

**COASTWIDE NON-WHITING MIDWATER AND GEAR MODIFICATION EXEMPTED
FISHING PERMIT PROGRESS REPORTS**

Under this agenda item, the Council will receive a progress report on the gear exempted fishing permit (EFP) and a new proposal for a midwater trawl EFP to begin in 2018. The industry has indicated that rather than a second separate EFP they are proposing that the new midwater trawl EFP be implemented as an expansion of the existing gear EFP (Agenda Item F.8, *Supplemental Attachment 1*).

At its March 2016 meeting, the Council approved a trawl gear regulation package designed to increase flexibility for the trawl fishery based on the individual accountability and 100 percent at-sea monitoring established by the Amendment 20 catch share program. Initially, it was expected that this regulatory package would be implemented on time for the 2017 season. When that was delayed, the industry proposed a gear EFP to implement the elimination of a minimum mesh size, and elimination of the requirement for use of selective flatfish trawl shoreward of the Rockfish Conservation Areas (RCAs) north of 40° 10' N. latitude. With the lifting of these restrictions, vessels are able to target midwater pelagic rockfish (primarily widow rockfish and yellowtail rockfish) using modified bottom trawl gear. Due to concerns over Klamath River fall Chinook forecast, the National Marine Fisheries Service (NMFS) split the gear EFP into two geographic areas; one EFP for activities in areas north of 42° N. latitude (northern EFP) and the other for EFP activities south of 42° N. latitude (southern EFP). The northern EFP was issued in February 2017, and at its March meeting, salmon bycatch limits for the EFP were discussed. No action has been taken on the southern EFP due to ongoing concerns about Klamath Chinook. At this meeting, a progress report will be provided on the gear EFP (Agenda Item F.8, *Supplemental Attachment 2*).

Currently, use of midwater trawl gear to target nonwhiting species is limited to seaward of the RCAs south of areas south of 40° 10' N. latitude year-round, and in all areas in the north, but only after the start of the whiting season on May 15. After the gear rule is implemented, midwater gear is expected to also be allowed shoreward of the RCA in the north. NMFS has suggested that the best route for consideration of an all-area year-round use of midwater trawl gear to target nonwhiting species would be first as an EFP (see item #12 in [Agenda Item D.1.a, NMFS Report 3, June 2015](#)). The EFP would be used to collect information that could then be used to support an analysis of a possible regulatory change.

Council Action:

Review progress reports and adopt preliminary EFP for public review, as appropriate.

Reference Materials:

1. *Agenda Item F.8, Supplemental Attachment 1: Midwater Trawl EFP Proposal.*
2. *Agenda Item F.8, Supplemental Attachment 2: Gear EFP Progress Report.*

Agenda Order:

- F.8 Coastwide Non-whiting Midwater and Gear Modification Exempted
Fishing Permit Progress Reports Jim Seger
- a. Reports and Comments of Advisory Bodies and Management Entities
 - b. Public Comment
 - c. **Council Action:** Review Progress Reports and Adopt Preliminary EFP for Public Review, as Appropriate

PFMC
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