

Midwater Trawl Gear EFP Into Regulations; Updating Declaration Requirements; and Removing Duplicative Recreational Regulations

AGENDA ITEM E.5
PACIFIC FISHERY MANAGEMENT COUNCIL
JUNE 2026

Actions Considered

❖ Trawl EFP:

- Revisions to certain trawl fishery time/area/gear restrictions north of 40°10' N. lat

❖ Fishing Declarations Flexibility

- Removes certain restrictions for midwater trawl fishing declarations

❖ Sale of Recreational Fish “Waste”

- Revision to Federal recreational fishery regulations

Tasks

- ❖ Consider and Establish the Scope
- ❖ Consider and Adopt Purpose and Need
- ❖ Adopt a Range of Alternatives
- ❖ Identify Preliminary Preferred Alternative (PPA)

Moving the Trawl Gear EFP Into Regulation

Brief History of EFP

- 2016
 - Selective Flatfish (SFFT) bottom trawl gear EFP proposed/recommended
- 2017 EFP
 - SFFT north of OR/CA border (42° N. lat.) active
- 2017 Salmon Biological Opinion (BiOp)
- 2018 - Present
 - SFFT bottom trawl North of 42° N. lat.
 - Midwater trawl north/south of 40°10' N. lat. added in 2018
- 2025 Action added to Council schedule

EFP Overview

Components and Action

- EFP has three components
 - Midwater non-whiting trawl north of 40°10' N. lat.
 - Midwater trawl south of 40°10' N. lat.
 - Selective Flatfish Trawl (SFFT) between 40°10' to 42° N. lat.
- **Action** is only for two components of EFP
 - Midwater non-whiting trawl north of 40°10' N. lat.
 - Selective Flatfish Trawl (SFFT) between 40°10' to 42° N. lat.
- Need at least two more years of EFP for South of 40°10' N. lat.

EFP Overview

Design and Objectives

- Goal/Objective
 - Increase operational flexibility and increase opportunity
 - Understand salmonid impacts per the Biological Opinion terms and conditions
- SFFT EFP
 - Understand impacts of specific net type shoreward of 100 fathoms
- Midwater EFP
 - Understand salmon impacts of fishery before preliminary whiting season

Draft Purpose and Need

The purpose of this action is to remove specific gear, area, and time restrictions for vessels participating in the Shorebased IFQ Program that use midwater and/or SFFT gear.

The need is to improve operational flexibility, foster innovation, and allow for more optimal harvest operations in the trawl fishery while meeting conservation goals for salmon and other protected species.

Proposed Alternatives

No Action: Regulatory prohibitions for vessels using midwater trawl gear targeting non-whiting groundfish stocks north of 40°10' N. lat. before the Pacific whiting season, and regulatory prohibitions for vessels using small footrope trawl gear other than SFFT to fish for groundfish or having small footrope trawl gear onboard while fishing between 42° N. lat. and 40° 10' N. lat., would remain in effect.

Proposed Alternatives

Alternative 1 (*Options not mutually exclusive*): Vessels participating in the Shorebased IFQ fishery:

Option 1: would be allowed to use midwater trawl gear targeting non-whiting groundfish outside of the Pacific whiting primary season dates north of 40°10' N. lat.

Option 2: fishing with bottom trawl gear between 42° and 40°10' N. lat and shoreward of the 100 fathoms depth contour would be allowed to use any legal small footrope trawl gear, including SFFT, to fish for groundfish.

