

GROUNDFISH ADVISORY SUBPANEL REPORT ON NATIONAL MARINE FISHERIES SERVICE REPORT

Northwest Fisheries Science Center (NWFSC) Updates

With respect to the Northwest Fisheries Science Center's (NWFSC) report on Marine Mammal, Seabird, and Sea Turtle (MMSST) Bycatch in U.S. West Coast Groundfish Fisheries 2002-2024 ([Agenda Item E.1.b, Supplemental NWFSC Report 1, June 2026](#)), the Groundfish Advisory Panel (GAP) appreciates the proposal to increase the frequency of this report to provide timely data. However, members noticed some eye-popping global statistics and global fisheries statements that have little to do with the West Coast groundfish sectors the report is about. The report does not highlight the great successes that West Coast groundfish fishermen put into monitoring, assessing, and mitigating bycatch issues, or acknowledge that many of those activities are industry-funded.

For example, regarding seabird mortalities, the GAP is proud of the relatively low mortalities in our fisheries of species such as Black-footed Albatross. While the eastern Pacific is not a major breeding ground for Black-footed Albatrosses, the species is here seasonally. The bulk of the population (~70,000 breeding pairs) is in the Northwestern Hawaiian Islands. Eastern Pacific abundance is therefore low and mostly non-breeding. Generally, the data in the NMFS report estimates our annual mortality of Black-footed Albatross is approximately 100 individuals.

The GAP requests that the MMSBT Tables (Excel File) ([Agenda Item E.1.b, Supplemental NWFSC Report 2, June 2026](#)) be incorporated more fully into the report – to provide context for the graphs. Graphs can be misleading, but displaying the data in tables could help to demonstrate the small overall impacts of our groundfish fisheries. It would also be helpful to contrast confirmed take with estimated take, so that we can see real numbers versus estimates.

The GAP also notes that the report states, “Prior to the IFQ program, vessels in this fishery could only fish with bottom trawl gear” (underline added for emphasis), which is inaccurate – other forms of trawl gear, including midwater gear, were used in the trawl fishery prior to catch share program implementation.

The GAP appreciates the NWFSC efforts to keep the 2026 groundfish surveys on track.

Cost Recovery

The GAP received a briefing on the 2026 Cost Recovery Annual Report for the trawl program ([Informational Report 1, April 2026](#)) from Ms. Keeley Kent, National Marine Fisheries Service (NMFS), at the end of the April Council meeting.

While the GAP appreciates the report’s description of how NMFS calculates incremental costs, all these years and almost \$19 million later (see Table 1 below), it is still not clear how NMFS calculates reduced sector costs resulting from efficiencies of the trawl catch shares program. For example, how are the following activities that NMFS conducted prior to the catch shares program estimated and subtracted from current annual costs?

- Trip limit management
- Inseason management
- At-sea whiting sector management
- Data collection
- Observer coverage
- Enforcement

The 2016 Opinion on *Glacier Fish Co. v. Pritzker* written by the United States Court of Appeals for the Ninth Circuit ([No. 15-35103](#)) highlights that NMFS did not subtract cost savings related to efficiencies from current program costs:

The regulations required NMFS to develop a method to evaluate whether it has gained any “efficiencies” and reduced costs as a result of implementing the coop permit program. A review of the record discloses that NMFS did not develop or apply such reasonable methods. (page 26)

NMFS apparently made no attempt to calculate the “reduced trawl sector related costs resulting from efficiencies” in the program as it was required to do under 50 C.F.R. § 660.115(b)(1)(i). (page 28)

Based on our review of the record, NMFS did not properly determine the ‘actual incremental costs’ that were ‘directly related to the management, data collection, and enforcement of each sector.’ (page 28)

In addition to the issue of appropriately calculating incremental costs, the GAP also has concerns that the mothership (MS) sector cost recovery fee for 2026 is again set at the maximum of three percent. The MS sector largely manages itself through a cooperative program where participants pay out-of-pocket for a cooperative manager, data monitoring and reporting, and for 200 percent catch monitoring (electronic monitoring or observers on mothership catcher vessels, and two observers on each mothership processor). MS participants have to pay to manage the fishery themselves *and* pay NMFS at the full cost recovery fee, in a sector that has not had financial success under the trawl catch share program.

Please see these prior GAP statements that provide more detail on these concerns:

- [Agenda Item F.4.b, Supplemental GAP Report, April 2017](#) (pages 2-5)
- [Agenda Item G.2.c, Supplemental GAP Report 1, November 2020](#) (pages 1-22)
- [Agenda Item H.1.c, Supplemental GAP Report 1, March 2025](#) (pages 1-2)
- [Agenda Item H.8.a, Supplemental GAP Report 1, March 2025](#) (page 11)

The GAP included cost recovery as one of the highest priority items for the trawl follow-on actions ([Agenda Item C.5.a, Supplemental GAP Report 1, April 2026](#) - see page 3), and we recommend that item include analysis of the following:

- A review of cost recovery implementation and billing from other catch share programs around the country, such as in Alaska sablefish IFQ where quota share owners pay cost recovery, or other regions where cost recovery is billed quarterly

- Use of a different formula to reflect more current fishery value
- Charging cost recovery to all trawl program participants, not just active vessels – including analysis of an option that would charge 50% of cost recovery to quota share permit owners, and 50% to harvesters

In addition, the GAP urges NMFS to develop and make transparent the method required by regulation to **reduce trawl sector related costs resulting from program efficiencies**. Until that is complete and subtracted, trawl program vessels continue to overpay cost recovery for the thirteenth year.

Table 1. Cost Recovery Fees Collected by NMFS, by Sector

Year	IFQ	MS	CP	Total
2014	\$ 1,431,308.38	\$ 284,655.19	\$ 350,402.31	\$ 2,066,365.88
2015	\$ 1,260,450.63	\$ 77,582.30	\$ -	\$ 1,338,032.93
2016	\$ 1,470,306.06	\$ 298,210.31	\$ -	\$ 1,768,516.37
2017	\$ 1,714,857.13	\$ -	\$ -	\$ 1,714,857.13
2018	\$ 1,223,033.92	\$ -	\$ -	\$ 1,223,033.92
2019	\$ 1,640,129.28	\$ -	\$ -	\$ 1,640,129.28
2020	\$ 1,152,988.32	\$ 21,460.32	\$ 3,370.60	\$ 1,177,819.24
2021	\$ 1,184,021.18	\$ 97,328.51	\$ 41,221.99	\$ 1,322,571.68
2022	\$ 1,605,925.79	\$ 241,123.93	\$ 50,051.31	\$ 1,897,101.03
2023	\$ 1,340,728.50	\$ 110,556.50	\$ 34,356.90	\$ 1,485,641.90
2024	\$ 1,180,943.28	\$ 77,480.80	\$ 16,647.32	\$ 1,275,071.40
2025	\$ 1,643,558.59	\$ 292,858.66	\$ 16,390.65	\$ 1,952,807.90
Total	\$ 16,848,251.06	\$ 1,501,256.52	\$ 512,441.08	\$ 18,861,948.66

PFMC
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