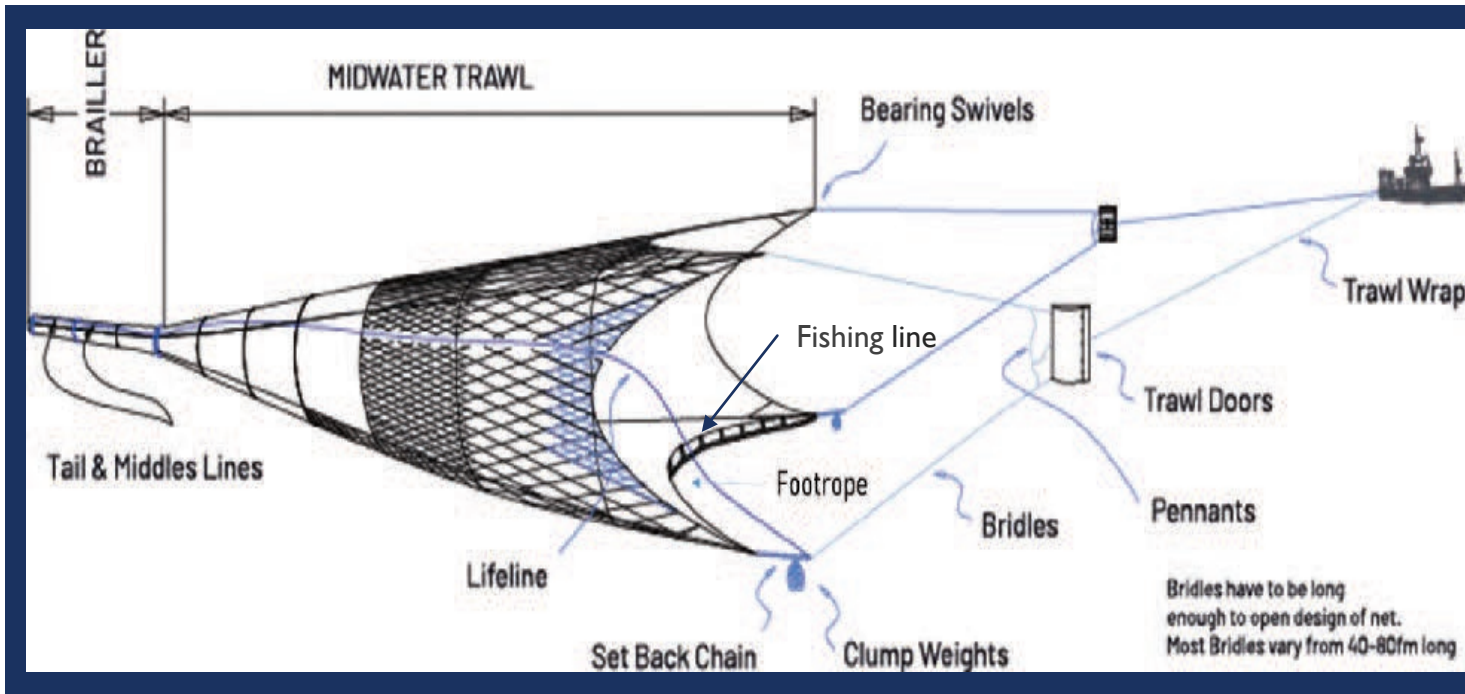


INDUSTRY TRAWL PERFORMANCE STANDARD WORKSHOP

NOAA OLE, ALASKA DIVISION, ENFORCEMENT COMMITTEE
ALEX PERRY, COMPLIANCE LIAISON ANALYST
OCTOBER 2, 2023



*Swan Net Gundry

FEDERAL ADVISORY COMMITTEE ACT (FACA)

- **Committee co-chairs will NOT be accepting consensus advice/recommendations**
 - We will NOT be seeking consensus from industry participants and contributors *as a collective whole*
 - We may halt such discussions or otherwise end the meeting.
 - *We encourage* information and viewpoints from individual attendees
 - The Enforcement Committee tentatively plans to meet in February 2024 to consider the outcomes of this workshop and other information before relaying any recommendations on this matter to the Council. The Council will receive a staff report on the workshop during its October 2023 meeting.



TRAWL PERFORMANCE STANDARD (TPS): COUNCIL MOTION

Council Motion:

- Request NMFS and the Enforcement Committee, in consultation with industry, identify ways to **revise the pelagic gear performance standard** to be **enforceable**. Continue to incorporate this discussion into Section 4. To better understand and evaluate this issue, the discussion should also include a full time series of pelagic gear crab PSC after the large mesh introduction in 1993 and an accurate description of catch accounting issues for observers, including the number of annual violations in the same time period (1993 – 2023).



TRAWL PERFORMANCE STANDARD (TPS): EXISTING REGULATIONS

- 50 CFR 679.7 Prohibitions (a)(14)

- (i) **BSAI.** Use a vessel to participate in a directed fishery for pollock using trawl gear and have on board the vessel, at any particular time, 20 or more crabs of any species that have a carapace width of more than 1.5 inches (38 mm) at the widest dimension.