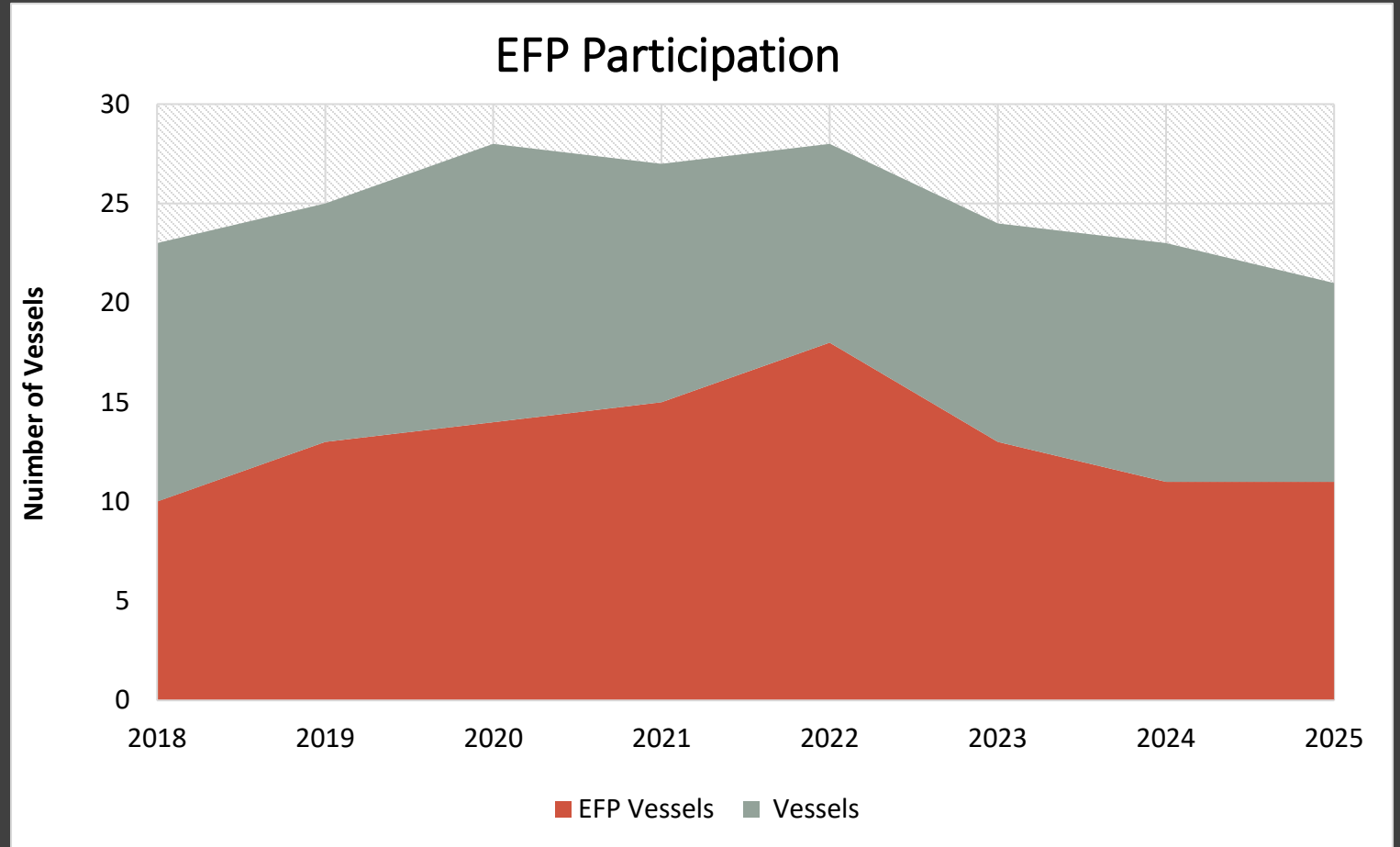
Non-whiting Midwater Trawl North of 40°10' N. lat.

SOCIOECONOMIC IMPACTS

EFP participation (vessel and trip counts)

Non-whiting, midwater
trawl north of 40°10' N lat.

