Agenda Item E.5
Supplemental Revised Attachment 1 ***(Electronic Only)***
June 2026

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

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Introduction

The Pacific Fishery Management Council (Council) is considering three issues under this action that have potential to improve operational flexibility and improve opportunity for participants in the trawl individual fishing quota (IFQ) program and recreational fishing commercial passenger fishing vessel (CPFV)/charter boat industry. The Council will contemplate if certain IFQ program time/area/gear restrictions should be revised, if fishing declarations could be changed while a vessel is at sea fishing, and if restrictions on the sale of recreational fish waste (e.g., skeletal remains post filleting, offal, etc.) should be revised.

Since 2017, there have been a series of exempted fishing permits (EFPs) (hereinafter referred to as the Trawl Gear EFP) allowing registered participants in the trawl IFQ program to be exempted from certain trawl gear restrictions to promote additional fishing opportunity and improve operational flexibility in the fishery, while collecting information related to salmon bycatch in response to the 2017 salmon Biological Opinion (BiOp). The 2017 BiOp required that prior to allowing non-whiting midwater trawling from January through mid-May and non-whiting trawling south of 42° N. lat. at least three years of an EFP was needed to evaluate the potential impacts of such allowances within the fishery on Chinook and coho salmon. Thus, the design of the Trawl Gear EFP is to examine the impacts on prohibited and protected species from modifying certain time, area, and gear restrictions for the Shorebased IFQ Program. The Trawl Gear EFP was issued in 2017 and has been renewed annually since that time.

The Council prioritized moving the Trawl Gear EFP into regulation in 2025 under the Groundfish Workload and New Management Measures process (March 2025 Decision Summary Document). Sufficient data has been collected to evaluate moving the EFP into regulation. Therefore, this action proposes to remove certain prohibitions and requirements from regulation: 1) the prohibition on shorebased IFQ trawl vessels using midwater trawl gear to target non-whiting groundfish (e.g., yellowtail and widow rockfishes) north of 40°10′ N. lat. outside of the Pacific whiting primary season dates; and 2) the requirement to use selective flatfish trawl (SFFT) gear while fishing between 42º N. lat. and 40º 10’ N. lat. and shoreward of the boundary line approximating the 100 fathoms (fm) depth contour. These changes would establish a year-round fishery using midwater trawl gear to target non-whiting groundfish north of 40°10′ N. lat. and relax gear requirements for groundfish fishing between 42º N. lat. and 40º 10’ N. lat. and shoreward of the 100 fathoms boundary line. The current EFP also includes an exemption from the prohibition on fishing midwater trawl gear south of 40°10′ N. lat. shoreward of the 150 fathoms depth contour. Although this exemption was added to the EFP in 2021, there have not been any fishery participants utilizing this exemption until 2026. Due to the lack of the necessary three years of data, this action does not propose removing this prohibition from regulation at this time.

The Council recommended inclusion of two additional items described below into this action at their April 2026 meeting, so long as the inclusion of these items does not slow implementation of the EFP into regulation (April 2026 Decision Summary Document). The first item relates to changing fishing declarations while at sea to provide greater operational flexibility to vessels. Industry recommended at the April 2026 Council meeting (Agenda Item C.5.a, Supplemental GAP Report 1, April 2026) that changes to the at-sea declarations be made to allow for vessels to switch between midwater rockfish and shoreside whiting and mothership catcher vessels (MSCV) while at-sea. The second item is a proposed management measure prioritized in 2025 that would

change Federal regulations to allow the sale of skeletal remains from recreational groundfish operations consistent with state regulations. Many charter vessels filet recreational catch when they return to the dock. Charter operators and recreational fish processors at ports that prohibit the dumping of groundfish and non-groundfish (e.g., salmon, albacore, etc.) carcasses in port must find alternative modes of disposal. Often, this entails disposing of the carcasses in commercial trash bins or taking another trip out of the harbor to dispose of the offal at sea. Both of these practices are costly and there is interest by recreational fish processors and charter vessel operators to sell fish discards to offset the costs of disposal.

Description of Fisheries

A full description of the fisheries can be found in the 2024 Stock Assessment and Fishery Evaluation Document (SAFE) which is included by reference, though relevant fisheries and sectors subject to the proposed actions are summarized below.

Shorebased IFQ Fishery

The Shorebased IFQ sector was created in 2011 with the implementation of the trawl catch share program. Each participant in the Shorebased IFQ sector is responsible for managing their catch. While all vessels in the Shorebased IFQ sector are subject to the same or similar management measures, such as use of quota pounds, 100 percent catch accounting, etc., there is diversity in target strategies. Some trawl vessels in the sector target pelagic species, such as Pacific whiting, widow rockfish, and yellowtail rockfish with midwater trawl nets and other vessels target other IFQ species using a variety of trawl and fixed gears. Most non-whiting Shorebased IFQ vessels target multiple species, including Dover sole, thornyheads, and sablefish (i.e., the DTS complex) and flatfish using bottom trawls.

Table 1: Number of shorebased IFQ trawl vessels by target, 2021-2025.

Year	Shoreside Whiting	Midwater Rockfish	Bottom Trawl
2021	25	27	48
2022	26	28	51
2023	27	24	44
2024	24	23	42
2025	26	21	40

While vessels fishing in the Shorebased IFQ fishery can generally fish how and when it is most optimal to their operations, there is a seasonal component to the fishery. Bottom trawl vessels tend to fish more year-round, whereas whiting and midwater rockfish trawl vessels have been historically tied together and fish seasonally. Since the late 1990s, the whiting season has started May 15th north of 40°30′ N. lat. and April 1 south of 40°30′ N. lat. The whiting season changed to May 1 north of 40°30′ N. lat. in 2023, under the Council's Whiting Utilization action. For a complete history of the whiting season, see Pacific Whiting Utilization Analytical Document. Attainments of the shoreside whiting allocation have averaged approximately 80 percent since the implementation of catch shares, with attainment being closer to 73 percent since 2016 (Table 16 of 2025 Intersector Allocation Review). In 2025, however, post-Tribal reapportionment attainment was 89.6 percent. Starting in 2020, shoreside whiting vessels were permitted to switch declarations

at sea between the shoreside IFQ fishery and the MS sector (85 FR 35594). There has been limited midwater rockfish trawl activity since the early 2000s due to the presence of overfished stocks (e.g., canary and widow rockfishes) in their catch. To reduce impact on these species, the use of midwater trawl gear was restricted to the whiting season for decades. However, starting in 2017, with the rebuilding of widow rockfish (2011) and canary rockfish (2015), targeting of midwater rockfish has increased and has grown significantly with the implementation of the first trawl gear EFP (see Figure 4 of the 2025 Trawl Catch Share Review for allocation and catch by species for the IFQ fishery). Beginning in 2018, the EFP allowed vessels to fish midwater trawl gear prior to the primary whiting season and inside the Trawl Rockfish Conservation Area (RCA) (where applicable; see more details below).

Mothership

The MS sector is made up of MSCVs, which harvest fish, and motherships, which process the fish at-sea. A cooperative system for the MS sector was created under Amendment 20 to the Pacific Coast Groundfish Fishery Management Plan (FMP). In March of 2011, the owners of all 37 MSCV permits formed a co-op called the "Whiting Mothership Cooperative (WMC)". As stated in the WMC 2019 annual report, one of the primary purposes of the WMC is to minimize the bycatch of constraining rockfish species and Chinook salmon. Multiple strategies including daily monitoring by Sea State, inseason hot spot closures, night fishing restrictions, and move-along rules are used to mitigate bycatch. One of the key features of the MS co-op is the use of seasonal pools, in which the WMC divides the whiting allocation into five pools spread across the fishing year based on the amount of whiting declared by MSCVs intending to participate in that pool. All other allocations of groundfish species (which are all managed as set asides as of 2020) are shared pro-rata to the pools. For further details on the WMC, including pool operations, recent inseason closures, bycatch rate rules, and season dates, please see Informational Report 3, April 2026.

Recreational Fisheries

Recreational fisheries are largely managed by the coastal states, though Federal limits and management measures decided in the Council process apply in Federal waters. Recreational fisheries primarily target groundfish using hook and line angling gears, although groundfish are also targeted by divers using spears. Recreational fisheries that occur in Federal waters are limited to boat-based modes, including private boats and charter/CPFVs; however, any catch of Federally managed species from a shore-based mode (beach, pier, jetty, etc.) is counted toward the total mortality of the species. In particular, it is the understanding of Council staff that the prohibition on the sale of recreational fish waste is applicable only to CPFV/charter vessels/recreational fish processors (i.e., landings).

Moving the Trawl Gear EFP Into Regulation

The first action item evaluated in this analysis proposes removing time, area, and gear restrictions in the shorebased IFQ fishery. For context, a history of the Trawl Gear EFP is provided prior to the discussion of the range of alternatives and the expected impacts of moving the EFP into regulation. These potential impacts include socioeconomic and salmon impacts.

History of the EFP

Various gear, area, and time restrictions were implemented during the 1990's and 2000's to reduce bycatch and the discarding of groundfish (e.g., juvenile fish) and non-groundfish (e.g., salmon), as well as to limit access to overfished species and their rocky habitats. Some of these conservation measures included:

Gear Modifications and Restrictions:

- Increasing minimum mesh sizes.
- Eliminating multi-walled codends.
- Increasing chafing gear restrictions.
- Requiring the use of selective flatfish trawl gear north of 40º10′ N. lat. and shoreward of the Trawl RCA.

