Discussion Paper:
Prohibited Species Fish Meal and Donation Program Discussion Paper

November 13, 2026[1]

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1 Executive Summary

This discussion paper responds to the Council's June 2026 motion to clarify the disposition of prohibited species catch (PSC) and consider improvements to the Prohibited Species Donation (PSD) program. Council guidance is requested on the scope of a subsequent analysis, including which fisheries, species, and PSD program changes to include.

Regulations increasingly require vessels to retain and deliver PSC for accounting and sampling, but processor disposal provisions have not consistently addressed these requirements. Processors may receive the same species under different disposal requirements depending on the fishery or management program. Where donation or another exception does not apply, processors must return PSC species to a vessel for discard at sea. The paper provides preliminary options to allow shoreside and stationary floating processors to convert PSC that is not donated into fish meal, fish oil, or bone meal that may be sold, and identifies options to modernize and expand the voluntary PSD program.

This discussion paper does not suggest or contemplate any modifications to any currently established PSC limits, the manner in which catch is monitored and estimated, or vessel requirements to avoid PSC when targeting groundfish species. This discussion paper also does not suggest or contemplate changing the general prohibition on the sale of PSC except for options that would allow the disposal of PSC through conversion to fish meal, bone meal and fish oil.

Guide to the discussion paper

Section 2 describes the Council motion and the interpretation of scope. Section 3 provides an overview of PSC categories, reporting and data limitations, retention and handling requirements, and potential options to allow PSC to be disposed of as fish meal, fish oil, and bone meal. This section responds directly to the Council's request to review and consider clarifications to regulations relating to the disposition of PSC to mitigate misinterpretation or inconsistencies in multiple federal regulations that have accumulated over time. Within section 3, PSC species are distinguished between species that are defined as PSC under § 679.2, and groundfish species placed on PSC status through an inseason management action. Section 3.7 provides estimates of potential gross meal revenue, which do not represent net returns and are subject to substantial data limitations. Section 3.8 presents status quo and two potential regulatory options to clarify processor disposal of PSC including options for limiting changes to trawl EM deliveries only or applied more broadly to all processors and all PSC categories across all fisheries.

Section 4 reviews the PSD program, and suggests improvements to the PSD program. Section 4.3 identifies administrative updates that the Council may consider. Potential improvements within section 4.3 include simplifying applications and approval criteria, and expanding the permit duration. Section 4.4 considers eligible receiving entities, participant responsibilities, and expansion of authorized species and sectors. Section 5 discusses processor, management, monitoring, and enforcement considerations.

Council Guidance and Scope clarification

Analysts have identified multiple items that would benefit from Council direction. The following questions and topics are highlighted for Council consideration:

How broadly should processor disposal provisions apply? Should changes be limited to trawl EM deliveries, or apply across fisheries delivering to shoreside and stationary floating processors? Should they apply consistently in the BSAI and GOA and cover both defined PSC species and groundfish placed on PSC status, or include restrictions by species, fishery, or area (section 3.8)? Council direction should identify the fisheries, species, sectors, and any associated retention allowances to evaluate. Consistent disposal provisions could simplify compliance and reduce

handling costs. Restrictions by species or fishery could require additional monitoring and regulatory complexity.

Which PSD program changes should be evaluated? Should the analysis include administrative modernization, a streamlined permit for local donations, expanded receiving entities such as schools and other food programs, and clearer participant responsibilities (sections 4.3 and 4.4)? Donation would remain voluntary, with processors determining suitability and participation based on fish quality and operational capacity.

Should the PSD program be expanded? Should the PSD program include additional PSC species, groundfish placed on PSC status, or removal of sector restrictions on halibut donations, including donations from catcher/processors? Associated retention allowances and protection of live halibut release practices would need evaluation (section 4.4.3).

Next Steps

Assuming the Council wishes to proceed, it should develop a purpose and need statement and a suite of alternatives. The purpose and need could build on the June 2026 motion to clarify processor disposition requirements, reduce waste and unnecessary handling costs, and improve opportunities for donation while maintaining PSC limits, vessel avoidance requirements, prohibitions on vessel sale of PSC, and required sampling and catch accounting. The suite of alternatives could draw on the options provided in section 3.8, and/or PSD options provided within sections 4.3 and 4.4. The subsequent analysis would assess effects and implementation requirements, including regulatory and any necessary FMP amendments, using the considerations in sections 3 and 4.

2 Introduction

In October 2025, National Marine Fisheries Service (NMFS) informed the North Pacific Fishery Management Council (Council) of questions related to the ability of shoreside processors to accept prohibited species catch (PSC) and convert it to fishmeal. The questions arose in reference to vessels in the trawl electronic monitoring (EM) program, but are relevant to other Alaska fisheries as well.

On March 13, 2026, NMFS provided the Council a letter clarifying its policy position under applicable regulations. In its letter, NMFS explained that, due to the complexity of the regulations that address disposition of PSC under multiple fishery management programs, NMFS plans to examine this matter holistically and work with the Council to consider any necessary updates to regulations.

In June 2026, the Council prepared a motion to support NMFS in their preparation of a PSC and Prohibited Species Donation (PSD) program discussion paper:

> *In response to NMFS' suggested need to update regulations in the March 13 letter to the Council, the Council requests preparation of a regulatory amendment to review and clarify regulations related to the disposition of prohibited species catch (PSC) to mitigate misinterpretation of or inconsistencies in multiple federal regulations that have accumulated over time. While historically vessels required to discard PSC did so at sea after monitoring, vessels are now required to retain and land PSC at the dock under several regulatory programs to improve precision in accounting. A review is needed to identify and resolve any conflicting regulations.*
>
> *The Council supports use of the Prohibited Species Donation (PSD) Program to support hunger relief and reduce waste. For PSC that a processor does not donate, regulations should clarify that processors may convert PSC into fish meal, oil, or bone meal and may sell those products to minimize waste and avoid having to return PSC to vessels for disposal at sea. This holistic review*

of disposition of PSC should include suggestions for improvements to the PSD program and clearly set out permissible options and Requirements.

All PSC limits, vessel prohibitions on the sale of PSC, and vessel requirements for PSC avoidance while fishing for groundfish remain in place. This action is intended only to clarify what is allowable for disposal of PSC that has already been caught and is landed at the dock.

In response to the Council's motion, NMFS developed this discussion paper and identified potential regulatory revisions for PSC and the PSD program that are needed to improve clarity and efficiency in fishery operations. NMFS requests the Council review the proposed changes as described in this discussion paper, and, if warranted, develop a purpose and need statement, alternatives, and initiate an analysis.

This discussion paper focuses on catcher vessels and shoreside and stationary floating processors (processors), including options for donation and production of fish meal, fish oil, or bone meal (section 3.7) from PSC that processors determine is unsuitable for donation or otherwise choose not to donate. While this discussion paper will cover all fisheries, the regulatory disconnect between required retention of PSC and the inability of trawl electronic monitoring (EM) participants to convert PSC into fish meal that is later sold is a focal point of the Council's motion. This paper does not evaluate changes to PSC handling aboard catcher/processors or motherships, except as discussed in the PSD program portion of the paper (section 4).

This discussion paper explores options for the disposition of PSC landed by catcher vessels that cannot easily be returned to the sea or donated. Broader consideration of catcher/processors and motherships could be included in a subsequent analysis if requested by the Council.

Many vessels across different gear types and fisheries participate in the PSD program, and PSC harvested by the vessel may be donated if the shoreside processor is also a PSD program participant. Except for PSC retention associated with expansion of the PSD program, this paper does not consider changes to PSC retention requirements or allowances for vessels. If the Council considers this scope too narrow, it could request evaluation of broader vessel PSC retention options. However, doing so would substantially increase the complexity, potentially add controversy, and extend beyond the stated purpose of this paper, which focuses on disposition of PSC already caught and landed.

This paper also acknowledges and highlights the operational reality that processors do not have control over what catch they receive, however they must handle that catch consistent with regulations. A principal goal of catch monitoring is to account for all fish, regardless of their legal retention status, and to provide those data to managers. As such, the agency has been careful to avoid implementing regulations that provide barriers to reporting fish.

This discussion paper does not suggest or contemplate any modifications to any currently established PSC limits, the manner in which catch is monitored and estimated, or vessel requirements to avoid PSC when targeting groundfish species. This discussion paper also does not suggest or contemplate changing the general prohibition on the sale of PSC; however, it does provide options to clarify how shoreside processors may dispose of PSC, not suitable for donation, including through conversion to fish meal, fish oil, or bone meal that would be exempt from the prohibition on sale.

3 Background on Prohibited Species Catch (PSC)

NMFS manages groundfish fisheries in the exclusive economic zone (EEZ) off Alaska under the Fishery Management Plans (FMPs) for the Bering Sea and Aleutian Islands (BSAI) and Gulf of Alaska (GOA). The Council recommends management measures for these fisheries, and NMFS implements those measures through regulations, annual harvest specifications, and inseason management. PSC is a category of catch in the Alaska groundfish fisheries. A species can be categorized as PSC for two reasons: 1) the species is defined as a PSC species at § 679.2 and listed in Table 2b to part 679 (including halibut, salmon, crab, Pacific herring, and steelhead trout); or 2) NMFS places the groundfish species on PSC status through a NMFS inseason management action, which is authorized at § 679.20(d)(2).

