

GROUND FISH MANAGEMENT REPORT ON  
COASTWIDE NON-WHITING MIDWATER TRAWL EXEMPTED FISHING PERMIT (EFP)  
& GEAR MODIFICATION EFP PROGRESS REPORT

The Groundfish Management Team (GMT) reviewed the progress reports of the ongoing gear modification exempted fishing permit (EFP) as well as the new EFP proposal for 2018 and offers the following comments:

### **Current EFP Progress Report**

The GMT reviewed the progress of the current EFP as presented in [Agenda Item F.8, Supplemental Attachment 2, June 2017](#). While the data currently collected will be helpful for informing the trawl gear regulations package, the GMT recommends that National Marine Fisheries Service (NMFS) work with participants to gather additional information on gear configurations (e.g. pelagic, bottom trawl) used in the EFP this year. Fish tickets collect general gear type (midwater, bottom trawl), but there currently is no way to distinguish between a vessel using a hooded net or a vessel using a modified bottom trawl in the midwater. Industry has mentioned that they could retroactively supply this information for 2017 and continue the practice for 2018.

**If available, the GMT would recommend that industry transmit the additional gear configuration information to NMFS for inclusion in their analyses.** It became very apparent during the salmon consultation that gear configurations and methods can have a great influence to bycatch rates, and we therefore strongly support better documentation of this information.

### **2018 EFP Proposal**

#### **Council Operating Procedure 19- Groundfish EFPs**

[Council Operating Procedure 19](#) (COP-19) outlines the protocols for consideration of EFPs for groundfish fisheries. This includes details on what information is required in an application and what the GMT review should consider, as well as the timing and deadlines for consideration of EFP applications. Under Amendment 24 to the groundfish fishery management plan (FMP), the EFP process was lined up with the biennial harvest specifications and management measures process. However, in this case, the applicants are applying for an EFP at this time due to the need for an accelerated timeline. Since the project will be covering all catch and impacts with individual fishing quota (IFQ) pounds, there are none of the implications for off-the-top deductions (or set-asides) and intersector allocations that are part of many other EFPs, and the impetus for the timeline being concurrent with the biennial process. The GMT reviewed the new proposal as outlined in COP-19, and found it to contain all of the required information. The GMT provides input on specific aspects of the proposed EFP below.

#### **EFP Proposal Overview**

The EFP proposal currently contains all but one (fishing across IFQ management lines) of the components of the gear regulation package: year-round midwater trawling; bottom trawling in the

Rockfish Conservation Area (RCA) without time or area restrictions; and full retention of all salmon caught. The applicants have stated that they plan to continue to use the bycatch caps used in the 2017 EFP as their primary salmon mitigation measure (i.e., 3,547 Chinook salmon for the entire midwater rockfish fishery including EFP, with no more than 800 prior to May 15) along with their co-op style deterrence measures. The GMT supports continuation of these bycatch mitigation measures since they will help ensure that Chinook salmon bycatch stays within these previously analyzed limits, as the fishery is monitored in real time. While the GMT provides some preliminary comments in this statement, we intend to provide more specific comments on the EFP once a finalized version is presented in September.

### **Spatial Extend of the EFP Proposal**

The 2018 trawl gear EFP application includes several measures which are proposed to be implemented coastwide. The GMT notes that the current EFP is limited to the area north of 42° N. lat. per Council concerns with Chinook salmon bycatch in the Klamath Management Zone (KMZ). In [Agenda Item F.8.b, Supplemental Public Comment Powerpoint, June 2017](#), the participants recommend a hard cap of 350 Chinook for south of 42° N. lat. If this is exceeded, then fishing south of 42° N. lat. would cease. **The GMT recommends the Council consider a sub-cap or other mitigation measures if the EFP is expanded coastwide.** However, the GMT notes that there is no data available on bycatch rates or stock composition from that area (based on our work with the salmon consultation) to evaluate what the implications of a 350 cap could be to the salmon population.