- (ii) **GOA.** Use a vessel to participate in a directed fishery for pollock using trawl gear when directed fishing for pollock with nonpelagic trawl gear is closed and have on board the vessel, at any particular time, 20 or more crabs of any species that have a carapace width of more than 1.5 inches (38 mm) at the widest dimension.

- 50 CFR 679.24 Gear restrictions (b)

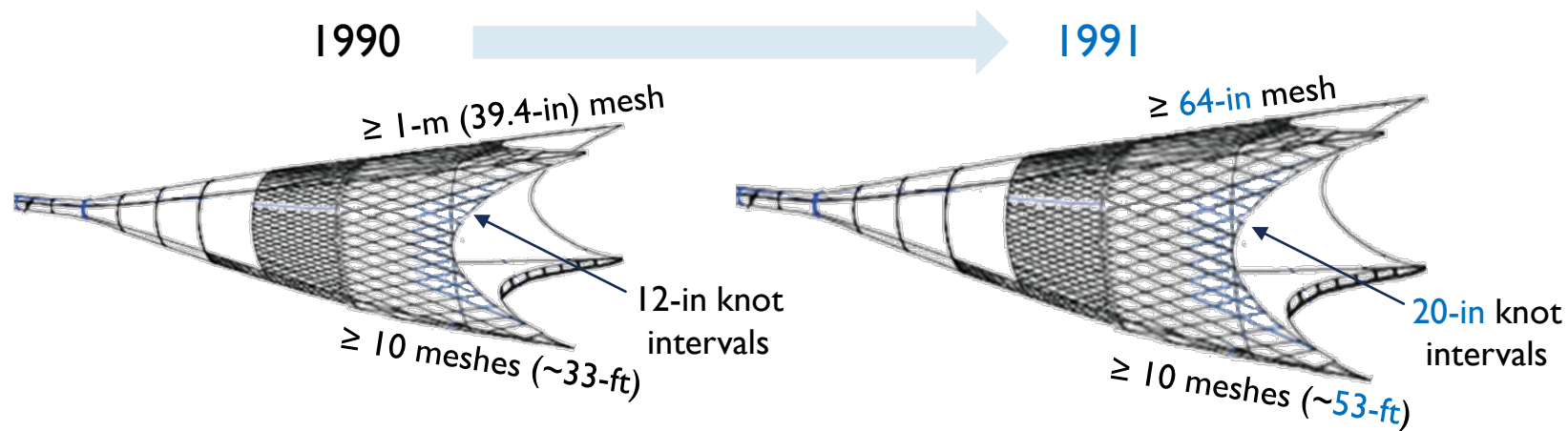
- (3) **Trawl footrope.** No person trawling in any GOA area limited to pelagic trawling under § 679.22 may allow the footrope of that trawl to be in contact with the seabed for more than 10 percent of the period of any tow.

- (4) **BSAI pollock nonpelagic trawl prohibition.** No person may use nonpelagic trawl gear to engage in directed fishing for pollock in the BSAI.



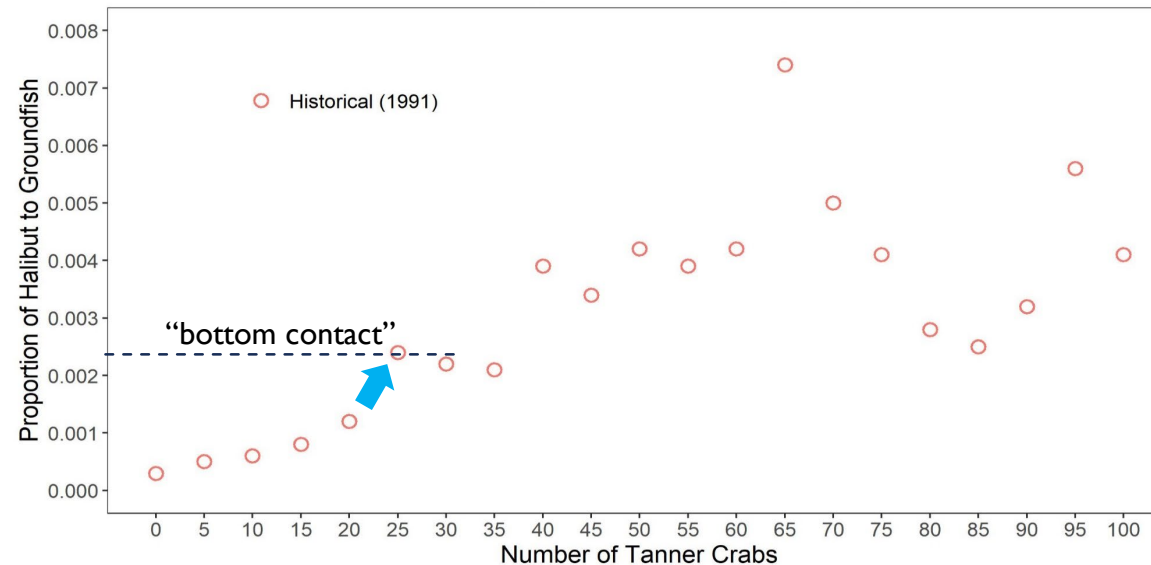
HISTORY OF PELAGIC TRAWL GEAR

- **1991:** FMP Amendments 16 & 21
 - Suggested PTR should be defined as it is fished (not fished on the bottom, but may contact bottom at times), and maximize catch of groundfish, while **minimizing bycatch of halibut and crab.**
 - EA: *“The purpose of the large mesh sizes in back of the fishing line is to provide escape panels for halibut and crab in case the pelagic trawl contacts or comes near the seabed”*