The Council motion from June 2026 directs discussion to "*clarify regulations related to the disposition of prohibited species catch (PSC)*". **The Council motion was initially interpreted as focused on PSC species as defined under § 679.2; however because one of the primary issues for this discussion paper is to "*clarify that processors may convert PSC into fish meal, oil, or bone meal and may sell those products to minimize waste and avoid having to return PSC to vessels for disposal at sea*", both categories of PSC are applicable to this paper. For clarity, this discussion paper includes discussion of both PSC categories unless indicated otherwise.** A vessel may encounter both categories of PSC in a single trip, requiring different handling of the PSC as described further in section 3.6. Section 3.2 provides more information on PSC species and section 3.3 provides more information on groundfish in PSC status.

Vessels must discard catch of species on PSC status unless retention is required under other regulations. PSC may (or must) be delivered to a processor in certain situations, such as under regulatory retention requirements, or when PSC is missed during the sorting process at sea. While retention, and subsequent delivery to a processor, of these PSC may be prohibited while participating in most fisheries, this discussion paper recognizes operational realities that can make complete sorting impracticable on the deck of a vessel. For example, a vessel may release several metric tons of catch directly into refrigerated seawater (RSW) tanks, and individual PSC may be difficult to identify and remove from the flow of fish. In this situation, it might take several additional hours of sorting to remove and discard PSC, which could impact the overall quality of retained catch.

While vessels historically discarded PSC at sea, vessels are now required to retain and land PSC at the dock under an increasing number of regulatory programs. Recently, there has been some uncertainty about how processors may dispose of this PSC. Disposing of retained PSC as fish meal minimizes waste and reduces environmental and economic impacts, providing a way to handle PSC that cannot be marketed or for which donation is not feasible and that would otherwise go to waste. Because vessels remain subject to regulatory PSC limits, are prohibited from selling PSC to processors even when required to retain it, and due to the low value of fish meal, allowing processors to send PSC to fish meal plants and sell the resulting products does not create a financial incentive for vessels to target PSC. Further, there is no conservation benefit to restricting processors from disposing of PSC at a fishmeal plant, which otherwise would need to be transported offshore and discarded. This clarification would increase overall efficiency and reduce waste within the Federal fisheries off Alaska.

3.1 Estimation of PSC and PSC Data Sources

Processors report all delivered fish, including PSC, and their method of disposition in eLandings on landing reports and production reports. These records provide the best available data on how much PSC processors receive, and whether those fish are donated, converted to fish meal, or otherwise disposed of. As such, eLandings landing reports and production reports are the primary data source used in this discussion paper.

In most cases, NMFS does not use eLandings data for estimation or management of PSC listed in Table 2b to part 679 by catcher vessels. Instead, NMFS estimates PSC from catcher vessels using observer data, with methods varying by fishery and monitoring program.

- Halibut and salmon delivered by trawl EM category catcher vessels are fully enumerated by shoreside observers upon delivery.
- Other PSC species from trawl EM deliveries, such as crab, herring, and groundfish on PSC status are sorted, counted, and weighed by the processor, and the NMFS catch accounting system uses these data reported in eLandings for estimation. Observers verify the PSC estimates provided by the processor as part of their sampling duties.
- For non-EM pollock deliveries, salmon estimates are derived from fish sorted from the catch shoreside and counted and reported by an observer.

When a groundfish is placed on PSC status, NMFS uses the weights reported by the processor in eLandings for landed catch. If groundfish on PSC status is discarded at sea, observer estimates are used to extrapolate the total catch of that species on non-observed vessels.

Catch Monitoring and Control Plans (CMCPs) establish handling procedures for PSC species listed in Table 2b to part 679 delivered to processors, and support observers in collecting precise estimates. CMCPs do not include special handling procedures for groundfish placed on PSC status. Further details on how PSC are estimated for management can be found on the NMFS Alaska Region website.

3.1.1 Limitations of eLandings Data

Before July 1, 2026, there was not a way for processors to distinguish what happened to PSC after it was delivered, meaning that NMFS was not able to track how PSC was disposed of. Prior to eLandings, reporting codes were not separated into condition codes and disposition codes. Instead, there was one list of delivery condition codes that helped identify the condition of the fish when it was weighed. Common examples included “whole (01)”, “bled (03)”, or “headed and gutted, eastern cut (08)”. With the implementation of eLandings, disposition information was required to determine what the processor intended to do with the fish, such as “sold for human consumption (60)”, “fish meal production (41)”, or “discarded onshore, after delivery, not sold (99)”. Condition codes describe the condition of the fish when the processor received them, and the disposition codes describe what the processor did with those fish. These codes did not impact whether NMFS was able to account for PSC, they only identified the condition and disposition of the fish.

Once eLandings was implemented for groundfish in 2006, processors were able to distinguish between “sold” and “not sold/discarded” products which resulted in business rules that improved data validation while also reducing reporting errors. These business rules embedded in eLandings prevented processors from reporting PSC listed in Table 2b to part 679 as “code 41- sold for fish meal”. In contrast, eLandings does not track whether NMFS places a groundfish species on PSC status, and therefore does not prevent a processor from listed groundfish placed on PSC status as “code 41”.As noted above, this change did not impact whether NMFS could account for PSC, it only identified whether fish were discarded or sold. Documents from early eLandings development, and communication with processors in 2007, confirm that the agencies involved in eLandings, including the Alaska Department of Fish and Game (ADF&G), NMFS and the International Pacific Halibut Commission (IPHC) specifically identified that processors receive PSC, and that the PSC was converted to fish meal, but business rules programmed in eLandings were implemented to prevent reporting as a sold code, ensuring that PSC would not appear to have entered commerce.

Prior to 2011, PSC was not required to be retained in any management program. However, NMFS expected that PSC would continue to be delivered to processors, commonly due to PSC not being

discarded during the at-sea sorting process due to a variety of reasons. Therefore, if PSC was not donated under the PSD program, processors were instructed to report that catch as "code 99 discarded onshore, after delivery, not sold", even if those PSC were converted to fish meal. If the PSC was not converted to fish meal, it was placed aboard a vessel for disposal at sea. Since discarded PSC and PSC converted to fish meal were reported with the same code, it is impossible for NMFS to determine how much PSC was converted to fish meal.

Due to increased attention, and need for additional specificity on the final disposition of PSC delivered to a processor (such as conversion to fish meal), the eLandings development team implemented a new code on July 1, 2026 to identify PSC (listed in Table 2b to part 679) sent to the meal plant as "40 PSC - disposal as fish meal". This will allow estimation of PSC that have been discarded without processing and PSC disposed through conversion to fish meal going forward. While some processors have used the new code since its implementation in July 2026, the data is confidential due to the limited number of processors. Communication with processors has indicated that most processors are not comfortable disposing of PSC as fish meal until NMFS implements regulatory clarifications. A high level summary is that the amount of PSC reported using the new code indicating conversion to fish meal is a very small proportion of total PSC disposal, and those reports are mostly from 2026 B season pollock fisheries in the GOA.

3.2 PSC Species as Defined in § 679.2

PSC species are a priority focus of fishery monitoring and management. PSC, as defined in § 679.2, are defined as species listed in Table 2b to part 679 which includes halibut, salmon, crab, Pacific herring, and steelhead trout. Groundfish that are placed on PSC status are not included in the definition of PSC, and are not being discussed in this paragraph. NMFS manages PSC species under Federal regulations at § 679.21. For most PSC species, depending on the fishery, there are strict limits that are actively monitored by NMFS inseason managers and when a PSC limit is reached, NMFS will close the target fishery or a cooperative is prohibited from exceeding a PSC limit. Together, these limits and the management actions result in most vessels actively avoiding catch of PSC species to the extent practicable. Detailed information on PSC limits, estimation, and management can be found in the harvest specifications and the NMFS Alaska Region website.

3.2.1 Halibut

Halibut PSC management in Alaska's groundfish fisheries is intended to limit incidental halibut mortality, provide incentives for vessels to avoid halibut, and improve the survival of halibut that are returned to the sea. Halibut PSC limits are expressed in metric tons of mortality, and are allocated among fisheries, gear types, sectors, and seasons as applicable. NMFS manages halibut PSC limits in the BSAI under regulations at § 679.21(b) and in the GOA under § 679.21(d).

NMFS tracks estimated mortality with respect to halibut PSC limits through catch estimates and applicable discard mortality rates. This allows NMFS to account for the proportion of released halibut that are not expected to survive. Halibut delivered to shoreside processors have a 100 percent mortality rate. If a sector reaches the halibut PSC limit, NMFS closes the affected groundfish fishery, even when groundfish TAC would otherwise still be available. The potential closure of a target fishery constrains halibut mortality independently of other PSC requirements that govern retention, donation, and disposal.

Vessels must return halibut PSC to the sea immediately, with a minimum of injury, after any required observer sampling, with the exception of vessels in trawl EM. Trawl EM vessels are required to retain all PSC species and deliver them to a processor for accounting by a shoreside observer. Catch by trawl vessels is typically high volume, and may contain many species. In most cases, PSC species are encountered in small amounts mixed with metric tons of target species. For vessels not in trawl EM (including other gear types), sorting is done on the back of a vessel and complete sorting of every PSC

species at sea is not always practical. As a result, halibut missed during sorting are delivered to a processor. These deliveries occur outside the authorized retention provisions described in section 3.6, but still present processors with the need to account for and dispose of the fish. Halibut is also authorized for retention and donation under the provisions of the PSD program.