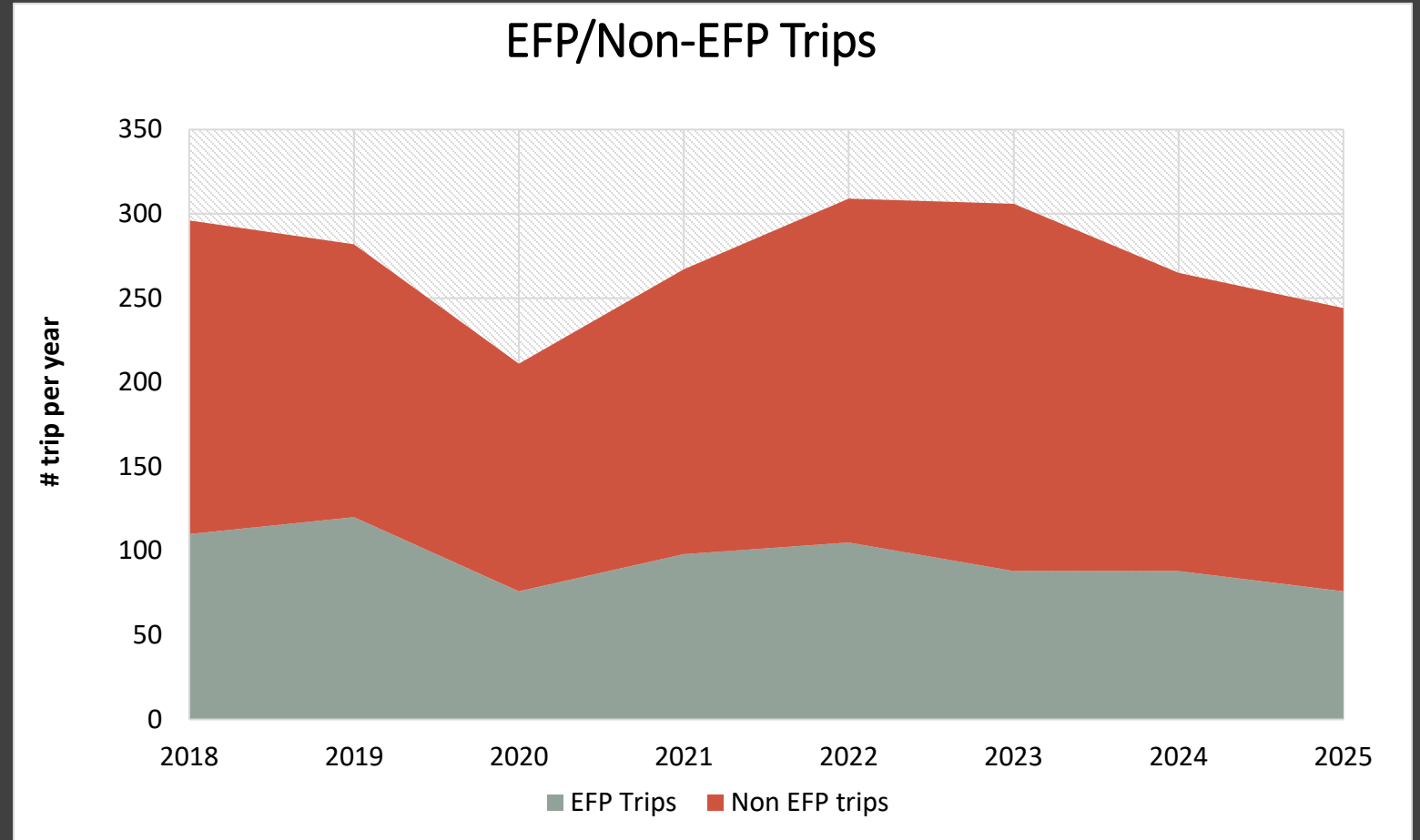
- Average 13 vessels participated in the EFP each year



EFP participation (vessel and trip counts)

Non-whiting, midwater
trawl north of 40°10' N lat.