PERFORMANCE STANDARD

- 1991 observer data: as halibut bycatch doubled when > 20 crab caught, the Council considered > 20 crab as likely the result of operating a trawl on the **sea bed**



- 1993 EA: The 1991 observer data show that when the halibut bycatch rate doubled from 0.0012 to 0.0024, the number of crabs increased to 20 animals or more per groundfish haul. **Therefore, NMFS considers the presence of 20 crabs or more in a haul or onboard a vessel to have resulted from a vessel operating a trawl on the **sea bed**.**



PERFORMANCE STANDARD

- **1993 PR:** “After reviewing the NMFS bycatch data, the Council agreed that a catch of fewer than 20 crabs might be expected when a pelagic trawl is deployed **correctly**, but that a catch of 20 or more crabs likely was the result of operating a **trawl on the sea bed**. Therefore, the Council recommended defining as a **violation** the possession of 20 or more crabs when caught by trawl gear when directed fishing with non-pelagic trawl gear is prohibited.”
 - Implemented as the *means* to indicate and hence discourage or prevent trawl operations on sea bed
 - Modified in 2001 to apply at all times
- **2001 EA/RIR/IRFA:**
 - 1.2.2 “Alternative 2 (**preferred**): Prohibit the use of nonpelagic trawl gear in the BSAI pollock fishery. Only pelagic trawl gear as defined in regulations could be used by vessels when engaged in a directed pollock fishery. **In order to prevent fishermen from using pelagic gear to trawl on the bottom**, a performance standard would also be employed, under which it would be unlawful for an owner or operator to have 20 or more crabs on board a vessel at one time.”
 - 4.3 “The crab performance standard may pose some unquantifiable inconvenience to vessels with pelagic gear, as it is **intended to discourage them from trawling on the bottom.**”



CHALLENGES WITH REPORTING CRAB NUMBERS FOR TPS

- Observer priorities emphasize random sampling; and collection of crab from outside composition samples is not the norm;
- Observer data recording protocols are not designed to easily record crab sizes for animals collected non-randomly and outside samples;
- Observers have reported safety concerns about collecting (or requesting crew collect) crab from the footrope, intermediate mesh, or otherwise outside the codend;
- The wording in the TPS is difficult to interpret for observers because not all catch is visible, “at any particular time;”
 - A few crab observed while dumping the catch does not indicate what an observer may find in the rest of the catch while sampling
- Extrapolated data from observer samples cannot be used by OLE as evidence to prove TPS infractions (only direct observations of “at any particular time, 20 or more crabs of any species that have a carapace width of more than 1.5 inches (38 mm) at the widest dimension”)



TPS PRELIMINARY ANALYSIS

Year	# Hauls w >= 20 crab	# Statements/ Year	# Potential Violations/Year	Percent hauls reported to OLE	Compliance Assistance	Written Warning
1993	334	NA	NA			
1994	194	NA	NA			
1995	68	NA	NA			
1996	61	NA	NA			
1997	96	NA	NA			
1998	52	NA	NA			
1999	3	1	1	33.33%		
2000	7	1	3	42.86%		
2001	4	2	4	100.00%		
2002	16	1	1	6.25%		
2003	8	1	1	12.50%		
2004	35	1	2	5.71%		
2005	8	1	1	12.50%		
2006	16	0	0	0.00%		
2007	7	0	0	0.00%		
2008	26	0	0	0.00%		
2009	27	3	12	44.44%	1	
2010	43	5	10	23.26%		
2011	54	5	7	12.96%		
2012	38	7	7	18.42%		3
2013	43	1	1	2.33%		
2014	45	3	7	15.56%		
2015	48	3	5	10.42%	1	
2016	10	0	0	0.00%		
2017	2	0	0	0.00%		
2018	4	0	0	0.00%		
2019	1	0	0	0.00%		
2020	24	3	3	12.50%	2	
2021	5	0	0	0.00%		
2022	0					
Sums	1279	38	65	13.71%	4	3



PERFORMANCE STANDARD

This meeting seeks individual advice on how the Trawl Performance Standard might be revised to 1) reduce [halibut and crab] bycatch by 2) indicating and thereby discouraging or preventing [pelagic] trawl operations on the sea bed.



WE WELCOME YOUR
INPUT ON REVISING THE
PELAGIC TRAWL
PERFORMANCE
STANDARD