3.2.2 Salmon

Salmon PSC includes five Pacific salmon species: Chinook (king), chum (dog), coho (silver), pink (humpy), and sockeye (red). For PSC management and accounting, salmon are grouped into two categories: Chinook and non-Chinook. The non-Chinook category includes chum, coho, pink, and sockeye salmon, with chum salmon accounting for the majority of non-Chinook catch in Alaska groundfish fisheries. NMFS manages salmon PSC in the Bering Sea (BS) pollock fishery under regulations at § 679.21(f), Chinook salmon PSC in the Aleutian Islands pollock fishery under § 679.21(g), and Chinook salmon PSC in the GOA under § 679.21(h). Salmon PSC limits only apply to vessels using trawl gear. Salmon PSC is tracked by number of individuals, rather than weight.

Salmon PSC management in Alaska groundfish fisheries is intended to limit incidental catch of salmon and provide incentives for vessels to avoid salmon when targeting groundfish. Management measures include PSC limits, salmon excluder devices, and other regulations to incentivize communication and salmon avoidance. Information on these measures is available on the NMFS Alaska Region website.

All salmon caught by catcher vessels participating in directed pollock fisheries in the BS and GOA must be retained and delivered to a processor for counting and to support genetic sampling regardless of whether or not the vessel is participating in trawl EM (§§ 679.21(f)(15)(i) and (h)(6)(i)). For shoreside deliveries, this allows for observers to count every salmon and collect genetic samples which are used to identify their stocks of origin. Salmon is also authorized for retention and donation under the provisions of the PSD program.

In non-pollock fisheries, where retention is not otherwise authorized or required, salmon must be returned to the sea after an observer, if present, has the opportunity to sample them. Salmon may be missed during sorting at sea, which creates an additional need for processors to account for, and dispose of, these fish.

3.2.3 Other PSC

PSC also includes crab, Pacific herring, and steelhead trout, which are listed in Table 2b to part 679. Crab PSC estimates are expressed as numbers of individuals, while steelhead trout and Pacific herring PSC estimates are expressed by weight in metric tons. Specific PSC limits apply to certain crab species and Pacific herring in BSAI trawl fisheries, with associated area closures when applicable limits are reached, as specified at § 679.21(e). Further information on other PSC management can be found on the NMFS Alaska Region website.

Pacific herring, steelhead trout, and crab species are not currently included in the PSD program. The only requirement to retain these other PSC species is under trawl EM. As with other PSC species, complete at-sea sorting of every prohibited species is not always practical. Consequently, deliveries may include herring and crab that were missed during at-sea sorting.

On rare occasions, crab species such as Tanner or king crab may be delivered to a processor, though they are generally in poor condition (*e.g.*, missing legs or broken carapace) which can make enumeration difficult. Processors and shoreside observers sort these crabs and their parts from catch to estimate a count.

Table 3-1 Count of crab discarded by processors.

	2022	2023	2024	2025	2026
BSAI					
Discard	122	103	266	755	2,492
GOA					
Discard	20	20	657	57	236

Source: NMFS eLandings data retrieved October 15, 2026. Quantities shown are for numbers of crab.

Pacific herring is commonly caught incidentally in the BS pollock pelagic trawl fishery during certain times of the year. In recent years, participation in trawl EM has reached 100 percent among these vessels. Trawl EM requires retention of all PSC, and most of the Pacific herring included in Table 3-2 was retained and delivered to shoreside processors to comply with these requirements.

Table 3-2 Weight of Pacific herring in metric tons (mt) discarded by processors.

	2022	2023	2024	2025	2026
BSAI					
Discard	1,239	1,771	929	2,394	2,154
GOA					
Discard	63	63	44	68	68

Source: NMFS eLandings data retrieved October 15, 2026. Quantities shown are for metric tons of herring.

Steelhead trout are not commonly caught incidentally in the BS or GOA fisheries. In recent years, only one steelhead trout was caught in the GOA.

Table 3-3 Count of steelhead trout discarded by processors.

	2022	2023	2024	2025	2026
BSAI					
Discard	0	1	0	0	0
GOA					
Discard	0	0	0	0	0

Source: NMFS eLandings data retrieved October 22, 2026. Quantities shown are for numbers of steelhead trout.

3.3 Groundfish on PSC Status

Each year, the Council recommends a Total Allowable Catch (TAC) amount to manage stocks of groundfish based on the best available scientific information. NMFS establishes TACs and other applicable catch limits for individual groundfish species and species groups. Throughout the fishing year, NMFS uses catch reports, observer data, and EM data to track harvest against these limits. NMFS managers use this information to determine if a TAC has been or will be reached and closes fisheries to

directed fishing, or takes other management measures, to avoid exceeding a TAC. During the fishing year, a groundfish species generally falls under one of three management conditions:

- **Open to directed fishing.** Vessels may target and retain the species subject to applicable allocations and other management measures.
- **Closed to directed fishing.** NMFS may close directed fishing before the TAC is fully harvested to ensure sufficient TAC remains available for catch in other fisheries. Once closed, vessels may no longer engage in directed fishing for the species, but generally may retain incidental catch up to the applicable maximum retainable amount (MRA). Vessels sometimes deliberately target valuable species up to the MRA, such as Pacific cod, while directed fishing for other species when directed fishing for the valuable species is closed. This is an activity called "topping off", where a vessel will intentionally target species that are closed to directed fishing and retain an amount of those species as close to the MRA as possible.
- **Prohibited to retention.** When the TAC is projected to be reached, NMFS prohibits retention of a species by placing it on PSC status. Once a groundfish species is placed on PSC status it must be treated in the same manner as a prohibited species as described in § 679.21(a), which are handling instructions for species listed in Table 2b to part 679 (§ 679.20(d)(2)). Vessels must discard all catch of a species while on PSC status unless retention is required under other regulations, such as the trawl EM requirements or rockfish retention requirements for fixed gear catcher vessels. Catch of these species is often unavoidable while prosecuting other fisheries so catch often continues after a groundfish species is put on PSC status. The retention prohibition is intended to discourage additional intentional harvest by preventing the catch from being sold, subject to applicable exceptions.

Groundfish species or species groups placed on PSC status in recent years include:

- Rougheye/blackspotted rockfish
- Other rockfish
- Shortraker rockfish
- Pacific cod
- Pacific ocean perch
- Big skate
- Longnose skate
- Demersal shelf rockfish
- Sablefish

Unlike the species designated as PSC in Table 2b to part 679, groundfish may move from authorized retention to prohibited retention during the fishing year through a NMFS inseason management action. Until a species enters PSC status, a processor may legally receive and process the species. A species may be on PSC status for one gear type or one reporting area. A processor may be receiving catch from one area where a species is open to retention, and another delivery where that same species is prohibited to retention. Processors must carefully track each offload, verifying whether each species is on PSC status.

Donation of groundfish species is not currently authorized under the PSD program. Regulations at § 679.20(j), described in more detail in section 3.6.5, require fixed gear catcher vessels using hook-and-line, pot, or jig gear to retain and land all rockfish caught while fishing for groundfish or Individual Fishing Quota (IFQ) or Community Development Quota (CDQ) halibut. When a rockfish species is placed on PSC status, these regulations continue to require retention and allow the delivered fish to be donated, retained for personal consumption, or processed into fish meal. Donation under these provisions occurs outside the PSD program, and the fish may not enter commerce through sale, barter, or trade except as fish meal.

In contrast, trawl EM catcher vessels are required to retain PSC, such as Pacific ocean perch while it is in PSC status, but the associated processor is not allowed to donate those fish or process them into fish meal. This situation is described in more detail in section 3.6.4.

eLandings does not directly identify groundfish delivered while a species is on PSC status. Identifying these deliveries requires evaluating each species against the effective dates and scope of applicable management actions, including the area, fishery, and sector affected, as well as applicable retention exceptions. This is discussed in more detail including estimates of groundfish delivered while on PSC status, in section 3.7.3.

3.4 Forage Fish, Grenadiers, Squids, and Sculpins

Forage fish, grenadiers, squids, and sculpins are noted in this discussion paper in case the Council wants to expand the discussion on consistency on disposal requirements for all species a processor may receive and clarify what can be done with those species. There are current regulations that clearly define what a shoreside processor can do with these fish. Since these species are not a PSC species defined in Table 2b to part 679 or groundfish on PSC status, this was not analyzed further. However, the status quo for these species is described below for reference.

Forage fish and grenadiers retained in amounts up to the MRA may be processed only into fishmeal for sale, barter, or trade. Squids and sculpins retained in amounts up to the applicable MRA may be sold to a processor or processed into any product form, including fishmeal, bait, and whole fish/food fish, for sale, barter, or trade. Amounts of any of these species exceeding the MRA must be discarded. No changes have been made to the following regulatory text, it has been provided for reference only.

§ 679.20(i) Forage fish, grenadiers, squid, and sculpins-

* * *

(4) ***Limits on sale, barter, trade, and processing of forage fish and grenadiers.*** The sale, barter, trade, or processing of forage fish and grenadiers is prohibited, except as provided in paragraph (i)(5) of this section.

(5) ***Allowable fishmeal production of forage fish and grenadiers.*** Retained catch of forage fish or grenadiers not exceeding the maximum retainable amount may be processed into fishmeal for sale, barter, or trade.

(6) ***Allowable fish products for squids and sculpins.*** Retained catch of squids and sculpins not exceeding the maximum retainable amount may be sold to a processor or processed into any product form, including (but not limited to) fishmeal, bait, and whole fish/food fish, for sale, barter, or trade.

* * *

3.5 State of Alaska Managed and Non-Groundfish Species

Species designated as PSC in federal groundfish fisheries are also caught incidentally in state-managed and other non-groundfish fisheries. Their retention and disposition are governed by the requirements applicable to those fisheries; designation as PSC in a federal groundfish fishery does not automatically extend to other fisheries. Changes considered in this discussion paper would therefore need to account for differences in applicable state and federal requirements if this action moves forward for further analysis.

