

## GROUND FISH ADVISORY SUBPANEL REPORT ON COUNCIL RESPONSE TO EXECUTIVE ORDERS AND ADMINISTRATION UPDATES

The Groundfish Advisory Subpanel (GAP) reviewed the attachments related to this agenda item and discussed several ideas related to Executive Order 14276 (EO), Restoring Seafood Competitiveness.

### Overarching Comments

The GAP appreciates the thoughts provided by Pacific Fishery Management Council (Council) staff and Council members regarding actions the Council could take as part of EO 14276 and supports many of those ideas because we have proposed them to the Council under various agenda items, such as under Groundfish Workload and New Management Measures the Council considers every March. Further, we understand some of these items may be implemented more quickly through the EO rather than through the Council process.

The GAP also thanks the Council members for the proposed letter to Secretary of Commerce Howard Lutnick. The ideas represent creative thinking that could meaningfully support seafood competitiveness. The GAP welcomes Council support for these proposals.

Upon further review, the GAP suggests removal of some items or editing the wording of some items of each letter to provide clarity and specificity. We detail those below, with rationale, and then provide some additional ideas for Council consideration.

### *Draft Council Letter to Assistant Administrator for Fisheries Eugenio Soler (Attachment 4)*

#### Wording suggestions

- Coordination on international treaties: The fourth bullet point in the letter references international treaties related to Pacific whiting, highly migratory species (HMS), coastal pelagic species (CPS) and Pacific halibut, but did not mention salmon. Salmon also is subject to an international treaty and should be included because the Council must be cognizant of complying with Pacific Salmon Treaty stipulations as part of U.S. salmon management.
- Comments on marine planning activities: Referencing the fifth bullet in the letter, the GAP suggests inserting “renewable” and “potentially competing” into the first sentence to read: “The Pacific Council continues to review and provide comments on marine planning activities, including offshore wind *or other renewable* energy, aquaculture, and other, *potentially competing*, ocean uses.” This wording would ensure all forms of energy or other industries would be covered.

#### Items suggested for removal

- Risk tables: Referencing the letter, the first bullet point includes the sentence, “Innovations such as risk tables provide the Pacific Council with onramps for incorporating such information into harvest specifications.” The GAP suggests removing this because significant concerns exist about how those should be applied to biennial harvest specifications, such as to which species. In some cases, using risk tables may introduce *additional* precaution to a process that already has precaution built in at multiple stages. This runs counter to the objectives of the EO. The GAP supports further exploration of using risk tables, but does not support inclusion of them as part of the Council’s response to the EO.
- Stock definitions: Referencing [Agenda Item H.2, Attachment 5](#), the matrix that will be included in the letter as Attachment A, the GAP suggests removing “Stock Definitions” from the matrix. The letter and matrix constitute a summary documentation of existing Council actions; nothing provides explicit ideas in response to the EO. Stock definitions is a prime example of an action that will not increase seafood competitiveness or make the seafood industry more profitable. The Council notes in the matrix that this action “may” facilitate improved access to species in Federal waters and “may” increase profitability by focusing resources on stocks in need of conservation and management. As the GAP discussed under multiple statements related to stock definitions, this is an arbitrary action driven by NMFS and it is questionable whether the Council, states, Tribes and advisory bodies see the need for a full-scale action instead of just recommending one or two species for state management. Therefore, the GAP recommends removing this from potential EO actions to make room for actions that will actually make the seafood industry more competitive.

*Draft Council Member Letter to Commerce Secretary Howard Lutnick ([Council Report 1](#))*

Wording changes/additions

Under *National* --> Expand fisheries data collection, the GAP suggests expanding the following bullet (addition in **bold**):

- Fund novel and innovative data collection, **analysis, and methods to incorporate into future stock assessment (example: eDNA)**.

*Rationale*: Incorporating the use of environmental DNA (eDNA) or other new technologies could provide much more information with comparatively little collection effort. Whiting surveys already have a collection of samples that could be analyzed. With funding uncertain for stock assessments, and the impacts of time-varying sigma, making progress with technologies such as these to see how they could supplement or be incorporated into our process could help seafood competitiveness.

Under *National* --> Support domestic infrastructure, the GAP suggests expanding the following bullets (additions in **bold**):

- Expand and update port infrastructure (e.g., **dock maintenance**, ice houses, funding for port/harbor dredging)
- Seafood processing infrastructure (**including incentivizing cold storage facilities near coastal fishing ports**)

- Design coastal and marine spatial planning that supports U.S. **fishing and processing**.