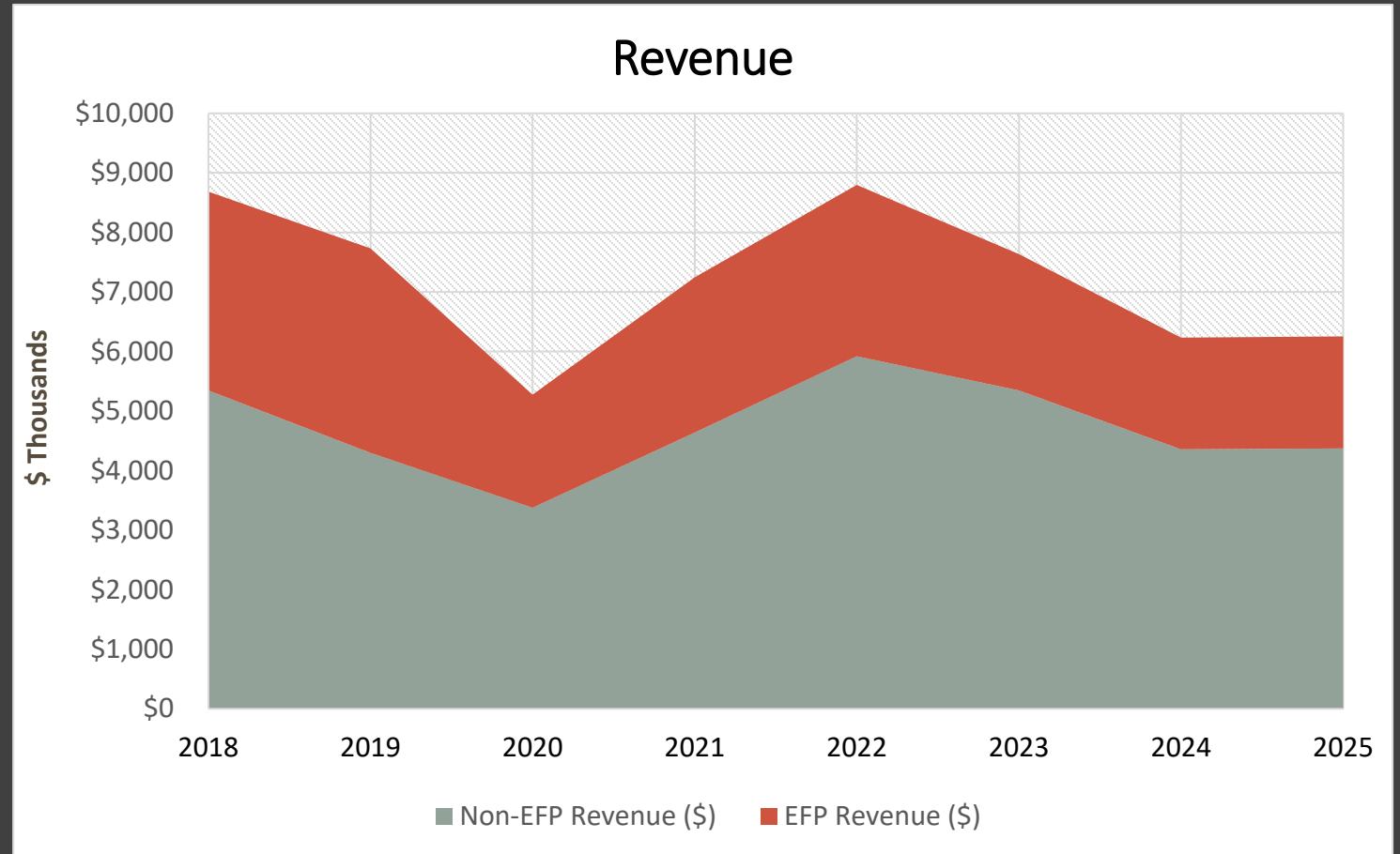
- On average, 35% of annual trips in this fishery are EFP trips
- 2019 was the most prominent year for EFP trips (120 trips taken, 43% of total trips taken in the fishery)



Revenue summary (EFP & non-EFP trips)

Non-whiting, midwater
trawl north of 40°10' N lat.

- EFP revenue averages ~\$2.5 million per year
- Fishery revenue average \$7.2 million
- EFP is about 35% of total revenues
- Widow (81%) and yellowtail (13%) rockfishes most common target/catch



Midwater Trawl: Impacts

- **No Action** (*assuming the EFP does not continue*):
 - EFP participants likely to have decreases in revenue
 - Four months of non-whiting midwater trawl no longer available to fishery
 - Possible capacity issues for processors if the season is concentrated
- **Alternative 1, Option 1:**
 - Allow vessels to fish midwater stocks prior to primary whiting season sans EFP
 - Allows for vessels to operate efficiently across seasons
 - Continues current scenario for participants and could increase effort