Area and Time Restrictions:

- Implementing RCAs for specific gear types.
- Prohibiting fishing outside the Pacific whiting primary season dates for midwater vessels.
- Establishing the ocean salmon conservation zone.
- Establishing the Klamath and Columbia rivers salmon conservation zones.

However, discarding persisted until 2011, when the implementation of a Trawl Rationalization Program replaced trip limits with IFQ and mandated 100 percent vessel monitoring. The Trawl Rationalization Program aimed to promote individual accountability for the catch of both target and non-target species; reduce the catch of overfished, incidentally caught species; and enhance economic efficiency. These regulatory measures successfully reduced bycatch in the trawl fishery, leading to the subsequent declaration of several previously overfished rockfish species as rebuilt.

Due to the greater accountability introduced by the Trawl Rationalization Program and the recovery of formerly overfished stocks, the Council has undertaken several efforts to relaunch target fisheries for these species and to assess the continued need for existing controls. One such effort included the trawl gear modification rulemaking action, approved by the Council in March and June 2016, which relieved several gear restrictions then in regulation (December 27, 2018; 83 FR 45396).

Additionally in 2016, industry members proposed a trawl gear EFP for 2017, which would grant exemptions for two of the eight original elements of the trawl gear modification rulemaking package, prior to NMFS' implementation of the full package. After NMFS's review, EFPs were issued to 32 vessels in March of 2017 through the end of 2017. The 2017 Trawl Gear EFP allowed participating limited entry (LE) bottom trawl vessels an exemption from the minimum mesh size requirements and the mandate to use SFFT gear shoreward of the Trawl RCA north of 42° N. lat. (Agenda Item F.8, Supplemental Attachment 1, June 2017). SFFT is a type of small footrope trawl developed over several years through research trials and fishery-scale testing. The gear was developed to maintain a nearshore flatfish trawl fishery while reducing the non-target catch of canary rockfish and other species that were overfished at the time. Originally tested through an EFP in 2003, the SFFT features a headrope set back from a flattened net body to capture low-swimming flatfish while allowing rockfish, particularly canary rockfish, to escape over the upper edge of the trawl net. Since 2005, the groundfish regulations had required the use of SFFT gear

shoreward of the boundary line approximating the 100 fathom (183 m) depth contour between 42° N lat. and 40°10′ N lat. SFFT gear has been allowed, but not required, south of 40°10′ N. lat.

The original application sought to extend the lower boundary for the requirement to use SFFT to 40°10′ N. lat. through the EFP, but NMFS and the Council decided against this expansion due to concerns about potential impacts on Klamath River fall Chinook salmon within the area between 42° N. lat. and 40°10′ N. lat. The 2017 EFP included an adaptive management approach to monitor bycatch of Chinook salmon and other protected species resulting from fishing under the EFP. This included a clause that if a sub-harvest guideline of 800 Chinook salmon were hit prior to May 15, the EFP would close until May 15. At which time, the EFP would once again reopen under a total harvest guideline (for EFP and non-EFP vessels) of 3,547 salmon minus whatever was taken pre-May 15.

Terms and Conditions of the 2017 Biological Opinion for Salmon

Around the same time as the Council action on the trawl gear rule, the Council was involved in the reinitiation on the Biological Opinion for Endangered Species Act (ESA) listed salmon. In 2013, National Marine Fisheries Service (NMFS) Sustainable Fisheries Division requested to reinitiate consultation pursuant to section 7 of the ESA on the take of listed salmonids in the groundfish fishery. Take of listed salmon in 2014 then exceeded the reinitiation triggers and prompted NMFS to expand the scope of the reinitiation request. The Council ultimately recommended a proposed action to NMFS in April 2017 (April 2017 Council Meeting Record), which included new provisions related to a midwater rockfish fishery. In December 2017, NMFS published the BiOp on the impacts to ESA-listed salmon species resulting from implementation of the Groundfish FMP, hereafter referred to as the 2017 BiOp. Terms and Conditions of the 2017 BiOp for salmon included:

- "Prior to allowing additional open non-whiting trawling from January through mid-May, NMFS shall implement EFPs designed to collect information about Chinook [salmon] and coho [salmon] bycatch levels and stock composition from fishing during that time for a minimum of three years. In doing so, NMFS should take into account relevant information from existing EFPs. Information from the EFPs will be used to inform measures the Council may adopt to ensure the impacts are consistent with the analysis in this opinion."
- "Prior to allowing additional non-whiting trawling south of 42° N. latitude, NMFS will implement one or more EFPs designed to collect information about Chinook [salmon] and coho [salmon] bycatch levels and stock composition from fishing in those areas or at those times for a minimum of three years."

In September 2017, the Council received an updated trawl gear EFP proposal for 2018 from the West Coast Seafood Processors Association, Environmental Defense Fund, Oregon Trawl Commission, and Midwater Trawlers Cooperative (Agenda Item E.4, Supplemental EFP Application 1, September 2017) which expanded upon the exemptions granted in the 2017 EFP to include fishing opportunities for vessels using midwater gear to target non-whiting species year-round. As with the 2017 EFP, the goal of the 2018 EFP was to demonstrate that removal of outdated and unnecessary gear and season restrictions in the Shorebased IFQ program can help the groundfish industry better meet the economic objectives of the Trawl Rationalization Program while keeping bycatch of salmon and other species within allowable limits. Based on the Council's

and NMFS's recommendations (Agenda Item E.4.b, Supplemental NMFS Report 1, September 2017) the applicants resubmitted a final version of the application to NMFS on October 4, 2017.

At the start of the 2017 EFP, a targeted fishery for chilipepper, widow, and yellowtail rockfish had not existed in more than a decade, and available data had limited utility for predicting impacts to protected and prohibited species in the fishery, if conducted with the exemptions that would be allowed under the EFP. NMFS developed an environmental assessment (EA) analyzing the impacts of the proposed 2018 EFP as compared to the no action alternative. Although the EA analyzed the proposed EFP for the 2018 fishing year, NMFS did not intend to limit the applicable time period for the EA. To continue to collect information and comply with the Terms and Conditions of the 2017 BiOp, it was expected that subsequent, similar one-year EFPs would be issued, covering some or all of the EFP components analyzed in the EA. This expectation was contingent on the absence of substantial changes to the affected environment.

Based on the agency's perspective on reducing bycatch while still collecting valuable information on impacts, the Council's recommendation, public comments, and the EA, NMFS issued the 2018 Trawl Gear EFP.

Current Trawl Gear EFP

Since 2018, the Trawl Gear EFP has allowed up to 60 vessels participating in the Shorebased IFQ Program to test whether removing certain gear, time, and area restrictions may impact the nature and extent of bycatch of prohibited species (i.e., Chinook salmon and coho salmon and eulachon). NMFS has annually modified the suite of exemptions allowed under the Trawl Gear EFP project as certain groundfish regulations were lifted or revised. For example, since the inception of the Trawl Gear EFP, the Trawl RCA opened off Oregon and California under Amendment 28 (January 1, 2020; 84 FR 63966), several severely constraining overfished species have been declared rebuilt, and there have been modifications to several gear restrictions. A full list of the exemptions that have been allowed under the Trawl Gear EFP between 2018 and the present can be found in Appendix A: History of Trawl Gear EFP Exemptions to this document, while background information on the remaining exemptions are discussed below. Currently, vessels participating in the Trawl Gear EFP are exempt from:

- the requirement to use SFFT gear, and the prohibition on using small footrope gear other than selective flatfish trawl gear between 42° and 40°10′ N. lat. and shoreward of the boundary line approximating the 100 fathoms depth contour;
- the prohibition on fishing midwater trawl gear targeting non-whiting species outside the primary season dates for the Pacific whiting IFQ fishery;
- the prohibition on fishing midwater trawl gear targeting non-whiting species south of 40°10′ N. lat. shoreward of the boundary line approximating the 150 fathoms depth contour;
- the prohibition on retaining certain prohibited species; and
- the requirement to discard certain prohibited species at sea.

Note that the exemption from the prohibition on fishing midwater trawl gear south of 40°10′ N. lat. shoreward of the 150 fathoms depth contour was only put into place in the EFP in 2021 after the opening of the Trawl RCA off of California. The 2018 EA for the Trawl Gear EFP considered and rejected an exemption for midwater rockfish fishing in the area south of 40°10′ N. lat. and shoreward of the Trawl RCA (which was 150 fathoms-100 fathoms at the time). This rejection

was due to potential conflicts with California state regulations and concerns regarding Klamath River salmon. Specifically, the age-3 ocean abundance forecast for Klamath River Fall Chinook (KRFC) salmon in the March 2017 Preseason Report 1 was the second lowest on record. Despite the exemption being in effect for more than five years, no participants have fished south of 40°10' N. lat. until 2026 (one vessel).

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.

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 42º N. lat. and 40º 10′ N. lat., would remain in effect.

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.

Under No Action, vessels would continue to be restricted to fishing midwater trawl gear targeting non-whiting groundfish during the primary whiting season north of 40°10′ N. lat. unless permitted by EFP, as has been done since 2018. Further, vessels fishing with bottom trawl gear would continue to be required to use SFFT gear shoreward of 100 fathoms between 42 and 40°10′ N. lat. as described at 50 CFR 660.130(c)(2)(i) and would be prohibited from using small footrope trawl gear other than SFFT to fish for groundfish, or have small footrope trawl gear onboard, while fishing between 42 and 40°10′ N. lat. Midwater trawl gear would continue to only be allowed seaward of the 150 fathoms depth contour south of 40°10′ N. lat. and is permitted year-round.