3.6 Handling of PSC

3.6.1 General PSC Handling Requirements for Vessels

Operators of vessels engaged in directed fishing for groundfish in the BSAI or GOA must minimize their catch of prohibited species whenever possible. Regulations at § 679.21(a) require vessel operators to return PSC to the sea immediately with a minimum of injury (unless retention is required by some other regulation). If an observer is aboard, the vessel operator must allow for sampling of PSC before discarding. Some PSC is expected to be incidentally harvested in most groundfish fisheries, but requiring vessel operators to discard PSC incentivizes vessels to avoid PSC.

NMFS and the Council regularly evaluate PSC monitoring and management. As a result, regulations requiring full retention of certain PSC species have been implemented in recent years. These actions were established to facilitate precise accounting and allow for the collection of biological samples by shoreside and at-sea observers for PSC species (*e.g.*, collection of salmon genetics information). The following recent actions have required retention of PSC species:

- Required Retention of Salmon PSC in pollock and groundfish fisheries
    - BS - All salmon from BS pollock fisheries must be retained and accounted for.
        - Amendment 91 (75 FR 53026, August 30, 2010)
        - Amendment 100 (80 FR 11897, March 5, 2015)
    - GOA - All salmon from groundfish fisheries must be retained and accounted for.
        - Amendment 93 (77 FR 42629, July 20, 2012)
        - Amendment 97 (79 FR 71350, December 2, 2014)
- Trawl EM (89 FR 60796, July 29, 2024) - All PSC from trawl EM catcher vessels must be retained and accounted for after delivery to a shoreside processor or stationary floating processor.

Similarly, several actions have been implemented in recent years that require retention of some or all groundfish species when placed on PSC status. The Council has modified retention and discard requirements for species that have been placed on PSC status under the following actions:

- Rockfish Retention (85 FR 9687, February 20, 2020)
- Trawl EM (89 FR 60796, July 29, 2024)

Further discussion on the impacts and benefits of requiring retention of PSC can be found in the accompanying analyses for those actions on the NMFS Alaska Region website, but short descriptions of the above actions and the reasons to require retention are provided below. All of these actions have proven successful in providing more precise catch estimates of PSC and opportunity to collect data that is used for management decisions without increasing overall catch of those species.

3.6.2 General PSC Handling at Processors

When a processor receives a delivery, plant personnel sort the catch and set aside salmon and halibut for observer sampling. Many plants operate under a NMFS-approved CMCP, which describe how catch is offloaded, sorted, and counted/weighed. The CMCP and observers support accurate accounting of PSC, and allow collection of salmon genetic samples. Once the sampling of PSC is complete, if the processor is in the PSD program, the processor can assess whether salmon and halibut PSC are suitable for donation. Donation depends on several factors including an assessment of fish size, quality, age, and processor staff availability. PSC identified for the PSD program are processed under the direction of the authorized distributor, and any remaining PSC deemed unsuitable for donation must be disposed of according to applicable requirements.

For salmon delivered from the BS directed pollock fishery, the regulation at § 679.21(f)(15)(iv) explicitly requires that fish not retained under the PSD program be returned to the sea as soon as practicable after observer counting and sampling are complete. In the GOA, the regulation at § 679.21(h)(7) requires salmon outside the PSD program to be discarded after applicable accounting and sampling requirements are met. Under § 679.2 and § 600.10, discard "means to release or return fish to the sea, whether or not such fish are brought fully on board a fishing vessel."

Depending on the port and processor, the method of disposing of fish onshore varies. Most processors grind fish waste and discharge through outfall lines. In communities like Kodiak, all processors utilize a community fish meal plant for disposal of fish waste since these processing plants cannot grind and discharge fish waste into the ocean due to environmental concerns. Historically, Kodiak processors have handled PSC with other fish waste sent to the local fish meal plant. That practice is described here as an operational practice due to its wide use for many years, rather than an explicit regulatory authorization. Clearer processor disposal provisions would help establish consistent handling requirements for delivered PSC that cannot be donated, including whether those fish may be converted to fish meal that is later sold.

3.6.3 Required Retention of Salmon

Regulations specify handling requirements for salmon in the BS pollock fishery (§ 679.21(f)(15)) and all GOA (§§ 679.21(h)(6) and (7)) fisheries. Discarding salmon is prohibited, and all salmon are retained for sampling by either an onboard or shoreside observer. These salmon must be accurately accounted for through the eLandings at-sea production report or eLandings groundfish landing report. The AI pollock fishery does not require vessels to retain salmon. Some vessels retrieve their codend and dump most catch into RSW tanks with limited sorting on deck, while other vessels sort as fish are brought up on longlines or in pots. For pollock and some groundfish fisheries, catch is offloaded from the RSW tank using a pump which transports the fish into the shoreside processing facility or the factory of the Catcher/Processor vessel. Once in the processing facility or factory, catch is transported over sorting belts where processing staff or crew sort out all salmon and place them in a NMFS-approved location. Salmon remain in this location until an observer is able to identify and count each salmon and conduct biological sampling. If both a vessel and the processor participate in the PSD program, processing staff determine whether each salmon is fit for human consumption and subsequent donation to the PSD program. Salmon not fit for human consumption are required to be discarded. In the BS pollock fishery, these salmon are always placed back on the vessel and discarded at sea per § 679.21(f)(15)(iv). If either the catcher vessel or processor are not in the PSD program, all salmon are required to be discarded after an observer has had the opportunity to sample them.

3.6.4 Trawl Electronic Monitoring (EM) Category PSC

Vessels in trawl EM must minimize discards to the greatest extent possible including PSC species, except in limited circumstances (*e.g.*, safety and stability, large organisms that do not fit in the RSW tank, jellyfish). This means PSC species must be retained and accounted for at the processor. During the development of trawl EM, the sale of fish meal from PSC products was explicitly allowed. Under Exempted Fishing Permit (EFP) 2019-03, processors were able to dispose of trawl EM PSC by processing it into fish meal, fish oil, or bone meal. While not explicitly allowed prior to the EFP, this was a longstanding practice in Kodiak, AK. Processors in Kodiak have historically disposed of PSC and fish waste at the fish meal plant located on the island. All shoreside processors pay a fee to keep the fish meal plant functioning. Profits from fish meal sales are distributed to shareholders of the fish meal plant. These shareholders include some of the processors in Kodiak and other outside investors.

Current regulations have resulted in confusion at GOA processors accepting trawl EM deliveries. Prior to the regulations implementing trawl EM in 2025, GOA and BSAI pollock processing plants had different levels of observer coverage. GOA processors were in the partial coverage category and typically only had an observer present when they were stationed onboard a delivering vessel who would sample salmon

from that fishing trip. In the BSAI, American Fisheries Act (AFA) inshore processors have always been in the full coverage category and must provide an observer for each 12-consecutive-hour period of each calendar day during which the processor takes delivery of, or processes groundfish harvested by, a vessel engaged in the directed pollock fishery in the BS.

Currently, all processors receiving deliveries from catcher vessels or tender vessels in trawl EM must have a NMFS-approved CMCP (§ 679.28(g)). Details within the CMCP are customized for each processor based on their individual operations, and the monitoring objectives specified in the NMFS's Annual Deployment Plan.

3.6.5 Rockfish PSC exemption for fixed gear catcher vessels

In March 2020, NMFS revised regulations to implement amendment 119 to the BSAI FMP and amendment 107 to the GOA FMP (85 FR 9687, February 20, 2020). This final rule required that the operator of a federally permitted catcher vessel using hook-and-line, pot, or jig gear in the BSAI and GOA retain and land all rockfish (*Sebastes* and *Sebastolobus* species) caught while fishing for groundfish or halibut. This action was implemented to improve identification of rockfish species caught by vessels using EM, provide more precise estimates of rockfish catch, reduce waste and incentives to discard rockfish, reduce overall enforcement burden, and promote more consistent management between State and Federal fisheries.

Under amendments 107 and 119, rockfish retention is required even when a rockfish species is placed on PSC status through a NMFS management action authorized in § 679.20(d)(2). These amendments established a maximum commerce allowance (MCA) of rockfish landed at a processor. The MCA is a limit expressed as a percentage of the total harvest of target species that can be sold. The intent of the MCA was to remove financial incentives to continue to harvest rockfish once a rockfish species was placed on PSC status, while still requiring retention of all rockfish.

When a rockfish species is placed on PSC status, the MCA percentage is set to zero. Vessel operators are required to retain these species, but they cannot enter commerce except as fish meal. Rockfish that cannot legally enter commerce, may be donated, disposed of, or retained for personal use as authorized by regulations at § 679.20(j). In developing these requirements, the Council recognized that allowing donation provides a means to utilize the fish without creating the financial incentive that a prohibition on retention is intended to remove.

While fish meal does have some value, and is considered a fish product that enters commerce, the value of fish meal is considered to be low. As such, amounts of rockfish in excess of the MCA may be sold as fish meal (§ 679.20(j)(2)(iii)). The analysis of amendment 119 to the BSAI FMP (85 FR 9687, February 20, 2020) and amendment 107 to the GOA FMP (85 FR 9687, February 20, 2020) determined it was unlikely that a vessel would harvest additional rockfish for the value they would receive if that rockfish is processed into fish meal, and there is no indication that this has changed.

