

MOVING TRAWL GEAR EFP INTO REGULATIONS; UPDATING DECLARATION REQUIREMENTS; REMOVING DUPLICATIVE RECREATIONAL REGULATIONS

The Pacific Fishery Management Council (Council) is considering three actions under this agenda item. The first action would modify certain trawl fishery time/area/gear restrictions in regulation to reflect the current trawl gear exempted fishing permit (EFP) exemptions. The second action would allow midwater shoreside Individual Fishing Quota (IFQ) or mothership catcher vessel (MSCV) vessels to change fishing declarations while at sea and the third action would remove Federal restrictions related to the sale of recreational fish waste that duplicate existing state regulations. The objectives of this agenda item are to establish the scope of this action, adopt a purpose and need statement for this action, and identify a range of alternatives and preliminary preferred alternative, if possible.

Revising regulations to reflect the exemptions of EFPs into regulation and sale of recreational fish wastes were prioritized for development in the Groundfish Workload and New Management Measure process in 2025. The changes to at-sea declaration allowances and sale of fish waste changes were recommended for inclusion with this action by the Council as potential add-ons at the April 2026 meeting as long as they do not slow down the implementation of the action on the EFPs.

Exempted Fishing Permits

Almost ten years ago, a group of constituents proposed an EFP to improve opportunity and flexibility for IFQ program participants to use certain gear coastwide, across time and areas, to target rockfish and flatfish coastwide on a year-round basis, while ensuring that conservation objectives for protected and prohibited species (e.g., Chinook salmon and coho salmon) continued to be met. There are two components of the current EFP that are proposed to move into regulation.

The first component of the EFP provides an exemption to time/area-management restrictions for trawl vessels using midwater trawl gear to target non-whiting groundfish (e.g., yellowtail and widow rockfishes) north of 40°10' N. lat. In brief, the EFP allows authorized vessels to fish with midwater gear outside of the primary Pacific whiting season dates (i.e., year-round) north of 40°10' N. lat. The second component of the EFP exempts bottom trawl vessels from the requirement to use selective flatfish trawl gear while fishing between 42° N. lat. and 40° 10' N. lat. and shoreward of the boundary line approximating the 100 fm depth contour. Authorized vessels can therefore use legal small footrope trawl gear in this area and within the aforementioned depth contour.

Additionally, the 2017 salmon [Biological Opinion](#) (BiOp) in brief, required at least three years of an EFP to evaluate impacts of the fishery on Chinook and coho salmon. At the March 2026 Council meeting, NMFS presented their [evaluation](#) of the impacts of the EFPs on salmon (see Attachment 2). The conclusion of the report is, in brief, is the risk of the implementation of either or both EFPs would not cause exceedance of the non-whiting threshold on salmon bycatch and does not appear to cause increased risk to certain Evolutionary Significant Units beyond what is detailed in the BiOp.

Administrative Changes

The Council is also contemplating two additional actions under this agenda item that are largely administrative in nature. As noted above, the additional actions would revise regulations to allow fishing declaration changes at sea and remove the regulation prohibiting the sale of recreational fish waste because there are existing state regulations.

Changes in At-Sea Declarations

During the scoping of the trawl follow on actions in April 2026 (see [Agenda Item C.5.a, Supplemental Attachment 2, April 2026](#)), the Council requested that NMFS and Council staff assess the Groundfish Advisory Subpanel's (GAP, [Agenda Item C.5.a, Supplemental GAP Report 1, April 2026](#)) recommendations regarding changes to midwater trawl (whiting and non-whiting) at sea fishing declarations. In brief, these modifications would allow vessels to change targets during a trip, e.g., a vessel targeting shoreside whiting could switch to midwater rockfish (or vice versa) while at sea.

Commercial sale of recreational fish waste.

The Council prioritized removing Federal regulations that regulate the sale of recreationally-caught fish waste (i.e., skeletal remains post processing, offal, etc.) in March 2025 (see Item B8 in [Agenda Item H.2.a, GMT Report 1, March 2025](#)). At present, sale recreational fish waste is prohibited in Federal regulations ([§660.352\(a\)](#)). However, as indicated in past Council discussions, some Commercial Passenger Fishing Vessels/ charter vessels and filet recreational catch when they return to the dock. States or ports that prohibit the dumping of fish waste in adjacent waters must find alternative areas for disposal. At certain harbors, this process entails disposing of the fish waste in commercial trash bins or taking another trip out of the harbor to dispose of the waste at sea, both of which have financial impacts on their operations. Removal of the sale of recreational fish waste provision from Federal regulation would refer the regulatory authority to the states and their decision-making authority.

Council staff have drafted preliminary purpose and need statement, a range of alternatives, and preliminary analysis for each item for consideration and evaluation by the Groundfish Management Team (GMT), the GAP, and Enforcement Consultants. The advisory bodies should closely review the purpose and need statements and the range of alternatives and provide guidance to the Council on whether these elements are sufficient or if additions are needed.

Council Tasks

- 1. Consider and establish the scope of this action;**
- 2. Consider and adopt a purpose and need;**
- 3. Adopt a Range of Alternative, as appropriate;**
- 4. Identify the Preliminary Preferred Alternative(s), as appropriate.**

Reference Materials:

1. Agenda Item E.5, Attachment 1. Analytical Document to Support Council Decision-Making for Moving the Midwater Trawl Gear Exempted Fishing Permit into Regulations; Updating Declaration Requirements; and Removing Duplicative Recreational Regulations (***Electronic Only***).

2. Agenda Item E.5, Attachment 2. Projecting Impacts on Chinook Salmon Bycatch: Potential Transfer of Exemptions to Regulation in Two West Coast Groundfish Trawl Fishery Sectors. (*Electronic Only*).
3. If received, Public Comments are electronic only ([see e-portal](#)).

Agenda Order:

- E.5 Moving Trawl Gear EFP into Regulations; Updating Declaration Requirements; Removing Duplicative Recreational Regulations Todd Phillips
 - a. Reports and Comments of Management Entities and Advisory Bodies
 - b. Public Comment
 - c. **Council Action:** Establish the Scope, Range of Alternatives, and Preliminary Preferred Alternative, if possible

PFMC
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