Under Alternative 1 Option 1, vessels 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. This means that vessels fishing north of 40°30′ N. lat. would be allowed to fish before May 1 in all areas, including inside the Trawl RCA off Washington, and vessels fishing between 40°30′ N. lat. and 40°10′ N. lat. would be allowed to fish before April 15 without any area restrictions. While the Trawl Gear EFP has included the option to fish south of 40°10′ N. lat. shoreward of the 150 fathoms depth contour, this alternative does not propose such regulatory changes due to limited participation (see discussion under "Current Trawl Gear EFP" above). No changes would be made to the area seaward of the 150 fathoms depth contour south of 40°10′ N. lat.

Under Alternative 1 Option 2, vessels would be allowed to fish shoreward of the 100 fathoms depth contour between 42° N. lat. and 40°10′ N. lat. with any legal small footrope gear, including SFFT, to harvest groundfish. Prohibitions on the use of large footrope gear would still be in place, as described in 50 CFR 660.130(c)(1).

Analysis

Alternative 1 (both options) proposes to lift certain time, area, and gear restrictions, which could potentially impact both target and non-target groundfish species. Specifically, the Alternative 1 options would permit vessels to operate earlier in the year, in all areas north of 40° 10' N, and with less selective gear (due to the removal of SFFT restrictions). This combination of reduced restrictions increases the likelihood of retaining higher numbers of target and non-target groundfish stocks.

Overall, the impacts of Alternative 1 (both options) are expected to be consistent with prior years' Trawl Gear EFPs. Harvest of groundfish stocks will continue to be managed through Annual Catch Limits (ACLs), IFQ quotas, and other factors such as market conditions, which will impact overall harvest of target species. Consideration of other measures to minimize catch of non-target groundfish species would continue to occur. Under both the No Action Alternative and Alternative 1, the total catch of groundfish species would be managed through the same measures: IFQ, trip limits, sector allocations, and ACLs, and would be analyzed during the biennial harvest specification process. The following analysis presents a preliminary examination of the economic impacts of Alternative 1 compared to No Action as well as the impacts to protected species including salmon, eulachon, and green sturgeon. Regarding Alternative 1, Option 2, these changes are generally not anticipated to affect the timing or location of fishing activities for groundfish bottom trawl vessels, nor are they expected to result in additional impacts on the physical environment beyond those previously analyzed.

Socioeconomic Impacts

Non-Whiting Midwater Trawl

The economic impacts of Alternative 1, Option 1 compared to No Action can be inferred based on an analysis of the revenue and landings that have occurred since vessels could obtain EFPs. As previously discussed, EFPs were unavailable for the non-whiting midwater trawl fishery until 2018. For the purposes of this analysis, which is focused on the non-whiting midwater trawl fishery north of the 40°10′ N. lat., only data from 2018 to 2025 is used. Given that Alternative 1, Option 1 would only impact midwater trawl vessels north of 40°10′ N. lat., the following analysis focuses only on that portion of the fishery[1].

The non-whiting midwater trawl fishery has continued to have high levels of harvest since the implementation of the EFP. As shown in Figure **1**, with the exception of 2020, the annual round weight from the non-whiting midwater trawl fishery slightly varies across time but remains relatively consistent at an average of 11,501 metric tons (mt) and average $7,233,185 in annual revenue.

[1] Fish tickets queried using FOS_GROUNDFISH_SECTOR_CODE%in%c("Midwater Rockfish", "Midwater Rockfish EM") and IFQ_MANAGEMENT_AREA== "N of 40'10"

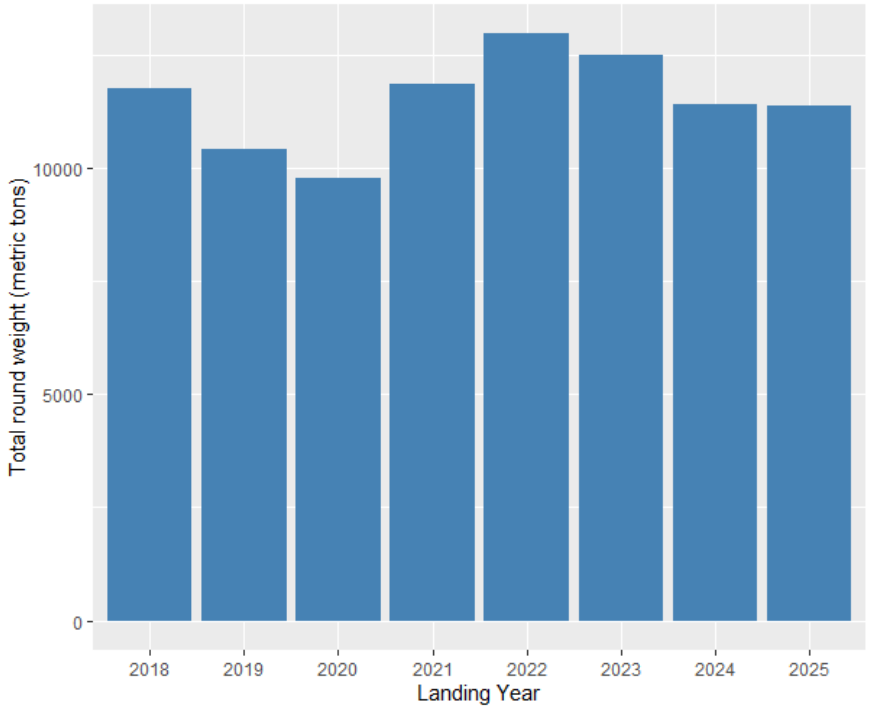


Figure 1: Total landings per year (rd. weight, 2018-2025) in the non-whiting midwater trawl fishery north of 40°10′ N (EFP and non-EFP trips).

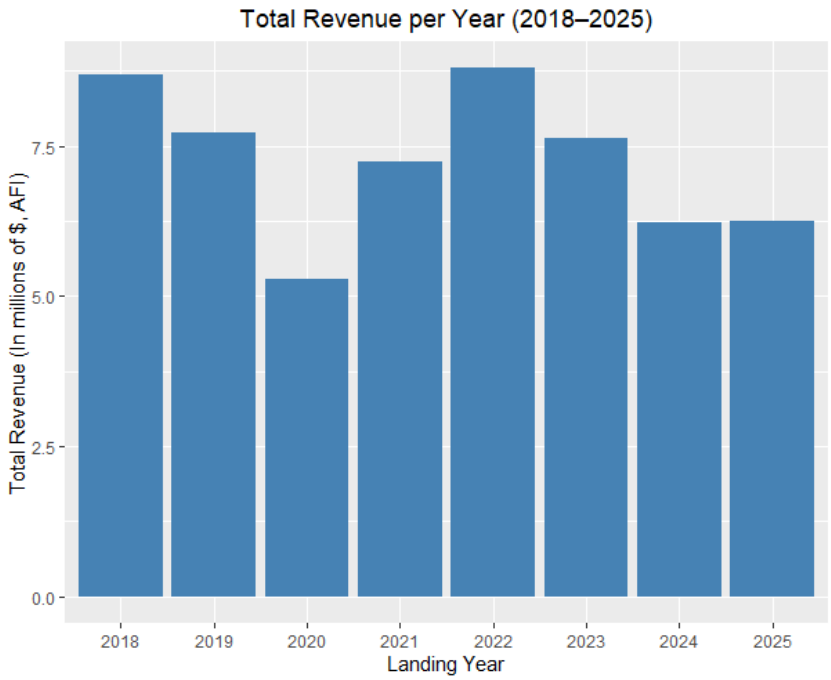


Figure 2: Total revenue per year (AFI), from 2018 to 2025 within the non-whiting midwater trawl fishery north of 40°10′ N (EFP and non-EFP trips).

In terms of the species composition taken by the non-whiting midwater trawl fishery, widow rockfish is the primary species of the non-whiting midwater trawl fishery north of 40°10′ N, making up approximately 82.4 percent of the annual revenue and 81.4 percent of the annual round weight in this fishery (Table **2**). Both the average revenue shares and the average round weight

shares are calculated relative to the total annual averages of the entire non-whiting midwater trawl fishery north of the 40°10′ N. lat., including species not shown in Table **2**. Yellowtail rockfish is the second largest share of revenue and round weight for this fishery, making up approximately 15.0 percent of the annual revenue generated by the fishery and 13.1 percent of the annual round weight. These two stocks alone make up the vast majority of both revenue and round weight for the non-whiting midwater trawl fishery north of 40°10′ N., with approximately 97.4 percent of annual revenue and 94.5 percent of annual round weight being composed of these stocks. These two species average $0.26/lb and $0.29/lb, respectively, not adjusted for inflation. These values were not adjusted for inflation in order to accurately represent the average price paid per pound of fish at the point of sale.

The next three species in terms of the share of revenue and landings included in Table **2** are canary rockfish, pacific whiting, and Pacific ocean perch. These three species have smaller contributions to the overall shares in revenue and round weight, but are still larger contributors compared to other species in the fishery not included in the table.

Table 2: Average annual revenue (AFI), round weight (mt, lbs), $/lb (not adjusted for inflation) for the species with the greatest annual shares (revenue and landings) in the midwater trawl fishery north of the 40°10′ N. latitude.