3.7 Fish Meal, Fish Oil, and Bone Meal Conversion

Converting fish waste to fish meal, fish oil and bone meal provides a way for processors to utilize fish waste that would otherwise be discarded. Fish meal plants receive a mixture of processing byproducts, including heads, guts, bones, skin, and other material not used for human consumption. Large processors, such as those in Unalaska, AK and Akutan, AK, have fish meal plants to dispose of waste as part of their processing facility. In Kodiak, the Kodiak Fishmeal Company is a single facility that serves the community and seafood processors across multiple fisheries including sport fish waste and converts this fish waste to fish meal, fish oil and bone meal through a shared facility. The final rule implementing the PSD program specifically allowed offal to be converted into fish meal, fish oil, and bone meal (69 FR

52609, August 27, 2004). Processors are not required to convert catch into fish meal, and may dispose of rancid or catch in excess of their processing capacity.

Fish waste and unwanted fish is transferred from the processor to a fish meal plant similar to how a garbage truck picks up trash for delivery to an incinerator. All sources of fish waste are combined and ground up. That ground fish waste is then cooked, pressed to remove water and oil, and dried. Fish oil is collected when pressing the ground fish waste. After drying, bones are sorted with screens and ground into bone meal. The final stage is dried fish meal which is stored in bags to be converted into other products in secondary processing facilities. The finished products of fish meal, fish oil, and bone meal are used as a protein ingredient in aquaculture, livestock and pet feeds, fertilizers, and human health supplements.

Fish meal production typically recovers approximately 10 to 25 percent of the original wet weight as dried meal. The dryness of the final product and other factors affects the product recovery rate (PRR). NMFS assumes 17 percent as identified in Table 3 to part 679. Simply put, you need approximately 6 mt of round weight to produce approximately 1 mt of fish meal. This PRR was established when the agency relied on production reports for catch estimation and the need to calculate final product weight back to round weight. This PRR is an assumption, and is likely not precise, as no recent studies have evaluated advances in processing technology that may have improved efficiency. Industry participants in various processing facilities have stated that the current PRR for fish meal is around ten to twelve percent of the fish waste weight. This difference is likely due to technological advances that allow for more efficient processing and removal of water.

Processing catch into fish meal, fish oil, and bone meal, is energy intensive and along with packaging and transporting that product, imposes a cost on processors, which offsets potential profits from selling these products. NMFS cannot quantify these costs.

There are two reports that provide estimates of fish meal production; production reports and product transfer reports. Fish meal data is reported in metric tons. While some data exists from product transfer reports and production reports, these data are only available for processors that process fish meal onsite. As discussed above, in Kodiak, fish waste from different fisheries enters a shared secondary processing facility. This includes fish waste from State of Alaska managed salmon and Pacific herring fisheries and fish waste (*e.g.*, halibut spines and heads) from processing halibut landed under the IFQ program. NMFS does not currently require reporting from secondary processing facilities such as the Kodiak fishmeal facility.

NMFS does not require processors to weigh and report fish waste or what the fish waste includes. Therefore any information provided on fish meal production is an estimation only, and NMFS cannot quantify the total amount of fish meal production.

An additional complication when trying to apply fish meal to PSC species is that processors are not required to weigh every PSC species. Salmon and crab are reported as counts of fish. Therefore trying to estimate how much fish meal is actually produced from round PSC weight is difficult because weight data is not always available. As a result, the economic value of PSC entering the waste stream as fish meal, and its contribution to finished fish meal cannot be estimated with any degree of precision. In all cases, the proportion of PSC relative to overall fish meal production is nominal.

3.7.1 Potential Value of Halibut Fish Meal

To understand the scope of this discussion regarding the impacts of halibut PSC being processed as fish meal, NMFS has estimated the potential value of fishmeal made from halibut PSC by taking the weight of halibut PSC reported in eLandings, applying the appropriate PRR to derive the amount of fish meal that could be produced, and then multiplying that by the estimated price of fish meal.

Table 3-4 summarizes the amount of halibut PSC delivered to processors by all catcher vessel sectors, excluding halibut harvested in directed halibut IFQ and CDQ fisheries (which is not PSC). The delivered halibut is shown as the amount that was either donated or discarded by the processor. Total halibut mortality estimates are available on the NMFS Alaska Region website.

Table 3-5 summarizes the amount of halibut PSC delivered to processors by trawl EM catcher vessels. The delivered halibut is shown as the amount that was either donated or discarded by the processor. Table 3-5 shows that the majority of all halibut landed in the BSAI were delivered by trawl EM catcher vessels. In the GOA, most of the halibut is delivered by vessels not participating in trawl EM. Further analysis on which fisheries delivered halibut to processors, and the reasons for the difference in 2026, could be discussed in future analysis. The majority of halibut PSC by weight is from trawl vessels and, in 2025, this amount represents a tiny proportion of the trawl halibut bycatch limit (approximately 1 percent).

Table 3-4 Weight of halibut PSC (mt) donated or discarded by processing plants (all non-IFQ/CDQ catch)

	2022	2023	2024	2025	2026
BSAI					
PSD program	5.7	2.2	4.4	7.3	9.4
Discard	8.9	7.0	6.0	11.8	11.8
GOA					
PSD program	1.5	1.1	2.6	0.7	0.1
Discard	16.7	19.5	33.1	24.8	27.5

Table 3-5 Weight of halibut PSC (mt) donated or discarded by processors (trawl EM)

	2022	2023	2024	2025	2026
BSAI					
PSD program	1.63	1.17	4.43	7.27	9.14
Discard	4.72	3.58	3.81	8.70	9.33
GOA					
PSD program	0.32	0.06	0.66	0.11	0.04
Discard	0.39	0.75	0.28	0.30	0.47

The discard quantities, excluding PSD program donations, in Table 3-4 were used to estimate potential meal production and gross revenue. For this calculation, we assume conversion to fish meal is permitted and all reported discard quantities are converted. PRRs of 9 and 17 percent are applied, drawing on processor information cited in the 2003 NMFS analysis and the published groundfish meal PRR in Table 3 to 50 CFR part 679. These rates are estimations, not verified recovery rates for PSC. Recent communications with processors suggest recovery rates of 10 to 12 percent, which is within the evaluated range. The analysis for the final rule that allowed processors to use the offal from salmon and halibut intended for the PSD program estimated a PRR of 4 to 12 percent (69 FR 52609, August 27, 2004).

Estimated fish meal production is multiplied by $1,510 per metric ton, using the 2025 annual global benchmark fish meal price published through Federal Reserve Economic Data. The same price is applied to all years for comparison and does not represent actual historical prices received by Alaska processors.

The calculations are as follows:

Potential meal production (mt) = discard round weight (mt) × PRR (.09 -.17)
Potential gross meal revenue = potential meal production (mt) × $1,510/mt

Table 3-6 Halibut discard weights and estimated potential annual fish meal production and potential gross revenue, 2022–2026.

Area	Halibut discard (mt)	Annual meal at 9% PRR (mt)	Annual meal at 17% PRR (mt)	Annual gross revenue at 9%	Annual gross revenue at 17%
BSAI	6.0 - 11.8	0.5 - 1.1	1.0 - 2.0	$815 - $1,604	$1,540 - $3,029
GOA	16.7 - 33.1	1.5 - 3.0	2.8 - 5.6	$2,270 - $4,498	$4,287 - $8,497

Source: NMFS eLandings data retrieved October 15, 2026. Quantities shown are for halibut and exclude PSD program donations. Ranges represent minimum and maximum annual estimates during 2022–2026. Potential revenue is rounded to the nearest dollar.

While not specifically authorized in regulations, some halibut PSC is converted to fish meal. However, it is not possible to distinguish the percentage of delivered halibut PSC that went to fish meal compared to discards with available data as discussed in section 3.1.1. When converted to fish meal, PSC is also mixed with processing waste from other species, making it difficult to determine the exact percentage of overall revenue derived from halibut. This fish waste also would include the racks (backbone and ribs), heads and other waste products from legally caught and delivered halibut in the IFQ/CDQ fisheries. These amounts of halibut waste are not possible to quantify and are not included in these estimates.

These calculations provide an approximate range, likely overestimating revenue, as they assume the entire discarded quantity goes to meal, rather than some portion still being disposed of at sea. At the highest assumed PRR, estimated annual gross revenue does not exceed $3,029 in the BSAI or $8,497 in the GOA for the amounts of halibut PSC delivered to processors, excluding PSD program donations.

These values represent potential gross revenue, not net financial returns. Fish meal conversion is energy intensive; including labor, packaging, storage, and transportation costs that are necessary to create a marketable end product. These costs are not estimated or deducted from the above totals, meaning these estimates overstate the potential net financial benefit of fish meal sales. Potential revenue from separately recovered fish oil or bone meal is excluded, as those quantities and values are unknown.

3.7.2 Potential Value of Salmon Fish Meal

To understand the scope of this discussion regarding the impacts of salmon PSC being processed as fish meal, NMFS has estimated the potential value of fishmeal made from salmon PSC by taking the weight of salmon PSC reported in eLandings, applying the appropriate PRR to derive the amount of fish meal that could be produced, and then multiplying that by the estimated price of fish meal. In most cases processors provide a weight along with the count of salmon in eLandings, allowing for the use of those reported weights for this calculation.

Processors are required to report salmon PSC by count, and salmon PSC limits are managed by number of fish rather than weight. However, processors typically voluntarily report both counts and weights in eLandings. Table 3-9 summarizes reported weights of Chinook and non-Chinook salmon PSC to support estimates of potential meal production and gross revenue. These estimates do not include any landings

from State managed salmon fisheries, only salmon harvested in groundfish fisheries and identified as PSC.

Table 3-7 Count of Chinook salmon donated or discarded by the processor.