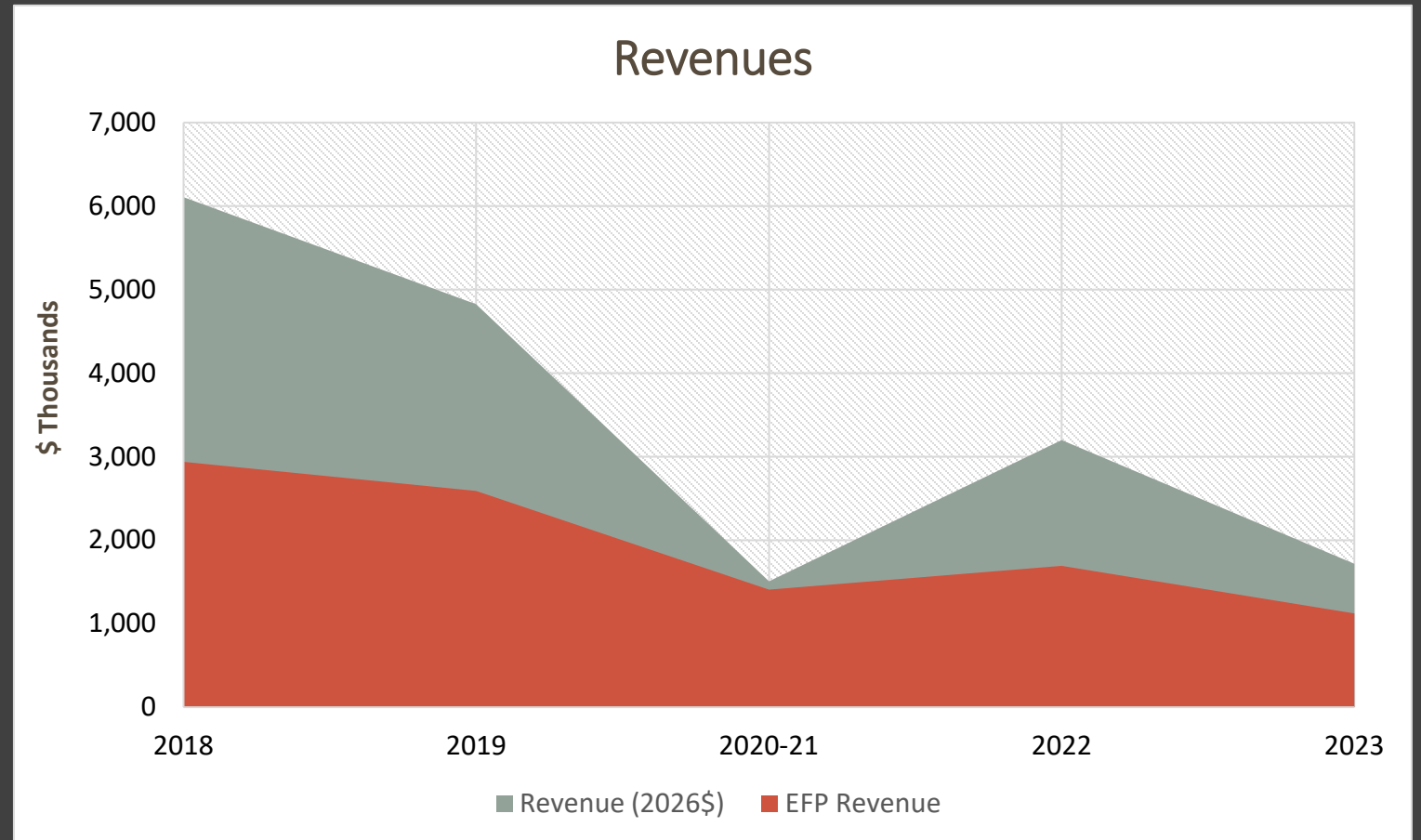
Bottom Trawl (SFFT)
between 42° and 40° 10'
N. lat .

SOCIOECONOMIC IMPACTS

Revenue Summary

Bottom trawl fish tickets recorded between 42° and 40° 10' N. lat ¹

- 35 non-EFP and 6 EFP vessels participated from 2018-25
- Primary EFP catch comprises Dover and petrale soles, lingcod, and sablefish



¹EFP revenue is based on fish tickets associated with hauls that meet the EFP conditions, all EFP revenue is not directly from EFP fishing activity.

SFFT Bottom Trawl: Impacts

- **No Action** (*assuming the EFP does not continue*):
 - Vessels could only use SFFT shoreward of 100 fathoms between 42° and 40° 10' N. lat.
- **Alternative 1, Option 2:**
 - Vessels could use any legal small footrope gear – including SFFT
 - Vessels would be able to configure gear efficiently to catch target species while avoiding those they are not seeking

Species of Concern Impacts.