Species	**Average Annual Revenue ($)**	**Average Annual Round Weight (mt)**	**Average Annual Round Weight (lbs)**	**Average $/lb**	**Average Revenue Share (%)**	**Average Round Weight Share (%)**
Widow Rockfish	$5,958,788	9,365	20,647,067	$ 0.26	82.4%	81.4%
Yellowtail Rockfish	$1,083,289	1,505	3,317,468	$ 0.29	15.0%	13.1%
Canary Rockfish	$84,083	112	246,830	$ 0.31	1.2%	1.0%
Pacific Whiting	$33,868	264	581,346	$ 0.05	0.5%	2.3%
Pacific Ocean Perch	$33,369	45	98,923	$ 0.31	0.5%	0.4%

In evaluating the impacts of No Action versus Alternative 1, Option 1, the following looks at a breakdown of the activity that has occurred under the EFP versus what occurred during the primary whiting season. Table 3 below depicts the number of vessels and distinct trips, both EFP and non-EFP, that occurred annually from 2018 to 2025 for the midwater trawl fishery north of 40°10′ N. The EFP trips percentage is calculated relative to the "Total Trips" and "EFP Trips" that occurred per landing year. Values from the "EFP Trips" column represent distinct EFP trips (determined by landing data, vessel number combination).

There have been between 10 to 18 midwater trawl vessels participating annually in the EFP since 2018. These vessels have represented approximately 53 percent on average of the total vessels participating annually in the midwater rockfish fishery. For the majority of the analytical period, there have been a couple of vessels annually that participate in the EFP, but did not fish midwater rockfish during the primary whiting season. From 2018 to 2025, the average percentage of EFP

trips compared to non-EFP trips in the non-whiting midwater trawl fishery north of 40°10′ N is 35 percent, with an average of approximately 95 EFP trips occurring each year. 2019 was the most prominent year for trips under an EFP, with approximately 43 percent of the trips occurring within this fishery that year being EFP trips. However, other than 2019, the share of EFP trips occurring compared to non-EFP trips remains relatively consistent.

Table 3: Summary of the number vessels (distinct, fishing during whiting season, and EFP) within the non-whiting midwater trawl fishery and total trips of trips in the non-whiting midwater trawl fishery and the number and percentage in the EFP by year, 2018-2025

Landing Year	Total distinct vessels	Vessels fishing non-whiting midwater trawl during whiting season	Vessels fishing under the EFP	Total Trips	EFP Trips	EFP Trips Percentage
2018	23	20	10	296	110	37%
2019	25	23	13	282	120	43%
2020	28	23	14	211	76	36%
2021	27	26	15	267	98	37%
2022	28	25	18	309	105	34%
2023	24	24	13	306	88	29%
2024	23	22	11	265	88	33%
2025	21	19	11	244	76	31%

Table 4 depicts the EFP and non-EFP shares of AFI revenues for the non-whiting midwater trawl sector north of the 40°10′ N. lat. from 2018 to 2025. EFP revenues were calculated by summing the AFI ex-vessel revenues that occurred on an EFP trip for each year included in the analysis. Non-EFP revenues were calculated similarly by summing the AFI ex-vessel revenues that occurred on non-EFP trips within the sample. Revenue percentages were calculated for both the EFP and non-EFP trip categories by dividing the share of sub-sample revenues by the total AFI ex-vessel revenues that occurred during that landing year.

Notably, EFP ex-vessel revenue percentages remained fairly similar to the percentage of EFP trips occurring annually (given in Table 4**Error! Reference source not found.**), indicating that EFP trips contribute similarly per trip to total ex-vessel revenue when compared to non-EFP trips. The trends in annual EFP revenue percentages are nearly identical to the trends in annual EFP trips, which could indicate that EFP trips see similar, if not the same, return in revenue per trip as non-EFP trips within the fishery. The average annual EFP revenue percentage is approximately 34.5 percent, while the average annual EFP trip percentage was 35 percent as mentioned previously.

Similar to the trends in EFP trips from 2018 to 2025, the EFP share of revenue for 2019 is notably higher than other years. However, the rest of the years see similar revenue percentages with minimal variation.

Table 4: Summary of non-EFP and EFP revenues and percentages of total within the non-whiting midwater trawl fishery north of 40°10' N from 2018 to 2025.

Landing Year	Non-EFP Revenue ($)	EFP Revenue ($)	Total Revenue (AFI)	EFP Revenue (%)	Non-EFP Revenue (%)
2018	$5,343,481	$ 3,339,508	$8,682,989	38%	62%
2019	$4,296,754	$3,432,277	$7,729,031	44%	56%
2020	$3,377,071	$1,899,415	$5,276,486	36%	64%
2021	$4,640,577	$2,609,154	$7,249,731	36%	64%
2022	$5,922,693	$2,875,630	$8,798,323	33%	67%
2023	$5,346,583	$2,290,746	$7,637,329	30%	70%
2024	$4,358,772	$1,877,144	$ 6,235,916	30%	70%
2025	$4,373,076	$1,882,599	$ 6,255,675	30%	70%

Given that the EFP has permitted vessels to fish prior to the primary whiting season, it is important to understand the distribution of activity occurring early versus later in the season. Figure **3** and Figure **4** depicts the average monthly revenue, adjusted for inflation, and average landings (round weight) from 2018 to 2025 within the non-whiting midwater trawl fishery north of the 40°10′ N. lat.

In general, it appears that beginning in May with the start of the whiting season, vessels that have been fishing in the EFP move their efforts towards participating in whiting once the season begins and then shift their efforts back to the non-whiting fishery after they have ceased fishing for whiting. Midwater trawl gear fishing in the months prior to the start of the whiting season, specifically March and April, which would be permanently allowed under Alternative 1, Option 1 would allow vessels to disperse their fishing effort over the course of several months rather than a condensed time period following the whiting season. This may be beneficial for both fishery participants and processors.

Under No Action, without the allowance of EFPs, the quantity of fish that is caught prior to the whiting season and any subsequent revenue of these catches would be lost, which may force vessels who would have participated in the fishing allowed through the EFP to condense their efforts to the months following the whiting season.

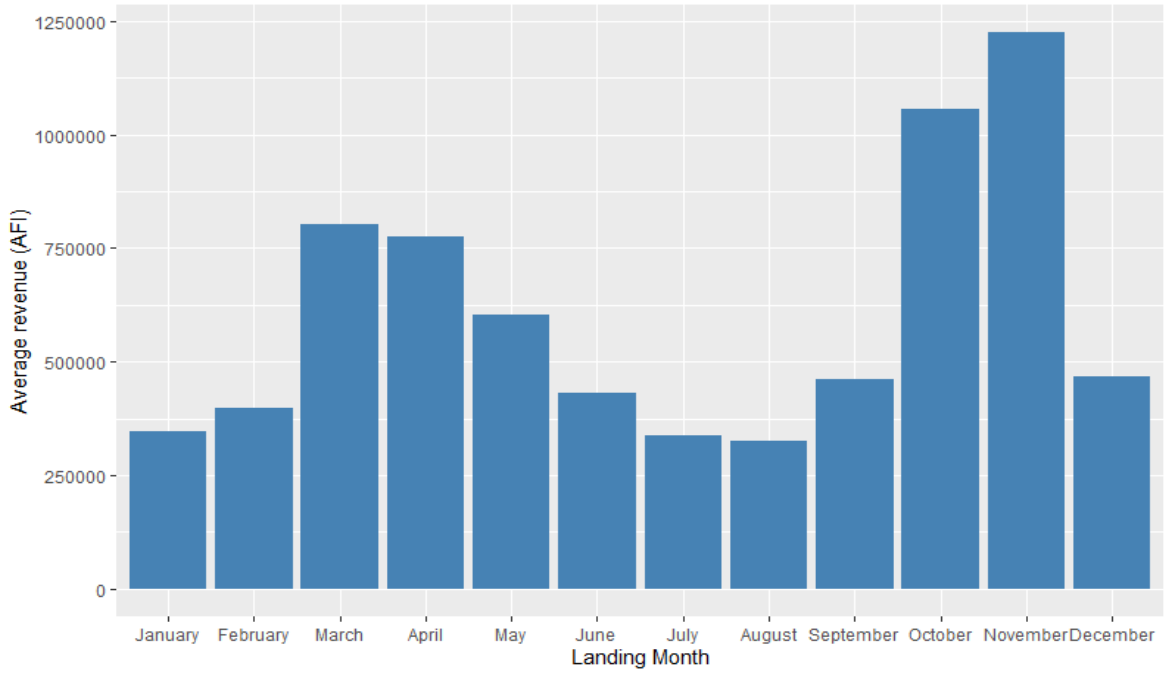


Figure 3: Average total revenue per month from 2018 to 2025 in the non-whiting midwater trawl fishery north of 40°10' N.

