

## GROUNDFISH ADVISORY SUBPANEL REPORT ON HUMPBACK WHALE AND LEATHERBACK SEA TURTLE BIOLOGICAL OPINION

### **Fixed Gear**

The Groundfish Advisory Subpanel (GAP) discussion highlighted concerns among stakeholders that data gaps in the biological opinion (BiOp) appeared to undermine the science behind entanglement risk and population-level impacts. One of the largest data gaps is the high rate of entanglements of unidentified origin ([Agenda Item F.3.a, NMFS Report 1, March 2023](#)). Fortunately, as mentioned in the BiOp, the forthcoming fixed gear marking requirements should increase the certainty in the attributions of currently unknown origin entanglements. It was suggested in the GAP that including gear loss data could also help provide context on this issue. Additionally, references to and comparisons of differing types of fixed gear (“heavy” and “light” pots) were unclear to GAP representatives and additional details defining gear characteristics would provide a more accurate picture of the fishery.

After discussions with National Marine Fisheries Service (NMFS) staff, the GAP understands the generalization of details in the BiOp is intended to encompass all the possible entanglement risks in order to assure the continued operation of the fishery under the rules that require the BiOp to be written.

The GAP suggested that future BiOps and any future management actions could be better informed with additional data fields in the West Coast groundfish non-trawl e-logbook. These data fields would address some of the assumptions made about gear characteristics compared throughout the BiOp, enhance the statistical analysis of future entanglement risk, and assist in meeting Term and Condition 3 in the BiOp. The first suggestion below is pertinent given the proposal in the fixed gear marking and entanglement risk reduction measures package the Council approved in June 2024 to voluntarily allow vessels to set gear with only one buoy (vertical) line per set:

1. Number of buoy lines per set;
2. Separate fields under “gear loss” for pots, skates, buoy line, and surface gear.;
3. Additional gear characteristic fields for buoy line size, ground line size, pot weights, and anchor weights.

### **Midwater Whiting**

The GAP would like to acknowledge the effort put forth by midwater whiting fishermen to voluntarily provide details and photos to NMFS on the unusual interactions in the trawl fishery detailed in the BiOp. Despite communications that demonstrated the two whales encountered in 2020 were decomposing, the BiOp concluded there was insufficient information to determine whether those whales were dead at the time of encounter. The GAP recommends NMFS publish a best practices guide regarding how to provide additional information or photographs in a timely and effective manner. In addition the GAP encourages NMFS to continue interviewing captains and crew to ascertain information about any interactions as soon as possible following an incident.

While we understand the focus of these efforts have been on the midwater vessels with electronic monitoring, this best practices guide and additional interviews could apply to all groundfish sectors.

PFMC  
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