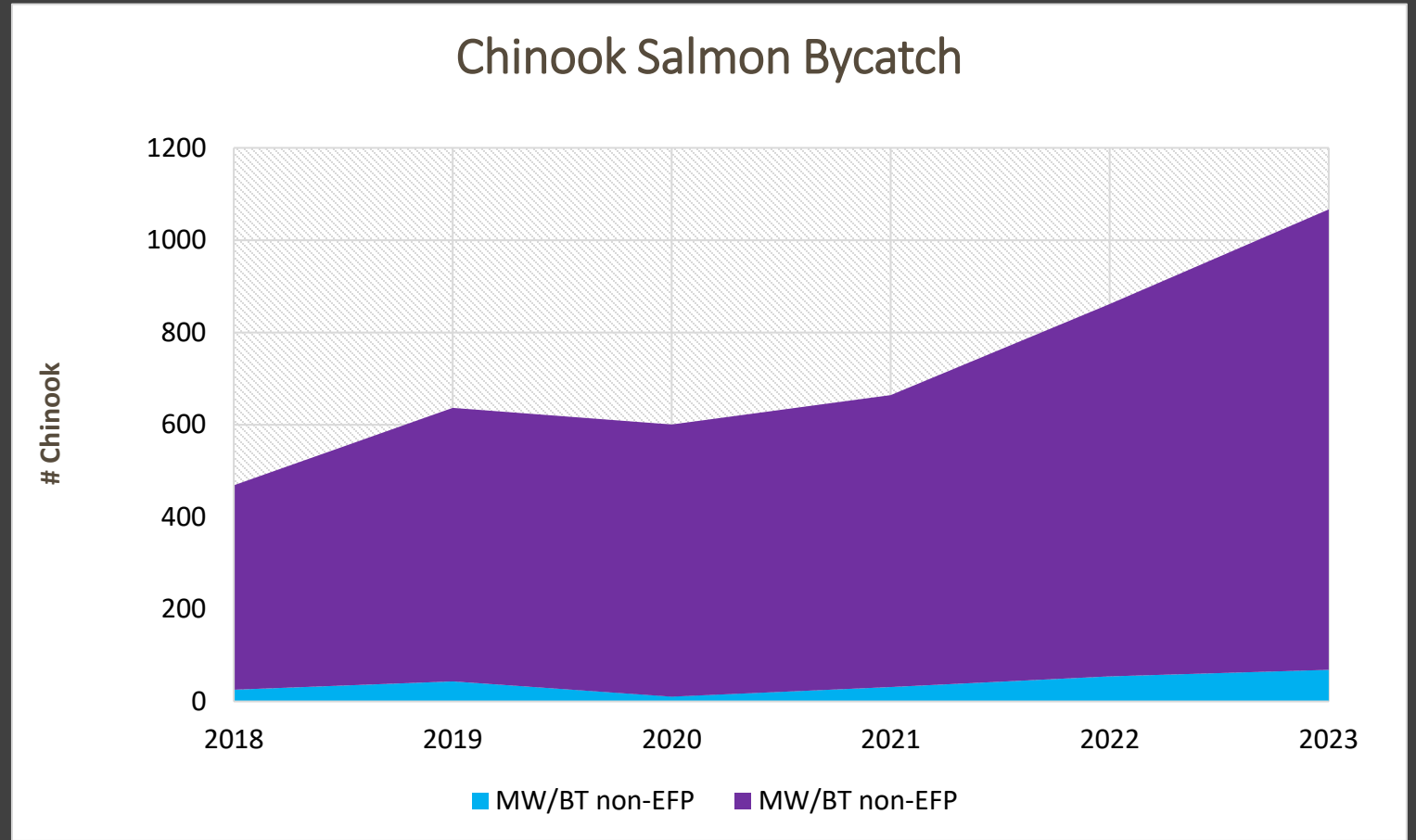
CHINOOK & COHO SALMON, EULACHON, & GREEN STURGEON

Species of Concern Bycatch 2018-23

- Chinook/Coho -EFP
 - Midwater EFP Average/year: 30 Chinook and 0.8 coho
 - Bottom trawl EFP Average/year: 9 Chinook and 0 coho
- Eulachon – entire trawl fishery
 - Amounts variable, though geometric mean increasing annually in period
- Green Sturgeon - EFP
 - Midwater EFP total: 0
 - Bottom EFP total: 2