	2022	2023	2024	2025	2026
BSAI					
PSD program	1,357	2,399	2,814	4,456	3,649
Discard	2,465	2,862	1,066	4,809	1,489
GOA					
PSD program	3,144	919	7,853	2,879	1,953
Discard	12,825	19,370	13,529	15,092	15,623

Table 3-8 Count of non-Chinook salmon donated or discarded by the processor.

	2022	2023	2024	2025	2026
BSAI					
PSD program	46,650	22,436	14,227	27,623	36,878
Discard	86,115	44,352	7,765	46,232	55,781
GOA					
PSD program	177	17	1,831	621	12,180
Discard	988	2,452	2,313	872	1,129

Table 3-9 Weight (mt) of salmon reported and discarded by the processor.

	2022	2023	2024	2025	2026
BSAI					
Chinook	6.3	6.0	2.8	11.3	4.4
Non-Chinook	173.7	86.4	17.3	78.7	129.6
GOA					
Chinook	32.6	33.5	39.4	39.7	36.2
Non-Chinook	2.8	4.4	10.9	3.3	22.2

Table 3-10 Salmon discard weights and estimated potential annual fish meal production and potential gross revenue, 2022–2026.

Area	Species group	Salmon weight (mt)	9% PRR (mt)	17% PRR (mt)	Potential gross revenue at 9%	Potential gross revenue at 17%
BSAI	CHNK	2.8–11.3	0.3–1.0	0.5–1.9	$381 –$1,536	$719 – $2,901
BSAI	NCHN	17.3–173.7	1.6–15.6	2.9–29.5	$2,351 –$23,606	$4,441 –$44,589
GOA	CHNK	32.6–39.7	2.9–3.6	5.5–6.7	$4,430 –$5,395	$8,368 –$10,191
GOA	NCHN	2.8–22.2	0.3–2.0	0.5–3.8	$381 –$3,017	$719 –$5,699

Source: NMFS eLandings data retrieved October 15, 2026. Quantities shown are for Chinook (CHNK) and non-Chinook (NCHN) salmon. Ranges represent minimum and maximum annual values as meal during 2022–2026; 2026 data are partial-year. Potential revenue is rounded to the nearest dollar.

The data limitations described in section 3.1.1 also apply to Table 3-10. The amounts listed in Table 3-10 are likely overestimates, as they assume all reported discard quantities are converted to fish meal, rather than some portion still being disposed of at sea. BSAI salmon quantities in Table 3-10 only include the required discards that were returned to the sea. These values represent potential gross revenue, not net financial returns.

3.7.3 Potential Value of Groundfish PSC Fish Meal

To understand the potential effects of allowing groundfish PSC to be processed into fish meal, analysts estimated potential meal production and gross revenue using the weight of groundfish reported in eLandings as delivered after those species were placed on PSC status. These estimates apply the PRRs and fish meal price described in section 3.6.1.

Groundfish PSC closures generally occur later in the year as available TACs are reached or exceeded. Not all species placed on PSC status are commonly caught or retained by catcher vessels except where they are required to be retained, such as Trawl EM and fixed gear rockfish. As discussed in section 3.6.5, fixed gear vessels must retain rockfish species even when those species are on PSC status, and these fish may be used for fish meal (disposition code 41) or personal use (code 95). However, confusion about these allowances and reporting practices makes it difficult to determine how much was utilized. Most delivered groundfish PSC is reported as discarded onshore (code 99) even though its ultimate disposition may have been for meal or human consumption by local residents under the allowances provided with rockfish retention.

In 2022, Pacific Ocean Perch (POP) was placed on PSC status in the Central GOA on October 12, 2022. POP are common incidental catch species in pollock fisheries operating under the Trawl EM program. In 2025, shortraker rockfish were encountered in large numbers in the Central GOA pollock fishery. The estimates provided in Table 3-11 are deliveries of POP and shortraker PSC by vessels mostly operating under the maximized retention requirements of the Trawl EM program.

The data limitations described in section 3.1.1 also apply to Table 3-11 and Table 3-12. This analysis assumes that all groundfish delivered to processors after being placed on PSC status would be available for conversion to fish meal if the Council recommended that groundfish PSC are allowed to be disposed

of as meal. These estimates likely overstate additional meal production and revenue because some fish are already utilized and some would continue to be discarded at sea after delivery to the processor. All estimated values represent potential gross revenue, not net financial returns.

Table 3-11 Weight (mt) of groundfish placed on PSC status after the management action reported and discarded by the processor.

	2022	2023	2024	2025
BSAI				
Groundfish PSC	0.0	0.1	0.0	0.0
GOA				
Groundfish PSC	149.2	0.0	0.0	50.2

Table 3-12 Groundfish PSC weights and estimated potential annual fish meal production and gross revenue, 2022–2025.

Area	Groundfish PSC (mt)	Meal at 9% PRR (mt)	Meal at 17% PRR (mt)	Gross revenue at 9%	Gross revenue at 17%
BSAI	0.0–0.1	0.0–0.0	0.0–0.0	$0 –$7	$0 –$13
GOA	0.0–149.2	0.0–13.4	0.0–25.4	$0 – $20,273	$0 –$38,294

Source: NMFS eLandings data retrieved October 30, 2026. Quantities shown are for groundfish delivered to processors after being placed on PSC status. Ranges represent minimum and maximum annual estimates during 2022–2025. Quantities are rounded to one decimal place and potential revenue to the nearest dollar.

3.7.4 Combined Potential Value of PSC as Fish Meal

Even under assumptions likely to overestimate meal production and revenue, the combined upper estimate of gross revenue for halibut, BSAI salmon, and groundfish PSC total approximately $97,000 in total potential gross revenue across all processing plants and deliveries included in this analysis in the BSAI and GOA. This estimate applies a 17 percent PRR, the upper end of the potential PRR analyzed. Consistent with other sections this calculation used fish meal price using the 2025 annual global benchmark fish meal price published through Federal Reserve Economic Data of $1,510/mt. It combines maximum annual estimates that did not necessarily occur in the same year and therefore represents an upper-bound scenario rather than revenue estimated for a single year.

These values represent potential gross revenue, not net financial returns. Fish meal conversion is energy intensive; including labor, packaging, storage, and transportation costs that are necessary to create a marketable fish meal, fish oil and bone meal. These costs are not estimated or deducted from the above totals, meaning these estimates overstate the potential net financial benefit of fish meal sales. Potential revenue from separately recovered fish oil or bone meal is excluded, as those quantities and values are unknown but the total fish meal, fish oil and bone meal are assumed to be within the range of PRRs analyzed.

Overall, these estimates of PSC delivered to processors are extremely low compared to deliveries of total fish delivered to processors. For example in 2025, 149 mt of non-herring PSC, 50 mt of groundfish PSC, and 2,462 mt of herring PSC was delivered to processors for a total of 2,661 mt of PSC. Contrast this with

a total of approximately 833,500 mt of groundfish delivered to processors (shoreside and stationary processors), the total PSC delivered represents approximately 0.32% of total groundfish landings, highlighting that there is likely no financial incentive to harvest PSC, in any form, that would be disposed of through conversion to meal. Note these estimates do not include legal salmon or halibut harvest processors receive.

3.8 Options to allow PSC to be disposed of as Fish Meal, Fish Oil, and Bone Meal

Currently, processor managers in communities other than Kodiak place PSC aboard a catcher vessel for discard at sea, which results in additional costs for the operator of the processor and catcher vessel. In lieu of discarding at sea, processor managers in Kodiak have sent PSC that cannot be donated through the PSD program to the Kodiak fishmeal plant. This practice is not consistent with current regulations as described in this paper. Processor managers do not control what catch, PSC included, is mixed in with deliveries of the target species. Regardless, they must still sort, report and dispose of those species as specified by Federal regulations. The question that needs to be clarified in regulation is what is permissible for a processor to do with certain species they receive and must dispose of.

3.8.1 Status Quo

Status quo is discussed in more detail in prior sections of this paper. Generally, regulations governing PSC handling and discard focus on what vessel operators must do and are unclear about disposal options for processors receiving these fish. Under § 679.21(a), PSC must be returned to the sea by the vessel operator unless an exception allows, or requires, retention and processors must discard that PSC. The definition of "Discard" at § 600.10 means releasing or returning fish to the sea. In the absence of additional regulatory clarity that explicitly allows other disposal methods, processors must return PSC, that is not donated, to a vessel for discard at sea. Requiring PSC to be returned to the sea imposes costs on the industry to store, transport and discard these fish. This can be viewed as increasing overall fish waste that could otherwise be utilized and may have additional environmental impacts.

Regulations implementing trawl EM at § 679.7(j)(2)(ii)(F) specify that any PSC harvested or delivered by a vessel in trawl EM cannot be sold, purchased, bartered, or traded (89 FR 60796, July 29, 2024). The intent was to further clarify that required retention of PSC did not change the broad prohibitions on the sale of PSC in order to not allow any financial incentives that could impact PSC avoidance. Since fish meal is sold, despite being low value, this regulation prohibits conversion to fish meal as a valid method of disposal.

During the EFP, disposing of PSC by sending it to a fish meal plant was listed as an acceptable method of discarding, as described in section 3.6.4. However, the regulations implementing the trawl EM program did not explicitly allow PSC to be converted into fish meal and sold. If the Council decides to take action, it could clarify whether it intended to allow PSC retained through the trawl EM program to be sold as fish meal. NMFS's stated policy preference after this problem was identified is to allow PSC retained by trawl EM participants to be processed and sold as fish meal, fish oil, or bone meal. This stated policy preference needs to be clarified in regulations.