*Rationale:* Dock maintenance is an important part of keeping moorage docks and processing/offloading facilities in shape and working. The lack of accessible and affordable cold storage in some West Coast ports has reduced offload access for some at-sea processors; they must return to Seattle or Bellingham between trips, which increases costs.

Under *National* --> Design Market/industry support mechanisms, the GAP suggests expanding the following bullets (additions in **bold**):

- Create access to USDA programs for food producers/farms for fishermen **and processors**, such as grants, insurance and access to capital

*Rationale:* Processors often have the volume of products to take advantage of USDA programs and expand those opportunities for fishermen. Similarly, the USDA includes some programs for fishermen. Including both fishermen and processors could expand opportunities for both.

Under *National*, the GAP suggests rewriting the last bullet to read:

- Include **seafood industry** representatives from fishing, **processing**, government, Tribes, and conservation as part of all offshore energy development **or other industries that compete for ocean space**

*Rationale:* The “seafood industry” includes those sectors and members that are detailed in this bullet point. Processors have a vested interest in offshore development that could affect coastal communities or access to ocean areas for vessels that fish for them. Additionally, industries other than offshore energy may compete for ocean space or affect the California Current Large Marine Ecosystem or essential fish habitat.

### Additions

The GAP suggests adding the following bullet points to the letter.

Under “Expand fisheries data collection,” add:

- Provide funding pathways for commercial and recreational fishing community to collect data of opportunity or other data that could support fisheries management

*Rationale:* With missing data needed to supplement the stock assessment and concerns over funding for surveys, fishermen have been proposing for several cycles that data of opportunity could be collected on trips we’re already on. This could provide a low or no-cost opportunity for data collection to support NMFS activities that promote stock assessment certainty and could help seafood competitiveness.

### *Additional Ideas*

The GAP proposes the following ideas the Council could add to the Council letter or to the Council members’ letter.

Trawl gear exempted fishing permits (EFPs): Implement the trawl gear EFPs by removing the regulations that necessitate those EFPs. A handful of regulations are preventing midwater trawl gear and the requirement of the selective flatfish trawl gear (SFFT, between 40° 10' N. Lat. and 42° N. Lat.) from being used outside of an EFP. Almost 10 years of data have proven the value of using midwater trawl gear and the minimal impacts of not using SFFT without significant impacts to protected species. Additionally, removing the regulations would help NMFS implement new regulations by counting toward the number of regulations to be removed to comply with [Executive Order 14192](#) (January 31, 2025), “Unleashing Prosperity Through Deregulation.” (Section 3 of the EO reads: “*Regulatory Cap for Fiscal Year 2025*. (a) Unless prohibited by law, whenever an executive department or agency (agency) publicly proposes for notice and comment or otherwise promulgates a new regulation, it shall identify at least 10 existing regulations to be repealed.”)

Use of fishery-dependent data: The GAP sees value in incorporating more fishery-dependent data into stock assessments. The Scientific and Statistical Committee has approved the methodology for looking at the uses of fishery-dependent data (see Agenda Item G.4.). Incorporating fishery dependent data into stock assessments holds the potential for stock assessments to more accurately reflect what fishermen see and experience on the ocean.

Sunsetting temporary closed areas expeditiously when a closure’s stated objective has been met. This would hasten the environmental review of fishery impacts to habitat within traditionally fished areas prior to restoring fisheries access to them. This currently stands in the way of timely reopening. This deregulatory action would prevent much wasted effort and lost fisheries access in considering fisheries impacts that have already been a part of the use of the habitat for many years. For example, regaining fisheries access to the 4,300 square miles of the Cowcod Conservation Area off California took many years beyond the time cowcod were declared rebuilt – the goal of the closure – and still has not resulted in recovering fisheries access to the entirety of the area closed. In other words, baselines should not shift simply because fisheries have been excluded from an area for a specific period of time. The baseline should remain as a traditionally fished area.

Trawl follow-on actions: The GAP understands trawl program follow-on actions have not yet been scoped but the Council has indicated its intent to prioritize the follow-on actions. It is unclear at this point what Council and NMFS staff resources may be needed to analyze proposed changes or what timelines may be necessary to achieve final action. However, the GAP hopes the Council can recommend it be included in the letter to Mr. Soler and that it will update him when a scope and work plan has been identified.

Fair and reciprocal trade in seafood: Recognizing this may be more appropriate for the Council member letter to Secretary Lutnick, the GAP suggests including this because domestic, wild-caught seafood competes with imported whitefish daily. Tilapia and Vietnamese catfish represent over 2 billion pounds of whitefish imports annually. Tariffs or other mechanisms to give domestic fisheries a chance would help, as would additional promotion of U.S.-caught whitefish species.

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