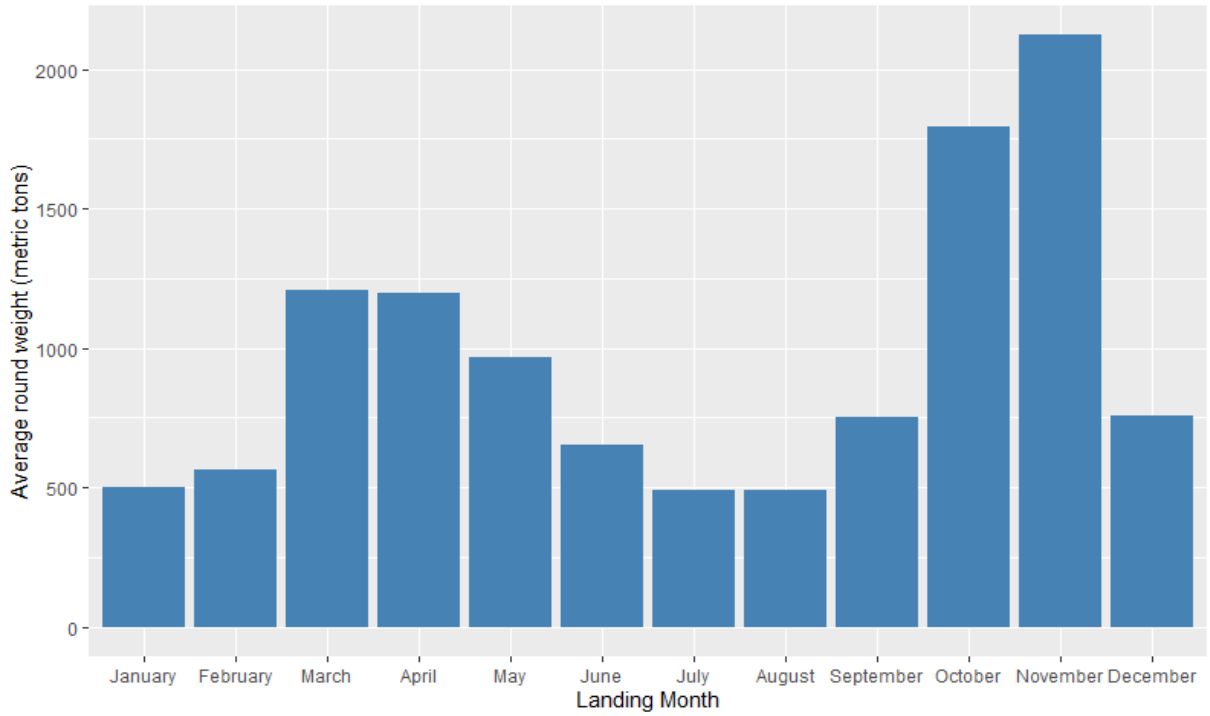


Figure 4: Average total round weight (mt) per month from 2018 to 2025 in the non-whiting midwater trawl fishery north of 40°10' N.

Overall, Alternative 1, Option 1 would allow midwater rockfish to fish in a manner under the shorebased IFQ regulations that is most efficient for their business operations. For midwater rockfish vessels, Alternative 1, Option 1 would make permanent the allowance for vessels to fish healthy midwater stocks prior to the whiting season and then be able to switch to shoreside whiting,

as an example, when the whiting season starts. The EFP trips occurring since the implementation of the EFP program in 2018 for the midwater trawl fishery north of the 40°10′ N. lat. have consistently demonstrated significant contributions to the total revenues of these fisheries. Alternative 1 would allow shorebased processors to continue to have a steady supply of midwater rockfish for markets that have been developed over the last decade (pending quota allowances). Therefore, under No Action, unless the EFP were to continue, vessels could either potentially see a large decline in revenue due to the lack of four months of opportunity or would have to shift effort during the whiting season to focus more on non-whiting midwater trawl. This may not be advantageous for vessels. There could also be difficulty in delivering midwater rockfish in a concentrated season (i.e., the fall) if there is no capacity for processors to handle all non-whiting midwater landings after the whiting season.

Bottom Trawl

With regards to Alternative 1, Option 2, which would allow bottom trawl vessels to use any legal small footrope gear between 42° and 40° 10' N. lat. shoreward of 100 fathoms, it is difficult to determine the expected economic impacts that could result from this limited opening given the data available. However, this analysis attempts to characterize the potential economic impact that has been experienced by vessels participating in the EFP.

Between the area of 40° 10' and 42° N. lat[2], there have been 35 vessels that have fished in the area with bottom trawl gear between 2018 and 2025 (
Table 5). These vessels have averaged 1,963 mt in landings and approximately $3 million in ex-vessel revenue (2026$) over the time period.

Table 5: Number of vessels with fish tickets recorded between 42° and 40° 10' N. lat and associated landings (rd. wt.) and revenue (2026$) on those tickets, 2018-2025.

Year	Vessels	Landings (mt)	Revenue (2026$)
2018	26	3401.3	$6,106,733
2019	22	2709.5	$4,824,345
2020	10	2,347.5	$3,013,951
2021	11		
2022	12	2435.1	$3,199,831
2023	7	1418.27	$1,719,279
2024	12	762.9	$1,019,755
2025	5	668.2	$919,815

From 2018 to 2023, 11 vessels participated in the EFP for bottom trawl.[3] Note that at the time of this analysis, EM data was only available through 2023, and therefore this analysis does not include statistics for 2024 and 2025. As available, this could be updated for final action.

[2] Approximated by using IFQ_MANAGEMENT_AREA=="N of 40 10" and PACFIN_CATCH_AREA_CODE%in%c("1B", "1C")

[3] Fish tickets for the EFP were identified by using haul level data from observer and electronic monitoring. Any trip/ticket with an EFP haul is considered an EFP trip/ticket. To assess EFP hauls, AVG_DEPTH was used a proxy for location vs the 100 fm line, between 2018 and 2023.

Fish tickets associated with the bottom trawl portion of the Trawl Gear EFP averaged approximately $1.8 million in ex-vessel revenue and 1,271 mt in landings between 2018 and 2023, the last available year for haul-level data (Table 6). Note that fish tickets could include data from EFP and non-EFP activities. Overall trends in revenue and landings within this fishery follow the trends also seen in Table 6, where annual landings and ex-vessel revenue decrease in 2020. From 2018 to 2023, there were an average of six distinct vessels participating in the bottom trawl EFP fishery annually.

Table 6: Annual revenue (adjusted for inflation), landings (round weight, metric ton (mt)), and the number of distinct vessels participating in the bottom trawl EFP fishery from 2018 to 2023.

Landing Year	Total Revenue (AFI)	Total Round Weight (mt)	Distinct Vessels
2018	$ 2,937,860	1,692	7
2019	$ 2,590,214	1,364	6
2020	$ 1,321,211	1,016	4
2021	$ 1,496,187	1,135	5
2022	$ 1,692,734	1,406	9
2023	$ 1,122,568	1,012	6

Dover sole and petrale sole, two key target species, make up the largest share of the overall revenues and landings for bottom trawl EFP vessels. Combined, these stocks contribute an annual revenue of $1.1 million on average (Table 7). Other stocks with a notable contribution of ex-vessel revenue and landings include lingcod, sablefish, and canary rockfish.

Table 7: Average annual revenue (adjusted for inflation) and average annual landings (round weight, mtons) for the most prominent species in the bottom trawl EFP fishery.

Species	Average Annual Revenue (AFI)	Average Annual Round Weight (mt)
Dover sole	$ 588,378.99	543
Petrale sole	$ 563,446.01	190
Lingcod	$ 197,760.57	91
Sablefish	$ 138,674.38	54
Canary rockfish	$ 91,318.69	76

Overall, for bottom trawl vessels fishing off California, Alternative 1, Option 2 would allow fishermen to configure their gear in a way that is most efficient to catch their target species and avoid those species they are not seeking. Under No Action, in order to fish in this area where target species may reside, they would be restricted to using SFFT unless an EFP were to continue. Removing the requirement to use a net designed to avoid rockfish would allow fishermen to take advantage of available quotas with increased rockfish attainment.

Other Impacts

In addition to the potential direct economic benefits that could be realized from moving the EFP into regulation for all IFQ participants, there would also be benefits in reducing the administrative costs to both industry and NMFS. Currently, West Coast Seafood Processors is the EFP proponent

and is responsible for routinely submitting the application, reporting requirements, managing enrollment, and serving as a liaison between the participants and NMFS. Under Alternative 1, there would be no administrative burden on industry outside of that anticipated under the normal operation of the shorebased IFQ program. For NMFS, while there would be a one-time cost from moving the EFP into regulation, there would be lower long-term costs from not administering the EFP, and thus eliminating tasks such as issuing EFP permits, any supplemental analysis, etc. There would also be a reduction in the enforcement burden for both the agency and IFQ participants. Currently, the Office of Law Enforcement must do sanctions checks on interested EFP participants, as an example, which would no longer be necessary under Alternative 1. Furthermore, vessels are currently required under the EFP to declare into the EFP for EFP exempted activities and then are supposed to declare into a previously defined declaration for non-EFP activities. This is burdensome for EFP participants and has resulted in several trips being declared into the EFP, but not actually fishing under one of the exemptions (resulting in additional QA/QC of data from EFP related activities). Under Alternative 1, vessels would only need to declare into the "midwater rockfish" or "bottom trawl" fisheries as outlined at 50 CFR 660.13(d)(4), which would be overall more efficient for vessels and have the indirect benefit of making data used in management more reliable in that the declaration would match the actual activity.

Overall, Alternative 1 is a deregulatory action that is anticipated to have positive benefits for industry, NMFS, and enforcement.

Salmon Impacts

As noted above, the terms and conditions of the 2017 BiOp required at least three years of an EFP in order to evaluate whether the impacts from the proposed actions were consistent with those of the BiOp. All non-whiting fisheries, including the midwater rockfish and bottom trawl sectors, operate within a guideline of 5,500 Chinook salmon and 560 coho salmon that may be caught per year.Table 8 and Table 9 describe the catch of Chinook and coho salmon by sector and the overall percent of the non-whiting sector guideline taken for each year, respectively. The amount of salmon caught by the EFP is noted for context. Overall, the combined sector bycatch has been well within the guideline, with the highest bycatch for the non-whiting sector as a whole occurring in 2024 with 32.5 percent of the threshold estimated to have been taken. While these data may represent the best estimate of salmon bycatch under current conditions, future bycatch of salmon in whiting fisheries depends upon the spatial and population dynamics of both species, with the added layer of climate effects upon each.

