

GROUND FISH MANAGEMENT TEAM REPORT ON COASTWIDE NON-WHITING  
MIDWATER TRAWL EXEMPTED FISHING PERMITS (EFP) FINAL ACTION AND GEAR  
MODIFICATION EFP REVIEW

The Groundfish Management Team (GMT) reviewed the documents for this agenda item and consulted with National Marine Fisheries Service (NMFS) staff on the best approach to meet the applicant's desire for a year-round non-whiting midwater trawl fishery while also providing NMFS reliable data that could be used to support gear changes in the future. Based on those discussions, the GMT believes multiple, more focused and limited, exempted fishing permits (EFPs) would be a better, and perhaps the only, option at this time. Below, the GMT provides recommendations for the trawl EFP(s) in 2018.

**A. Renewal of 2017 Trawl Gear EFP**

The GMT agrees with NMFS that the information collected thus far in 2017 has been very helpful in providing information on salmon bycatch. **Therefore, the GMT recommends a 2018 EFP that includes all elements of the 2017 trawl gear EFP (including salmon bycatch mitigation measures), and the addition of an exemption to the minimum mesh size for midwater trawling. The GMT would also like to stress the need for haul-level data on bycatch and recommends that any 2018 trawl gear EFP include a requirement that both haul-level data on all salmon bycatch and information on gear configuration be collected.**

**B. Catch Accounting Elements EFP**

The GMT agrees that there is utility in testing some additional elements of the trawl gear rulemaking package. In the NMFS report ([Agenda Item E.4.b., Supplemental NMFS Report 1, September 2017](#)), they highlighted some concerns with the ability of vessels using electronic monitoring (EM) to correctly identify which type of net (midwater or bottom trawl) is being used on a tow. After some discussion with the Groundfish Advisory Subpanel (GAP), it appears it may be possible to provide some descriptive information which video reviewers could use to correctly identify nets. Specifically, members of the GAP said they could help develop descriptions of identifying markers (e.g., presence or absence of floats on headropes or discs on footropes) that belong on each type of gear. These markers could be stipulated in the EFP terms and materials for vessels using EM could be provided to help a video reviewer identify which type of net is being used. **The GMT therefore recommends that NMFS work with the GAP and the applicants to develop a way to assist the Pacific States Marine Fisheries Commission video reviewers in determining the type of net used on a vessel using multiple gears (i.e. both bottom trawl and midwater trawl).**

In addition, the GMT also heard from GAP members that there is a low likelihood vessels will participate in a catch accounting EFP only. Industry has stated there is a need to have the exemption for the multiple gears on board and fished on the same trip, in conjunction, with the proposed non-whiting midwater trawl exemptions. **Therefore, if video reviewers are able to correctly identify the type of gear used on vessels, the GMT recommends that the exemptions for catch accounting be included along with the exemptions in the non-whiting midwater**

**trawl gear EFP (discussed below) going forward in 2018.** This approach will provide us desired haul level discard data that can be paired to landings via standard logbook partitioning approaches.

While we understand there may be sorting and stowing issues involved in the use of multiple gears, this EFP could provide information on potential challenges moving these elements forward in the gear regulations package.

### **C. Year-round, Coast-wide Non-whiting Midwater EFP**

The GMT sees the utility of obtaining information on non-whiting midwater fishing year-round and coast-wide. Additionally, the GMT is aware of the concerns for Endangered Species Act (ESA)-listed and unlisted salmon stocks south of 42° N. latitude. While the proposal ([Agenda Item E.4.a, Supplemental EFP Application 1, September 2017](#)) does include a harvest guideline (HG) of 80 salmon for the area south of 42° N. latitude, as NMFS has stated, the composition of that take is very important. **Therefore, the GMT recommends an EFP for a coast-wide year-round non-whiting midwater trawl fishery be implemented upon completion and consideration of the current ESA salmon consultation. In addition, the GMT recommends that vessel participation south of 42° N. latitude be strictly limited, and the Council consider additional mitigation measures, including those listed in the Supplemental NMFS Report for this action, for salmon bycatch in this area.** Upon receipt and consideration of the pre-season salmon abundance report, which will provide information on vulnerable California salmon stocks, the portion of the EFP that takes place in the south could be further modified (e.g. smaller HG or fewer vessels) or closed.

### **D. Full Salmon Retention**

Under current regulations, salmon is classified as a prohibited species (50 CFR Part 660, Subpart G). As a prohibited species, only those vessels fishing under maximized retention, which provides an exemption to this requirement, are allowed to retain all salmon caught on a trip. All other vessels are required to discard salmon at sea. The current 2017 trawl gear EFP does not allow for full retention of salmon, except on vessels using EM. While the GMT understands there may be some efficiency associated with allowing vessels to fully retain salmon, at this time, we do not see a reason to have all vessels retain salmon. Collection of haul-level data pertaining to factors affecting bycatch rates of salmon, and collection of biological samples to aid in stock composition understanding, are two purposes of this EFP. These data can be collected by observers at sea without the need to retain a prohibited species. **Therefore, the GMT recommends that only those vessels with EM be allowed to fully retain salmon in any of the 2018 trawl gear EFPs. However, the GMT still recommends that the terms of any of the trawl gear EFPs under consideration for 2018 include a requirement to provide haul-level data on all salmon.**

### **Recommendations:**

- 1. Include all necessary mitigation measures (i.e. area closures, harvest guidelines, sub-harvest guidelines, etc.) to ensure salmon impacts stay within an acceptable limit.**
- 2. The 2018 gear EFP include all elements of the 2017 trawl gear EFP, and the addition of an exemption to the minimum mesh size for midwater trawling. The GMT would also like to stress the need for haul-level data on bycatch and recommends that any**

**2018 trawl gear EFP include a requirement that both haul-level data on all salmon bycatch and information on gear configuration be collected.**

- 3. NMFS should work with the GAP and the applicants to develop a way to assist Pacific States Marine Fisheries Commission video reviewers in determining the type of net used on a vessel using multiple gears (i.e., both bottom trawl and midwater trawl).**
- 4. If video reviewers are able to correctly identify the type of gear used on vessels, the GMT recommends that the exemptions for catch accounting be included in the non-whiting midwater trawl gear EFP going forward in 2018.**
- 5. An EFP for a coast-wide, year-round non-whiting midwater trawl fishery be implemented upon completion and consideration of the current ESA salmon consultation. In addition, the GMT recommends vessel participation south of 42° N. latitude be strictly limited, and the Council consider additional mitigation measures for salmon bycatch in this area.**

PFMC  
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