Chinook salmon bycatch in EFP compared to total groundfish fishery bycatch (2018-23)

- Approx. 5.5% of trawl salmon bycatch is from EFP
- One final salmon impacts review by NMFS needs to occur



* 2024-25 not yet available

Analytical Conclusions:

- Alternative 1 Options
 - Offer improved flexibility for participants over No Action
 - Removes regulation and improves regulatory simplicity.
- Measures to minimize protected spp. bycatch remain in place
- Disruption to participants and processors higher under No Action than Alternative 1
- Positive socioeconomic impacts may grow under Alt. 1 relative to No Action

Additional Items

Items Considered

- ❖ Fishing Declarations Flexibility

- Added to Action in April

- ❖ Sale of Recreational Fish “Waste”

- Council priority

- ❖ Council guidance in April:

Add items to overall Action only if they do not slow down EFP action item

At Sea Declarations

Action Considerations

- Trawl vessels declare into a fishery at the onset of a trip
- Current regulations do not allow trawl vessels to change declarations at sea between the midwater rockfish to shoreside whiting (or vice versa) or mothership catcher vessels to midwater rockfish or to shoreside whiting
- Allows participants in these fishery to switch fishing declarations at sea

Draft Purpose and Need

The purpose of this action is to provide more flexibility to trawl vessels to allow participation in multiple fisheries on the same trip, while ensuring that accountability measures for the Trawl Rationalization Program are maintained.

The need for this action is to continue to reduce operational costs for trawl program participants, thereby to further achieve the economic goals and objectives of the trawl program.

Proposed Alternatives

No Action: Vessels could only switch declarations at sea between fishing bottom trawl and midwater rockfish in the shorebased IFQ fishery or between the mothership and shoreside whiting fisheries as described at 50 CFR 660.13(d)(1).

Alternative 1: Vessels could change declarations while at sea from shoreside whiting to midwater rockfish (and vice versa) or from mothership sector (catcher vessel) to midwater rockfish (and vice versa). Monitoring type declarations (i.e., electronic monitoring or observer) cannot be changed while at sea. Vessels will need to sort catch by sector and report catch on separate fish tickets (as applicable).

Proposed Alternatives

No Action: Vessels could only switch declarations at sea between fishing bottom trawl and midwater rockfish in the shorebased IFQ fishery or between the mothership and shoreside whiting fisheries as described at 50 CFR 660.13(d)(1).

Alternative 1: Vessels could change declarations while at sea from shoreside whiting to midwater rockfish (and vice versa) or from mothership sector (catcher vessel) to midwater rockfish (~~and vice versa~~). Monitoring type declarations (i.e., electronic monitoring or observer) cannot be changed while at sea. Vessels will need to sort catch by sector and report catch on separate fish tickets (as applicable).

Specifics

LE midwater trawl, Pacific whiting SB IFQ



LE midwater trawl, non-whiting SB IFQ

LE midwater trawl, Pacific whiting MS
Catcher Vessel (observer)



LE midwater trawl, non-whiting SB IFQ

LE midwater trawl, Pacific whiting SB IFQ

Conclusions

- No Action is status quo
- Alternative 1
 - May improve operational flexibility
 - May improve processor/vessel efficiency and utilization

Commercial Sale of Recreational Groundfish “Waste”

Action Consideration

- Addresses Council priority
- Specific to recreational groundfish fishery
- Fish waste is redefined as “fish skeletal remains” to increase language precision

Draft Purpose and Need

The purpose of this action is to remove duplicative regulation and ease the burden on industry

The need for this action is to all NMFS to defer to state regulations in the management of commercial sale of recreational fish waste.

Proposed Alternatives

No Action: Federal regulations would continue to prohibit any person from selling, offering to sell, or purchase any groundfish (including recreational fish waste) taken in the course of recreational groundfish fishing.

Alternative 1: Regulations would be amended to allow the sale of the skeletal remains of recreationally caught groundfish consistent with state regulations.

Conclusions

- Alternative 1
 - State regulations regarding sale of skeletal waste would remain in place
 - May allow operators to recover some costs of discarding skeletal remains (in States that allow sale).

Big Thanks to Jessi Waller, Alyssa Seibt, & Abbie Moyer for their hard work on the analysis of this action



