. Chafing gear may encircle no more than 50 percent of the net's circumference and may be in one or more sections. Chafing gear may be used only on the last 50 meshes, measured from the terminal (closed) end of the codend. Only the front edge (edge closest to the open end of the codend) and sides of each section of chafing gear may be attached to the codend; except at the corners, the terminal edge (edge closest to the closed end of the codend) of each section of chafing gear must not be attached to the net. Chafing gear must be attached outside any riblines and restraining straps. {revised at 79 FR 71340, 12/02/2014, effective 1/1/2015}

(4) Midwater (pelagic or off-bottom) trawl gear. Midwater trawl gear must have unprotected footropes at the trawl mouth, and must not have rollers, bobbins, tires, wheels, rubber discs, or any similar device anywhere on any part of the net. The footrope of midwater gear may not be enlarged by encircling it with chains or by any other means. Ropes or lines running parallel to the footrope of midwater trawl gear must be bare and may not be suspended with chains or any other materials. Sweep lines, including the bottom leg of the bridle, must be bare. For at least 20 ft (6.15 m) immediately behind the footrope or headrope, bare ropes or mesh of 16-inch (40.6-cm) minimum mesh size must completely encircle the net. {revised at 79 FR 71340, 12/02/2014, effective 1/1/2015}

(i) Chafing gear restrictions for midwater trawl gear. Chafing gear may cover the bottom and sides of the codend in either one or more sections. Only the front edge (edge closest to the open end of the codend) and sides of each section of chafing gear may be attached to the codend; except at the corners, the terminal edge (edge closest to the closed end of the codend) of each section of chafing gear must not be attached to the net. Chafing gear is not permitted on the top codend panel except as provided in paragraph (b)(4)(ii) of this section. {revised at 79 FR 71340, 12/02/2014, effective 1/1/2015}

(ii) Chafing gear exception for midwater trawl gear. A band of mesh (a "skirt") may encircle the net under or over transfer cables, lifting or splitting straps (chokers), riblines, and restraining straps, but must be the same mesh size and coincide knot-to-knot with the net to which it is attached and be no wider than 16 meshes. {revised at 79 FR 71340, 12/02/2014, effective 1/1/2015}

(c) Restrictions by limited entry trawl gear type. Management measures may vary depending on the type of trawl gear (i.e., large footrope, small footrope, selective flatfish, or midwater trawl gear) used and/or on board a vessel during a fishing trip, cumulative limit period, and the area fished. Trawl nets may be used on and off the seabed. For some species or species groups, Table 1 (North) and Table 1(South) of this subpart provide trip limits that are specific to different types of trawl gear: Large footrope, small footrope (including selective flatfish), selective flatfish, midwater, and multiple types. If Table 1 (North) and Table 1 (South) of this subpart provide gear specific limits for a particular species or species group, it is unlawful to take and retain, possess or land that species or species group with limited entry trawl gears other than those listed. The following restrictions are in addition to the prohibitions at §660.112(a)(5). {revised at 75 FR 82296, 12/30/2010; revised at 76 FR 74725, 12/1/2011; revised at 79 FR 71340, 12/02/2014, effective 1/1/2015}

(1) Fishing with large footrope trawl gear. It is unlawful for any vessel using large footrope gear to fish for groundfish shoreward of the RCAs defined at paragraph (e)(4) of

this section and at §§660.70 through 660.74, subpart C. The use of large footrope gear is permitted seaward of the RCAs coastwide.

(2) Fishing with small footrope trawl gear. North of 40°10' N. lat., it is unlawful for any vessel using small footrope gear (except selective flatfish gear) to fish for groundfish or have small footrope trawl gear (except selective flatfish gear) onboard while fishing shoreward of the RCA defined at paragraph (e) of this section and at §§660.70 through 660.74. South of 40°10' N. lat., small footrope gear is required shoreward of the RCA. Small footrope gear is permitted seaward of the RCA coastwide. {revised at 76 FR 53833, August 30, 2011 }

(i) North of 40°10' N. lat., selective flatfish gear is required shoreward of the RCA defined at paragraph (e) of this section and at §§660.70, through 660.74. South of 40°10' N. lat., selective flatfish gear is permitted, but not required, shoreward of the RCA. The use of selective flatfish trawl gear is permitted seaward of the RCA coastwide. {revised at 76 FR 53833, August 30, 2011 }

(ii) [Reserved]

(3) Fishing with midwater trawl gear. North of 40°10' N. lat., midwater trawl gear is permitted only for vessels participating in the primary Pacific whiting fishery (for details on the Pacific whiting fishery see §660.131, subpart D.) South of 40°10' N. lat., the use of midwater trawl gear is prohibited shoreward of the RCA and permitted seaward of the RCA.

(4) More than one type of trawl gear on board. The trip limits in Table 1 (North) or Table 1 (South) of this subpart must not be exceeded. {revised at 76 FR 74725, 12/1/2011 }

(i) The following restrictions apply to vessels operating north of 40°10' N. lat.:

(A) A vessel may not have both groundfish trawl gear and non-groundfish trawl gear onboard simultaneously. A vessel may not have both bottom trawl gear and midwater trawl gear onboard simultaneously. A vessel may have more than one type of limited entry bottom trawl gear on board, either simultaneously or successively, during a cumulative limit period.

(B) If a vessel fishes exclusively with large or small footrope trawl gear during an entire cumulative limit period, the vessel is subject to the small or large footrope trawl gear cumulative limits and that vessel must fish seaward of the RCA during that limit period.

(C) If a vessel fishes exclusively with selective flatfish trawl gear during an entire cumulative limit period, then the vessel is subject to the selective flatfish trawl gear-cumulative limits during that limit period, regardless of whether the vessel is fishing shoreward or seaward of the RCA.

(D) If more than one type of bottom trawl gear (selective flatfish, large footrope, or small footrope) is on board, either simultaneously or successively, at any time during a cumulative limit period, then the most restrictive cumulative limit associated with the bottom trawl gear on board during that cumulative limit period applies for the entire cumulative limit period, regardless of whether the vessel is fishing shoreward or seaward of the RCA.

(E) If a vessel fishes both north and south of 40°10' N. lat. with any type of small footrope gear onboard the vessel at any time during the cumulative limit period, the most restrictive trip limit associated with the

gear on board applies for that trip and will count toward the cumulative trip limit for that gear (See crossover provisions at §660.120, subpart D.)  
(F) Midwater trawl gear is allowed only for vessels participating in the primary whiting season.

- (ii) The following restrictions apply to vessels operating south of 40°10' N. lat.:
- (A) A vessel may not have both groundfish trawl gear and non-groundfish trawl gear onboard simultaneously. A vessel may not have both bottom trawl gear and midwater trawl gear onboard simultaneously. A vessel may not have small footrope trawl gear and any other type of bottom trawl gear onboard simultaneously.
  - (B) If a vessel fishes both north and south of 40°10' N. lat. with any type of small footrope gear onboard the vessel at any time during the cumulative limit period, the most restrictive trip limit associated with the gear on board applies for that trip and will count toward the cumulative trip limit for that gear (See crossover provisions at §660.120, subpart D.) { redesignated at 76 FR 74725, 12/1/2011 }