The GMT appreciates the notion of allowing limited EFP activity to occur south of 42° N. lat. as it could improve our understanding of Chinook salmon bycatch in the area (i.e., rates and stock composition), which could help better inform future analyses related to the gear regulations package. In addition, it could help improve IFQ attainments, particularly of southern stocks like chilipepper rockfish, with limited salmon bycatch (if results are similar to the EFP that has occurred to the north). However, at the same time, the GMT is cognizant that there are salmon bycatch concerns (there is no directed salmon troll fishery in that area this year) and that the salmon outlook for the next few years is similarly dire.

## **EFP Proposal Components**

### **Gear Regulations**

The GMT discussed the components of the gear regulations package included in the EFP proposal ([Agenda Item F.8.a, Supplemental Attachment 1, June 2017](#)). Since it is our understanding that the applicants are still refining their proposal for final action in September, we kept our comments at a higher level. The GMT believes that some of these items (e.g. new method for measuring mesh size) would be easy to include in the 2018 EFP, however, others, such as providing exemptions to chafing gear and codend requirements, may have a significantly higher analytical burden associated with them and could theoretically delay implementation.

In addition, the GMT discussed complications regarding the provision that would allow multiple trawl gears on a single trip. As we understand it, electronic fish tickets are now able to capture multiple gear types on a single ticket by species and weight, and therefore if this is included in the final EFP, there should be no accounting issues.

As mentioned above, one component of the gear regulations package that is missing from the EFP proposal in [Agenda Item F.8, Supplemental Attachment 1](#) is fishing in multiple IFQ areas on the same trip; however, the applicants indicated they may add that to the current proposal. In June 2016, the Council approved, for recommendation to NMFS, an option for partitioning IFQ catches pro-rata based on the number of hauls within each management areas. However, it is the GMT's understanding that no methodology has been developed for determining the catch accounting if a single haul crosses a management line. Therefore, the GMT sees no additional impacts in allowing vessels to fish multiple IFQ areas on the same trip in the EFP once the methodology for the catch accounting data systems is finalized.

#### **Non-Whiting Midwater Trawl in the RCA Outside the Primary Whiting Season**

Currently, non-whiting midwater trawl is only allowed in the RCA during the primary whiting season north of 40° 10' N. lat. and seaward of the RCA year-round south of 40° 10' N. lat. The GMT understands that this EFP is proposing that the midwater fishery would be allowed to occur within the RCA, coastwide, year-round, since no area or time restrictions are identified in the application. Since there is currently no fishing south of 40° 10' N. lat. in the RCA at any time throughout the year, the Council and NMFS may want to discuss whether to include this area for midwater trawling, and the associated analysis needed to support this, or if there is a benefit to continuing to prohibit fishing in this area.

#### **Bottom Trawl in the RCA**

While the initial application proposed allowing bottom trawling year-round in the RCA, the applicants did remove this request in [Agenda Item F.8.b, Supplemental Public Comment Powerpoint, June 2017](#) . The GMT supports this revision.

#### **Salmon Retention**

For 2018, the applicants have also proposed allowing EFP applicants to retain salmon to improve efficiency of midwater rockfish trips while also facilitating gathering genetic data on the salmon. Currently, shoreside non-whiting IFQ vessels must discard any prohibited species, such as salmon, unless they are operating under electronic monitoring (EM). The GMT notes that NMFS would need to include an exemption from this requirement under the EFP (as is for EM). **The GMT believes that there is no additional risk to increased salmon bycatch under this element of the EFP, and recommends that it be included but limited to only salmon and no other prohibited species.**

#### **Recommendations**

- 1. If available, the GMT would recommend that industry transmit the additional gear configuration information from the 2017 EFP to NMFS for inclusion in their analyses.**
- 2. The GMT recommends the Council consider a sub-cap or other mitigation measures if the EFP is expanded coastwide.**
- 3. The GMT believes that there is no additional risk to increased salmon bycatch if salmon are allowed to be retained in the EFP, and recommends that it be included but limited to only salmon and no other prohibited species.**