For coho salmon, given the low bycatch in the non-whiting trawl fisheries since the 2017 BiOp was implemented (Table 9) it is likely that there will be minimal to no additional impact to coho salmon by moving the Trawl Gear EFP into regulation. Even if there were additional impacts, the non-whiting sector as a whole has averaged 25.6 percent of the guideline since the 2017 BiOp's incidental take statement (ITS) was issued, suggesting that there would be negligible risk to the guideline with an extension of the non-whiting season. No further discussion will therefore be included related to potential impacts to coho salmon.

Table 8: Total Chinook bycatch by year from 2018-2025, and number of Chinook caught in midwater rockfish and bottom trawl fisheries, and overall percent of threshold (5,500 Chinook) taken.

Year	Total Chinook[a/]	Midwater Rockfish (#)	Bottom Trawl	% of Threshold (5,500)	Midwater EFP (#)	Bottom Trawl EFP (#)
2018	713	93	350	13.0%	3	22.3
2019	1,093	159	434	19.9%	36	7.1
2020	1,090	74	516	19.8%	9	1.3
2021	1,133	197	436	20.6%	26	5.0
2022	1,307	182	625	23.8%	53	1.6
2023	1,498	204	794	27.2%	54	14.6
2024	1,785	244	1,041	32.5%	Not available	Not available
2025	1,139	433	206	20.7%	Not available	Not available

a/ Starting in 2019, includes GMT proposed assumption of annual mortality, which assumed maximum historical mortality (154) plus a 250 fish buffer from the 2017 BiOp and an additional 96 fish to account for some uncertainty in recreational salmon seasons; recreational estimates only apply to groundfish fisheries occurring outside of salmon seasons.

Table 9: Total coho bycatch by year from 2018-2025, and number of coho caught in midwater rockfish and overall percent of threshold (560 coho) taken.

Year	Total Coho[a/]	Midwater Rockfish (#)	Bottom Trawl	% of Threshold (5,500)	Midwater EFP (#) b/
2018	139	0	1	24.8%	0
2019	150	0	5	2.7%	0
2020	141	1	2	2.6%	0
2021	151	4	6	2.7%	3
2022	145	2	2	2.6%	0
2023	142	2	2	2.6%	2
2024	142	4	0	2.6%	Not Available
2025	138	0	0	2.5%	Not Available

a/ Includes GMT proposed assumption of annual mortality of 138 coho
b/ coho were not caught in the bottom trawl EFP

The following section provides a summary of the potential changes in Chinook salmon bycatch in the non-Tribal non-whiting fisheries under the alternatives, in relation to the 2017 BiOp and ITS. Note that under both No Action and Alternative 1, management measures such as block area closures or gear configurations (i.e., requiring SFFT) would still be available. A full discussion of this analysis can be found in Agenda Item E.5, Attachment 2.

The predicted overall annual Chinook bycatch (number of fish) for the midwater rockfish sector was found to be nearly equal under the two scenarios: year-round fishing (including the prohibited January-April period) and the regular May-December season (Figure 5 reproduced below). Additionally, both scenarios exhibited similar levels of variability in bycatch across various projections for future fishing effort and seasonal distribution.

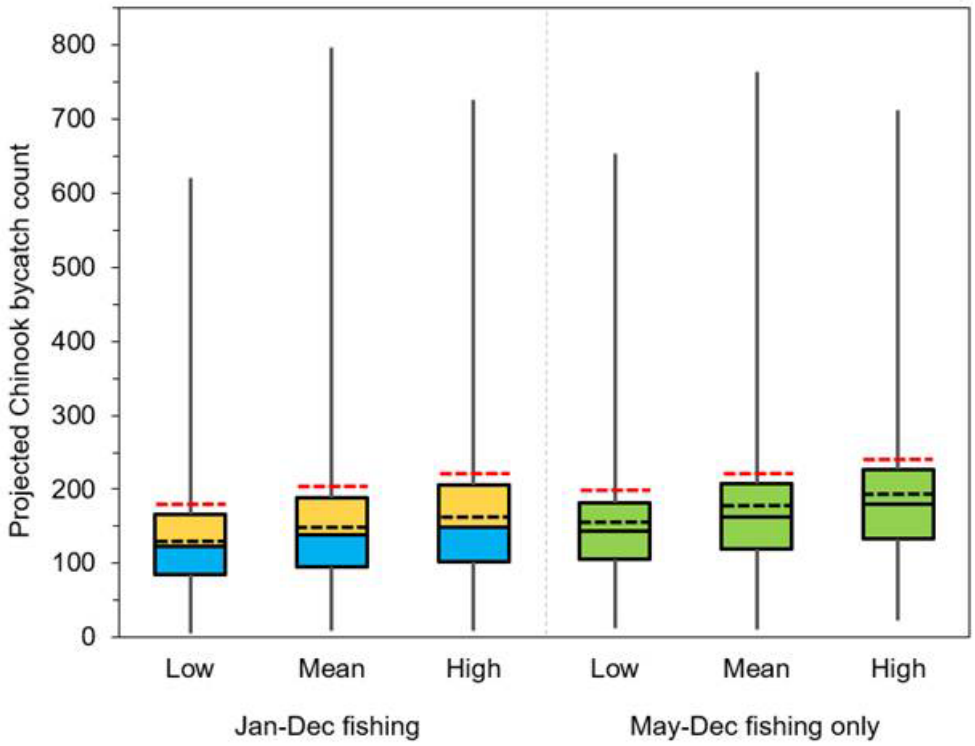


Figure 5 (from Attachment 2, Figure ES-1): Box plot summaries of simulation model-based projected distributions of annual Chinook bycatch under six nested scenarios, which vary in conditions of the seasons fished, total fishing effort, and distribution of effort throughout the calendar year; in the midwater rockfish (MWRF) fishery. Projections showed nearly equal overall annual Chinook bycatch (number of fish) under year-round fishing, and similar variability in bycatch. Predictions on the left half of the plot (blue/yellow) are directly comparable with those on the right (green), in terms of fishing effort, as landed groundfish. Red dashed lines show the 80th percentile, which was utilized in the 2017 BiOp for salmon bycatch in the groundfish fishery, while the black dashed lines show the mean; other elements are according to standard box plots (minimum, 25th, median, 75th, and maximum).

The bottom trawl sector was analyzed under three main scenarios: 1) observed gear composition throughout all areas, including the area between 40º 10′ and 42º N. lat. and shoreward of the 100 fathoms line; 2) same as 1, but using only SFFT gear in the exempted area; and 3) same as 1, but using only other small footrope gear in the exempted area. Bycatch projections remained similar across all scenarios, given the same range and distribution of effort between areas, and varied relative to the level of effort. Projections under the small footrope only scenario showed slightly higher (just 20 more fish, or five percent, comparing medians; seven percent or 40 fish at the 80th percentile) overall annual Chinook bycatch (number of fish) compared with the observed gear composition scenario (1), and nearly equal variability in bycatch. (See Figure 6 reproduced below)

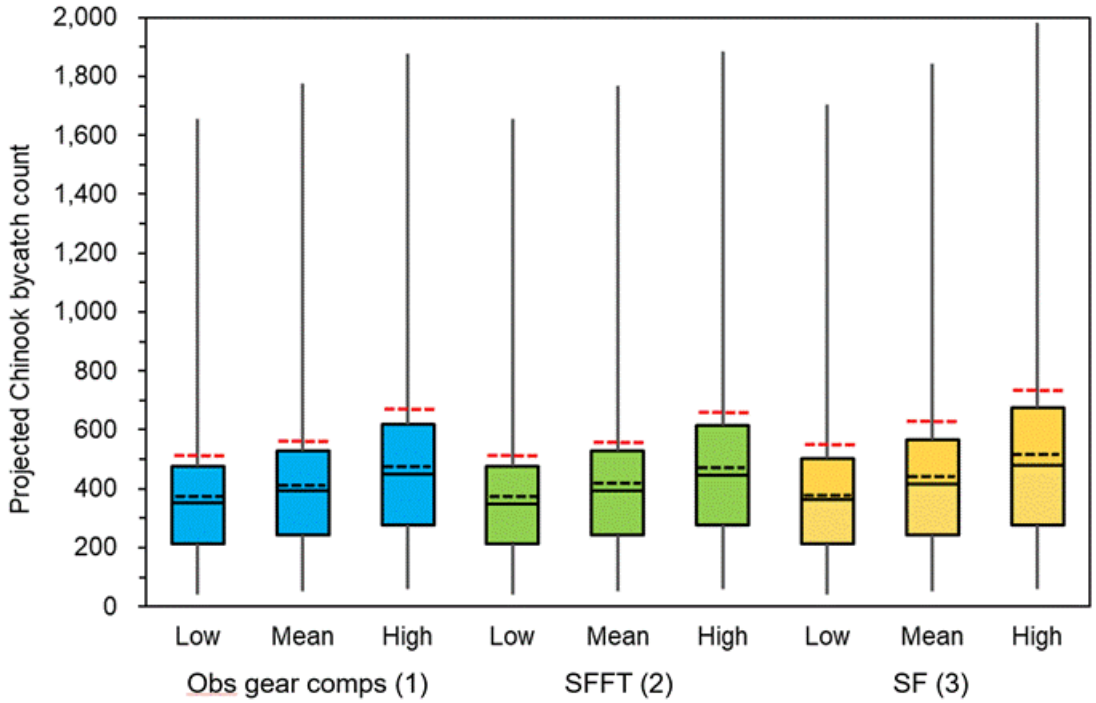


Figure 6 (from Attachment 2, Figure ES-2): Box plot summary of simulation model-based projected distributions of coastwide (summed results between areas) annual Chinook bycatch under nine scenarios, which vary in conditions of the area fished, total fishing effort, distribution of effort among areas, and gear fished; in the bottom trawl (BT) fishery. Red dashed lines show the 80th percentile, which was utilized in the 2017 BiOp for salmon bycatch in the groundfish fishery, while the black dashed lines show the mean; other elements are according to standard box plots (minimum, 25th, median, 75th, and maximum).