Regardless, the change between how PSC was handled under the Trawl EM EFP and the implemented program has created confusion for processors and for shoreside observers largely resulting from mislabeled PSC storage and communication issues. In those situations, PSC that was intended to be loaded onto a catcher vessel for discard was misidentified as an uncounted PSC. NMFS resolved this issue, removing the duplicative counting of PSC and ensuring accurate and full accounting of PSC.

Under status quo, rockfish may be placed on PSC status, and has the potential for causing confusion. Catcher vessels using fixed gear must retain all rockfish, regardless of PSC status, while catcher vessels using trawl gear and not participating in the trawl EM program must discard these same rockfish. This

difference in retention requirements between fixed gear harvest and trawl harvest became apparent in 2025, when NMFS prohibited retention of shortraker rockfish in the Central GOA effective April 15. After that date, processors could receive shortraker rockfish that fixed gear catcher vessels were required to retain and could legally donate those fish outside of the PSD program or dispose of them through conversion into fish meal. However, shortraker rockfish required to be retained and delivered under trawl EM had to be returned to a vessel for disposal at sea. Consequently, a processor receiving the same PSC species is facing different disposal requirements depending on the gear and management program used to harvest it. This example illustrates the challenges processors face with different disposal requirements for delivered groundfish subject to prohibited retention resulting in confusion.

Under the status quo, confusion and economic inefficiencies for industry participants would continue. The current regulations also do not mirror the NMFS' stated policy preference for how to dispose of PSC in the Trawl EM program. Modifying PSC regulations to clarify what processors must do to dispose of fish could result in improved efficiency and a reduction of overall waste within the fisheries. NMFS has identified regulations that could be revised or developed regarding the retention and allowable utilization of PSC which could provide industry participants additional flexibility while increasing efficiency.

3.8.2 Option 1: Resolve PSC Issues only for Trawl EM

Revising regulations to allow PSC that is required to be retained under trawl EM to be processed by a shoreside processor as fish meal, fish oil, or bone meal and then sold could resolve the issues described under section 3.8.1. **Specifically, the Council could consider revising the regulation at § 679.7(j)(2)(ii)(F) to exempt PSC processed as fish meal, fish oil, or bone meal from the general prohibition on sale, barter, or trade of PSC.** This would clarify that processing plants can dispose of PSC received from trawl EM deliveries by processing it into fish meal, fish oil, or bone meal. Salmon and halibut PSC could continue to be donated through the PSD program or discarded at sea after shoreside observer sampling if processing as fishmeal is undesirable. There would be little to no incentive for a vessel participating in trawl EM to harvest more PSC and deliver that PSC to a processor as all current PSC limits, monitoring, and management would remain unchanged.

The Council could consider limiting this option to the GOA only, however analysts note that this is still likely to create confusion especially for processors that receive catch from both the GOA and BSAI in the trawl EM category. Additionally analysts can not determine any potential benefits for different applications/limitations at this time. With no incentives readily apparent for vessels in trawl EM to intentionally harvest more PSC as described in this paper. As such, the example draft regulations below apply this disposal allowance consistently for all processors when participating in the trawl EM program.

For example, draft regulations are shown as follows (revisions are shown using ~~strikethrough~~ (deletions) and underline (additions):

§ 679.7 **Prohibitions.**

§ 679.7(j)(2)(ii) ***Shoreside processors and stationary floating processors.***

* * *

(F) Allow any PSC harvested or delivered by a vessel in the trawl EM category to be sold, purchased, bartered, or traded, except as fish meal, fish oil, or bone meal.

* * *

§ 679.21 **Prohibited species bycatch management.**

§ 679.21(f)(15) ***Salmon handling.*** Regulations in this paragraph apply to vessels directed fishing for pollock in the BS, including pollock CDQ, and processors taking deliveries from these vessels.

* * *

(i) ***Salmon discard.*** The operator of a vessel and the manager of a shoreside processor or SFP must not discard, any salmon or transfer or process any salmon under the PSD Program at § 679.26 if the salmon were taken incidental to a directed fishery for pollock in the BS until the number of salmon has been determined by the observer and the observer's collection of any scientific data or biological samples from the salmon has been completed.

* * *

(iv) ***Discard of salmon.*** Except for salmon under the PSD program at § 679.26 or salmon retained by vessels participating in the trawl EM category at § 679.51(g), all salmon must be returned to the sea as soon as practicable, following notification by an observer that the number of salmon has been determined and the collection of scientific data or biological samples has been completed.

* * *

§ 679.21(h)(7) ***Salmon discard.*** Except for salmon under the PSD program defined in § 679.26 or salmon retained by vessels participating in the trawl EM category at § 679.51(g), all salmon must be discarded after the requirements at paragraph (h)(6)(ii) or (h)(6)(iii) of this section have been met.

* * *

PSC landed by trawl EM vessels are accounted for by NMFS inseason management, and these revisions would not change PSC limits, authorize additional harvest, or affect management. While these changes would allow disposal of PSC specific to trawl EM, the Council could analyze alternatives that include a broader approach as described below.

3.8.3 Option 2: Resolve PSC Issues for All Fisheries and Clarify How Processors Must Handle PSC

As described above, the confusion, increased waste and increased cost are derived from the requirement for shoreside or stationary floating processors to discard PSC they receive at sea. As such, the Council could consider a more broad approach to allow disposal of all PSC as fish meal. This would require revising regulations at § 679.7(j)(2)(ii)(F), §§ 679.21(f)(15)(i) and (iv), and § 679.21(h)(7) to clarify BSAI and GOA salmon and trawl EM PSC can be disposed of by being processed into fish meal, fish oil, or bone meal consistent with option 1.

In addition to revising those regulations identified in option 1, the Council could consider defining the term "Disposal of PSC" and revising other regulations as necessary to allow for disposal as fish meal, fish oil and bone meal for all PSC species. By defining this term to allow for the removal of PSC (including groundfish species on PSC status) from shoreside processors and stationary floating processors without entering commerce, except as fish meal, fish oil, or bone meal, or being retained for personal use, would allow for PSC to be treated similar to how other waste fish waste is handled. A vessel, not participating in a fishery that requires retention of PSC, would still be required to discard PSC at sea. This option would ultimately allow processors to send any PSC to fish meal, regardless of the associated fishery, after all other handling and sampling requirements were met (*e.g.*, salmon handling) and assessments for donation under the PSD program.

For example, draft regulations are shown as follows (revisions are shown using ~~strikethrough~~ (deletions) and underline (additions):

§ 679.2 **Definitions**

* * *

"Dispose" means to discard or process into fish meal, fish oil, or bone meal.

* * *

§ 679.21 **Prohibited species bycatch management.**

§ 679.21(f)(15) ***Salmon handling.*** Regulations in this paragraph apply to vessels directed fishing for pollock in the BS, including pollock CDQ, and processors taking deliveries from these vessels.

* * *

(i) ***Salmon discard.*** The operator of a vessel and the manager of a shoreside processor or SFP must not discard or dispose of any salmon or transfer or process any salmon under the PSD Program at § 679.26 if the salmon were taken incidental to a directed fishery for pollock in the BS until the number of salmon has been determined by the observer and the observer's collection of any scientific data or biological samples from the salmon has been completed.

* * *

(iv) ***Discard of salmon.*** Except for salmon under the PSD program at § 679.26, all salmon must be returned to the sea as soon as practicable or processed into fish meal, fish oil, or bone meal, following notification by an observer that the number of salmon has been determined and the collection of scientific data or biological samples has been completed.

* * *

§ 679.21(h)(7) ***Salmon discard.*** Except for salmon under the PSD program defined in § 679.26, all salmon must be discarded or processed into fish meal, fish oil, or bone meal after the requirements at paragraph (h)(6)(ii) or (h)(6)(iii) of this section have been met.

* * *

In addition to defining "Dispose of PSC", the Council could consider an option that includes adding a paragraph specifying how a shoreside processor or stationary floating processor would handle PSC that is being disposed of or processed into fish meal, fish oil, or bone meal. This addition would clarify how PSC should be handled by processors once they receive it from a catcher vessel, consistent with the Council's statement within the June 2026 motion that "regulations should clarify that processors may convert PSC [that a processor does not donate] into fish meal, oil, or bone meal and may sell those products to minimize waste and avoid having to return PSC to vessels for disposal at sea." This option would not alter PSC discard requirements for catcher vessels delivering to a processor.

Specifying in regulation that processors may process PSC into fish meal, fish oil, or bone meal (as described in example paragraph § 679.21(a)(7) below) would allow for the disposal of all PSC, including groundfish placed on PSC status, as fish meal, fish oil, or bone meal and clarify that those products can enter commerce. This would create consistent PSC handling requirements at all processors.

The Council could consider limiting what PSC is allowed to be disposed of, however this would increase the complexity of regulations and could create issues related to monitoring and enforcement. Should the Council wish to consider limiting processing of PSC as meal to specific categories or types of PSC, that should be specified and if so, this option would be addressed in further analyses.

The combination of these regulatory changes would provide increased clarity to processors on how to dispose of PSC they receive and result in less waste and increased economic efficiencies. As stated in other sections of this paper, analysts can not determine any potential benefits for different applications/limitations of PSC disposal requirements at this time. With no incentives readily apparent for

vessels to intentionally harvest more PSC, under current PSC management, the risk of this option on increasing overall PSC catch is considered to be negligible.

For example, draft regulations are shown as follows (revisions are shown using ~~strikethrough~~ (deletions) and underline (additions):

§ 679.21 ***Prohibited Species Bycatch Management***

* * *

(a)(7) ***Disposal of prohibited species catch by a shoreside processor or stationary floating processor.*** The manager of a processor that is processing groundfish in the GOA or BSAI must dispose of prohibited species catch as defined at § 679.2 and groundfish placed on prohibited species status.