Evolutionarily significant unit (ESU) compositions were estimated directly from GSI-informed ESU assignments. In the midwater rockfish sector, there was at least as much variation in composition between years as there was between seasons. The scale of the variation between seasons also fit within the 95 percent confidence intervals, implying lack of significant difference between seasons. For bottom trawl, compositions were only estimable at the sector level, given the small proportion of fishery effort that fell within the exempted area (< 5 percent), and resulting low number of samples from which to estimate composition for that small area.

Considering the results of this analysis, coupled with the consistently very low proportion of the 5,500 fish mitigation threshold (established by Council bycatch mitigation measures) taken by the non-whiting sectors, the risk that implementing either or both of the analyzed fishery exemptions included in Alternative 1 would cause the non-whiting salmon bycatch threshold to be exceeded is judged to be very low.

Eulachon Impacts

The Southern Distinct Population Segment (DPS) of eulachon is listed as threatened under the ESA. In 2018, NMFS issued a 2018 biological opinion for eulachon for the continuation of the groundfish fishery (NMFS 2018). In the 2018 BiOp, it describes that eulachon are primarily impacted by groundfish trawl nets and that Pacific Coast groundfish fishing can affect the species in two ways: 1) Being captured but ultimately escaping, with some likely injury to those fish (although no way to estimate) and 2) Being retained as groundfish bycatch and dying. The 2018

BiOp noted that since only eulachon bycatch can be quantified and monitored, it would be used as a proxy for total take in the groundfish fishery.

The 2018 BiOp also describes that eulachon bycatch appears to fluctuate with abundance. Therefore, as opposed to comparing bycatch numbers to a static threshold value, the BiOp uses a five-year rolling mean to assess the take of eulachon in the groundfish fishery. Specifically, the 2018 BiOp states that, "on an annual basis, NMFS will recalculate the five-year geometric mean from the current year and the preceding four years of Columbia River minimum eulachon spawning run data (the proxy for the Southern DPS). From that number, two thresholds will be calculated – a precautionary (0.01 percent of a five-year geometric mean) and reinitiation (0.02 percent of a five-year geometric mean)."

If the five-year mean of estimated eulachon bycatch amounts surpasses 0.01 percent of the calculated minimum Columbia River eulachon run, measured as a five-year geometric mean, NMFS shall examine the groundfish fishery to determine possible reasons for these bycatch amounts, and consider whether possible modifications to the fishery to reduce eulachon bycatch may be necessary. If the reinitiation trigger is exceeded, then the take limit will be considered to have been exceeded and NMFS will reinitiate consultation.

Table 10 below shows the count of eulachon taken by sector from 2018-2023 and the percent of the precautionary and reinitiation thresholds as calculated by year. As shown, the trawl sector with the highest bycatch of mortality can vary annually and the overall bycatch and percentage of the triggers can also fluctuate as the population fluctuates. For the sectors subject to this action, midwater rockfish vessels had the highest bycatch across all four trawl sectors in 2022, whereas bottom trawl had the highest bycatch in 2018, 2020, and 2021 (Informational Report 3a, June 2025). At the time of writing this document, numbers of eulachon caught as bycatch in the EFP were not available. Estimates will be provided for final action.

Table 10: Count of eulachon bycatch by sector, geometric mean, and thresholds, and percent of threshold by year from 2018-2023. Source: Information Report 3b, June 2025

Year	At-Sea Hake estimated bycatch count	Bottom Trawl estimated bycatch count	Midwater Hake estimated bycatch count	Midwater Rockfish estimated bycatch count	Total estimated bycatch (count)	Geometric mean of estimated bycatch from previous 5 years (count)	Precautionary Threshold a/	Reinitiation Threshold b/	Percent of precautionary threshold	Percent of reinitiation threshold
2018	285	344	0	163	792	487	1,618.83	3,237.66	30.08	15.04
2019	1,088	803	858	528	3,277	371	1,205.42	2,410.84	30.78	15.39
2020	269	5,146	1,980	1,180	8,575	375	826.64	1,653.28	45.36	22.68
2021	6,172	8,381	7,784	1,565	23,902	617	932.34	1,864.68	66.18	33.09
2022	980	7,123	8,583	7,907	24,593	2,056	1,486.22	2,972.44	138.34	69.17
2023	2,342	1,537	987	2,610	7,476	6,658	3,368.29	6,736.58	197.67	98.83

a/ 5-year geometric mean of 0.01% of minimum Columbia River SSB estimate
b/ 5-year geometric mean of 0.02% of minimum Columbia River SSB estimate

Green Sturgeon

The Southern DPS of green sturgeon is listed as threatened under the ESA. A 2012 biological opinion evaluating the impacts of the continuation of the Pacific coast groundfish fishery on the Southern DPS of green sturgeon includes an ITS for the Southern DPS of green sturgeon in the combined federally managed Pacific coast groundfish fishery that states "Under the proposed action, incidental take of Southern DPS green sturgeon because of bycatch and handling in the fishery is not expected to exceed 28 fish per year; however, we recognize the potential for incidental take of greater numbers of Southern DPS green sturgeon in some years. Therefore, this take statement allows for incidental take of up to 86 Southern DPS green sturgeon per year in no more than 2 years within a period of 9 consecutive years." However, there is no direct method to distinguish between take of the listed Southern DPS of green sturgeon and the Northern DPS of green sturgeon, which is not listed. Genetic samples were taken and analyzed to produce estimates of bycatch of the Southern DPS from the total green sturgeon bycatch numbers in the groundfish fisheries (see Table 11 below). Since 2018, there have been 3 total green sturgeon taken in the IFQ bottom trawl sector (2 in 2022 and 1 in 2023, (Informational Report 3a, June 2025). The midwater trawl EFP has had no recorded bycatch of green sturgeon. The bottom trawl EFP had recorded bycatch of 1 green sturgeon in both 2022 and 2023.

Table 11: Count of green sturgeon bycatch by sector and estimated Southern DPS individuals by year from 2018-2023. Estimated number of green sturgeon caught in the bottom trawl EFP. Source: Information Report 3b, June 2025 and observer and EM records, 2018-2023.

Year	At-sea hake estimated SDPS individuals	At-sea hake total individuals	IFQ bottom trawl estimated SDPS individuals	IFQ bottom trawl total individuals	Total estimated SDPS individuals	Total estimated individuals	Bottom Trawl EFP
2018	0	0	0	0	0	0	0
2019	0	0	0	0	0	0	0
2020	0	0	0	0	0	0	0
2021	0	0	0	0	0	0	0
2022	0	0	1.9	2	1.9	2	1
2023	0	0	0.5	1	1.5	2	1

Administrative Alternatives

The other two items included in the proposed range of alternatives evaluated in this analysis are administrative in nature and therefore are not expected to have biological or physical impacts beyond those disclosed in the draft impacts analysis developed for the 2027-28 harvest specifications and management measures (Agenda Item E.6., Attachment 3, June 2026).

Action 2: At-Sea Declarations

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.

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).

Description

Under No Action, vessels would only be allowed to switch declarations at sea if switching between bottom trawl and midwater trawl gear or between the Pacific whiting shorebased IFQ sector and the mothership sector. Limited entry trawl vessels fishing in the Shorebased IFQ Program must provide NMFS OLE with a new declaration report each time a different groundfish trawl gear (bottom or midwater only) is fished. The declaration may be made from sea and must be made to NMFS before a different type (bottom or midwater only) of groundfish trawl gear is fished. Vessels wishing to change into a different fishery outside of these exceptions would need to return to port prior to changing declarations.

Under Alternative 1, vessels would be permitted to change declarations at sea between

1. Limited entry midwater trawl, Pacific whiting shorebased IFQ, observer or Limited entry midwater trawl, Pacific whiting shorebased IFQ , electronic monitoring (declaration code 21) to Limited entry midwater trawl, non-whiting shorebased IFQ, observer or Limited entry midwater trawl, non-whiting shorebased IFQ, electronic monitoring (declaration code 20) or vice versa, and
2. Limited entry midwater trawl, Pacific whiting mothership sector (catcher vessel or mothership), observer (declaration code 23) or Limited entry midwater trawl, Pacific whiting mothership sector (catcher vessel or mothership), electronic monitoring (declaration code 23) to Limited entry midwater trawl, non-whiting shorebased IFQ,

observer or Limited entry midwater trawl, non-whiting shorebased IFQ, electronic monitoring (declaration code 20) or vice versa.

Vessels would be required to use only one monitoring type (electronic monitoring or observer) on each trip, to sort catch by sector, as is required when switching declarations at sea between other fisheries or with multiple gear types, and to record catch on fish tickets as appropriate. Vessels would be subject to sorting requirements (e.g., maximized retention) depending on the fishery that they are declared into.

Analysis

Currently, vessels are restricted from changing declarations at sea unless switching between midwater rockfish and bottom trawl or between shoreside whiting and mothership whiting. However, as identified during the scoping of trawl follow on actions in April 2026 (Agenda Item C.5.a, Supplemental GAP Report 1, April 2026), allowing changes at sea:

"...would improve efficiency, fuel burn, and reduce idle labor and unnecessary downtime. This is a practical and administrative solution that would benefit all fishery participants and more closely align management with real world conditions. There is also a bycatch reduction benefit: Rigid declarations force vessels to continue fishing in areas where bycatch risk is higher. Allowing declaration changes at-sea would allow for vessels to shift effort and move away from problem areas. It could also improve plant efficiency and utilization as it would translate to more frequent deliveries."

Table 12 below shows the number of vessels that have historically participated in the shoreside (SS) whiting, MSCV, and midwater rockfish fisheries (MDT), as well as a count of those that participate in multiple fisheries by year. To date, there are no vessels that participate in just the MSCV and midwater rockfish sector, however, in the future depending on opportunities, this could change.

Table 12: Number of vessels by sector, 2018-2025 including how many vessels participated in multiple of the fisheries.

Year	Shoreside Whiting	Midwater Rockfish	MSCV	SS Whiting/ Rockfish	SS/MSCV	SS/MDT/ MSCV	No crossover
2018	26	23	17	10	9	4	16
2019	27	25	19	9	8	6	19
2020	28	28	15	12	2	8	19
2021	25	27	17	10	4	8	17
2022	26	28	20	9	4	10	18
2023	27	24	17	10	6	7	15
2024	24	23	9	12	3	5	11
2025	26	21	13	11	7	6	6

In addition to providing more operational flexibility and potentially increase economic benefits (a core emphasis of the trawl catch shares review) for participants within the fishery, Alternative 1

would have an administrative benefit of aligning the definition of a whiting trip with the declaration. Whiting trips are defined as:

"*Pacific whiting IFQ trip* means a trip in which a vessel uses midwater groundfish trawl gear during the dates of the Pacific whiting primary season to target Pacific whiting, and Pacific whiting constitutes 50 percent or more of the catch by weight at landing as reported on the state landing receipt. Vessels on Pacific whiting IFQ trips must have a valid declaration for limited entry midwater trawl, Pacific whiting shorebased IFQ."

However, there have been situations where a vessel intending to target Pacific whiting (and declared into the shorebased IFQ fishery) has declared into the whiting fishery, but ended up harvesting more rockfish than whiting. While all quota pounds are deducted in the IFQ program, such a scenario creates conflicting records in the data that is used in the Council's and NMFS' analysis to support additional management actions. Alternative 1 would allow IFQ vessels to switch declarations into the fishery given on the water conditions.

Action 3: Commercial sale of recreational fish waste

Purpose and Need

The purpose of this action is to remove duplicative regulation and ease the regulatory burden on industry. The need for this action is to allow the NMFS to defer to state regulations in the management of the commercial sale of recreational fish waste.

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.

Description

Under No Action, persons would not be permitted to sell, offer to sell or purchase any groundfish (or component of a groundfish) taken in the course of recreational groundfish fishing. As noted in Agenda Item H.8.a, GMT Report 1, March 2025, currently, "fish processors and charter operators at ports that prohibit the dumping of carcasses or fish waste in port must find alternative modes of disposal. The interest to sell fish discards is to offset the costs of disposal incurred by processors or charter vessel operators. In San Diego, processors handle (cut and vacuum seal) recreational fish offloaded from Commercial Passenger Fishing Vessel (CPFV) and private recreational boats. The heads, frames, and offal from these fish are gathered by commercial trash collecting services and taken to the municipal dump. The processors have to pay for this service. The processors would like to be able to sell this recreational waste to trap/pot fisherman or sell it to be rendered down into fish oil. Similarly, in Washington, recreational vessels are required by state regulation to land whole fish or the carcasses (head and frame) of fish if fileted at sea to allow species identification and enumeration. A common practice of charters is to filet catch during the return to port. After customers disembark, the charter vessels then must haul the fish waste out of the harbor for disposal. This adds extra expense and inconvenience to the charter operators."

Under Alternative 1, skeletal remains from the course of recreational groundfish fishing would be permitted to be sold under Federal regulations. While the Federal prohibition would be removed under Alternative 1, the states would be ultimately responsible for making any specific regulations. Agenda Item H.8.a, GMT Report 1 from March 2025 describes that, "In addition to changing Federal regulations to allow the sale of fish waste from recreationally-caught fish, the states of Washington (Washington Administrative Code 220-353- 090, 220-305-010, & 220-310,170, Revised Code of Washington 77.12.047, 77.125.050 and 77.125.060), Oregon (Oregon Revised Statutes 498.022), and California (California Fish and Game Code section 7121 ,§ 75, § 12012, § 12013 & Cal. Code Regs. Tit. 14, § 231) would need to implement conforming state regulations should they wish to allow this activity."

This action would only apply to groundfish carcasses and fish waste, and other non-groundfish species prohibitions (e.g., salmon) would remain in place.

Works Cited

United States. National Marine Fisheries Service. West Coast Region (2012). Endangered Species Act Biological Opinion and Not Likely to Adversely Affect Determination for Continuing Operation of the Pacific Coast Groundfish Fishery. https://repository.library.noaa.gov/view/noaa/67290

United States. National Marine Fisheries Service. West Coast Region (2018). Endangered Species Act (ESA) Section 7(a)(2) Biological Opinion Continuing Operation of the Pacific Coast Groundfish Fishery (Reinitiation 2018). https://repository.library.noaa.gov/view/noaa/67292

Appendix A: History of Trawl Gear EFP Exemptions

2017 - Exempted participating vessels fishing in the Shorebased IFQ fishery with limited entry bottom trawl from regulations regarding:

- the minimum mesh size requirements of 4.5 inches; and
- the requirement to use SFFT gear shoreward of the Trawl RCA north of 42.
- Included a clause that if the sub-harvest guideline of 800 Chinook salmon were hit prior to May 15, the EFP would close until May 15. At which time, the EFP would once again reopen under the total harvest guideline of 3,547 salmon minus whatever was taken pre-May 15.

2018 - Exempted participating vessels fishing in the Shorebased IFQ fishery from regulations regarding:

- The required minimum mesh sizes for midwater and bottom groundfish trawl gear;
- the requirement to use SFFT gear shoreward of the Trawl RCA and north of 42° N. lat.;
- the prohibition on fishing with midwater groundfish trawl gear north of 40°10' N. lat. in all areas prior to May 15 each year;
- the prohibition on fishing with midwater groundfish trawl gear south of 40°10' N. lat. within the boundaries of the Trawl RCA (midwater groundfish trawling was still prohibited shoreward of the Trawl RCA and south of 40°10' N. lat.);
- the prohibition on bringing a new haul onboard before a previous haul is stowed;
- the prohibition on carrying and fishing more than one type of groundfish trawl gear (midwater and bottom trawl gear) on the same trip: and
- the prohibition on retaining salmon and eulachon.

- Included a sub -harvest guideline of 800 chinook prior to May 15 and
- New sub-harvest guideline of 80 Chinook south of 42° N. lat. for full effective dates.

2019 - Exempted participating vessels fishing in the Shorebased IFQ fishery from regulations regarding:

- the requirement to use SFFT gear, and the prohibition on using small footrope trawl gear, other than SFFT gear, shoreward of the Trawl RCA between 42° N. lat. and 40° 10' N. lat.;
- the prohibition on fishing with midwater groundfish trawl gear north of 40° 10' N. lat. in all areas prior to May 15th each year;
- the prohibition on fishing with midwater groundfish trawl gear south of 40° 10' N. lat. within the boundaries of the Trawl RCA; and
- the prohibition on retaining certain prohibited species.
- Included a bycatch limit of 1,000 Chinook north of 42° N. lat. and 100 Chinook south of 42° N. lat. regardless of gear type.

2020 - Consistent with revised regulations under Amendment 28, the 2020 EFP exempted participating vessels fishing in the Shorebased IFQ fishery from regulations regarding:

- The requirement to use SFFT gear, and the prohibition on using small footrope trawl gear, other than SFFT gear, shoreward of the boundary line approximating the 100 fathoms depth contour between 42° N. lat. and 40°10’ N. lat.;
- the prohibition on fishing with midwater groundfish trawl gear north of 40° 10' N. lat. in all areas prior to May 15th each year;
- the prohibition on fishing with midwater groundfish trawl gear south of 40° 10' N. lat. and shoreward of the boundary line approximating 150 fathoms; and
- the prohibition on retaining certain prohibited species.
- Included a bycatch limit of 1,000 Chinook north of 42° N. lat. and 100 Chinook south of 42° N. lat. regardless of gear type.

2021 - 2026 - Exempted participating vessels fishing in the Shorebased IFQ fishery from regulations regarding:

- The requirement to use SFFT gear, and the prohibition on using small footrope gear other than SSFT gear between 42° and 40° 10' N. lat. and shoreward of the boundary line approximating the 100 fathoms depth contour;
- the requirement that SFFT must be a two-seamed net with no more than two riblines, excluding the codend[4];
- the prohibition on fishing outside the primary season dates for the Pacific whiting IFQ fishery;
- the prohibition on fishing south of 40° 10' N. lat. shoreward of the boundary line approximating the 150 fathoms depth contour;
- the prohibition on retaining certain prohibited species; and
- the requirement to discard certain prohibited species at sea.
- Included a bycatch limit of 1,000 Chinook north of 42° N. lat. and 100 Chinook south of 42° N. lat. regardless of gear type.

[4] Under the Trawl Gear Modification Final Rule (83 FR 4596), the requirement for selective flatfish trawl gear changed from a two-seam net only to allow for a four-seam net to potentially provide for better flow and improved selectivity compared to a two-seam net (50 CFR 660.130(b)(1)(ii)(A)), making this exemption obsolete.