* * *

4 Prohibited Species Donation (PSD) Program

As discussed in section 3, Alaska groundfish trawl fisheries result in incidental fishing mortality of non-groundfish species. Often, these species could be fully utilized in other fisheries, but must be discarded. Starting in 1993, there were a series of industry led projects examining the ability to donate incidentally caught salmon deemed to have 100 percent mortality to economically disadvantaged individuals. As a result of these projects, NMFS published a final rule to authorize a voluntary Salmon Donation Program (SDP) for Pacific salmon taken as bycatch in the groundfish trawl fisheries off Alaska (61 FR 38357, 07/24/1996), authorized under Amendments 26 and 29 to the BSAI and GOA Groundfish FMPs. Under the SDP, salmon could be donated to economically disadvantaged individuals by a tax-exempt organization through a NMFS-authorized distributor. The SDP supported industry initiatives to reduce waste from regulatory discards in the groundfish fisheries by processing salmon bycatch for human consumption. In 2000, the SDP was expanded to permanently allow for voluntary donations of Pacific halibut that are incidentally caught in the groundfish trawl fisheries off Alaska and delivered to shoreside processors, and was renamed the PSD program.

When the PSD Program was permanently established, the Final Rule (65 FR 78119, December 14, 2000) noted that the Council endorsed the IPHC recommendation to review the program every 3 years and assess whether regulatory changes should be pursued to respond to any management or enforcement concerns that may arise in the future. The Final Rule further stated that NMFS, the Council, and the IPHC will conduct a periodic review of the program and the regulations could be revised in the future, if necessary, to respond to new concerns. This periodic review of the PSD program has not consistently occurred and there is a backlog of revisions the Council could consider to update and modernize the program. As the PSD program has evolved over the past 30 years (*e.g.*, the addition of floating processors (67 FR 4148, January 28, 2002)), experience with its implementation has highlighted the need to evaluate which requirements are necessary under the PSD program. **The information within the following sections serve as an evaluation of ways to improve and modernize the PSD program, intended to fulfill the original intent of the Council to conduct periodic reviews of the PSD program and revise as necessary.**

4.1 PSD Program Overview

The PSD Program is governed by regulations at § 679.26. The PSD program relies on an organization serving as an authorized distributor, who can meet the requirements of the PSD program and oversee requirements for vessels and processors. To be permitted as an authorized distributor, an organization must submit an application that meets the 14 requirements set out in § 679.26(b)(1), such as proof of the

applicant's tax-exempt status. An authorized distributor must submit an application which describes its plan for distributing fish to specifically named food bank networks and hunger relief agencies. This plan must be reviewed and approved by the NMFS Regional Administrator.

The NMFS Regional Administrator may select one or more tax-exempt organizations to be authorized distributors under criteria listed in § 679.26(b)(2). Once selected, the PSD permit is issued for a three year period to an organization. If an authorized distributor modifies information on the PSD permit application, they must submit the modifications to NMFS and an updated permit can be issued. This includes any changes to the list of participating vessels or processors. The PSD is a voluntary program for vessels and processors and participants may change from year to year, resulting in updates to the permit.

The current PSD permits are posted publicly on the Alaska Region Website. Currently, SeaShare is the only organization permitted as an authorized distributor and has been the only authorized distributor since the inception of the PSD program. PSD permits are issued individually for salmon and halibut. Therefore, SeaShare holds two PSD permits, one for halibut and one for salmon.

The authorized distributor oversees the reporting and recordkeeping requirements that participating vessels or processors must adhere to under § 679.26(c) such as how donations under PSD must be packaged and labeled. Additionally, all processing, handling, and distribution of salmon and halibut under the PSD program must be carried out under the direction of an authorized distributor (§ 679.26(d)).

4.2 Increased Utilization of PSC Through Donation and Disposal

Expanding opportunities for donation and meal production would likely increase utilization of PSC that is already dead and would otherwise be required to be discarded by placing the fish back on a vessel for discard at sea. These fish are already landed, counted and accounted for in fisheries management, and utilizing these fish through the PSD program or by processing them into fishmeal would not change PSC limits, authorize additional harvest or affect management. This assessment assumes vessels would not be incentivized to increase PSC catch because they would receive no payment for these fish and would remain subject to strict PSC limits where applicable. Donation would provide food for people, while meal production would recover protein and other nutrients from fish unsuitable for human consumption, making greater use of catch that is already dead.

4.3 Options to Implement Administrative Updates to Modernize the PSD Program

There have been significant technological advances since the implementation of the PSD program, including the widespread availability of the internet, the implementation of EM programs, and modernization of recordkeeping and reporting (*e.g.*, eLogbooks). This section provides an evaluation of ways to improve and modernize the PSD program, intended to fulfill the original intent of the Council to conduct periodic reviews of the PSD program and revise as necessary.

4.3.1 Simplify the Application Process

A way to improve the PSD program is to simplify the application requirements for an authorized distributor permit. The analyses and rulemaking materials from the establishments of the SDP, Halibut Donation Program (HDP), and PSD program did not provide explanations for some of the requirements of the PSD program, especially the application process. Preliminary analyses by NMFS staff were not able to identify explanations for why an applicant seeking to become an authorized distributor in the PSD program must provide to NMFS a detailed application consisting of 14 requirements under § 679.26(b)(1). In the analysis for amendment 26, only six factors were included: 1) tax-exempt status; 2) bylaws stating the organization's primary purpose was to provide hunger relief; 3) a proposed operating budget that covered expenses related to donating and distributing salmon in a manner fit for human consumption; 4) documentation that regulatory requirements were met; 5) a description of transportation

and quality control mechanisms; and 6) the maximum number of vessels and processors that the applicant was able to effectively work with. Many of these requirements have been in place for thirty years and may no longer be relevant. NMFS now has a better understanding of how to improve the authorized distributor application process.

As an example, many of the application requirements for the PSD program (§ 679.26(b)(1)) were created when the SDP was newly created in 1996, such as providing bylaws of the organization and a proposed operating budget (NMFS 1996), and can be a challenge for NMFS staff to evaluate. The analyses and rulemaking materials from the establishments of the SDP, HDP, and PSD program did not provide explanations for some of the requirements of the PSD program, particularly the application and selection process, such as providing a proposed operating budget.

Of the 14 requirements, some regulations can be ambiguous and challenging for NMFS staff to assess, such as the requirement to submit "Proof of the applicant's ability to obtain and maintain adequate funding for the distribution of fish under the PSD program". Additionally, some requirements (*e.g.*, providing bylaws of their organization) could serve as a barrier to entry for entities interested in applying as an authorized distributor. A brief assessment of how to simplify the application and reduce the burden on the applicants is provided in Table 4-1.

Table 4-1 Regulatory text at § 679.26(b)(1) and potential revision to the corresponding regulation.

Parts of 50 CFR 679.26(b)(1)	Regulatory text	Assessment	Potential revision
(i)	Proof of the applicant's tax-exempt status	Necessary to assess whether the applicant can be an authorized distributor	Keep
(ii)	A description of the arrangements for processing, shipping, storing, and transporting donated fish and an estimate of the associated costs.	Necessary to assess whether the applicant can be an authorized distributor	Keep
(iii)	A statement describing the applicant's expertise in providing for the distribution of food product from remote Alaskan locations to hunger relief agencies, food bank networks, or food bank distributors, including arrangements for transportation, distribution costs, and product quality control.	Necessary to assess whether the applicant can be an authorized distributor	Keep
(iv)	Documentation of support from cold storage and transportation facilities.	Can be challenging to assess what constitutes documentation	Change to providing a statement describing applicant's procedures for cold storage and transportation
(v)	A proposed operating budget that is adequate to ensure that fish donated under this program will be distributed to hunger relief agencies, food bank networks, or food bank distributors and that the fish will be maintained in a manner fit for human consumption.	Can be challenging to assess whether the submitted budget is adequate	Change to providing a statement describing applicant's proposed operating budget and how it is adequate
(vi)	Proof of the applicant's ability to obtain and maintain adequate funding for the distribution of fish under the PSD program.	Can be challenging to assess what constitutes proof and adequate funding	Change to providing a statement affirming applicant's ability to obtain and maintain adequate funding
(vii)	A copy of the applicant's articles of incorporation and bylaws showing that the purpose of the applicant includes providing food resources to hunger relief agencies, food bank networks, or food bank distributors.	This criteria limits applicants only to those providing food resources to hunger relief agencies, food	Change to providing a copy of the applicant's articles of incorporation and bylaws and a description of bylaws (if available) and how such information is relevant to providing food resources to

Parts of 50 CFR 679.26(b)(1)	Regulatory text	Assessment	Potential revision
		bank networks, or food bank distributors. Some organizations may not have articles of incorporation and bylaws	hunger relief agencies, food bank networks, or food bank distributors
(viii)	Proof of the applicant's ability to take full responsibility for the documentation and disposition of fish received under the PSD program, including sufficient liability insurance to cover public interests relating to the quality of fish distributed for human consumption.	Can be challenging to assess what constitutes sufficient liability insurance	Change to providing proof that the applicant carries liability insurance that covers claims related to the quality of fish distributed for human consumption.
(ix)	Quality control criteria to be followed by vessels, processors, hunger relief agencies, food bank networks, and food bank distributors.	Necessary to assess whether the applicant can be an authorized distributor	Keep
(x)	The number of vessels and processors that the applicant is capable of administering effectively.	Can be challenging to assess what the applicant is capable of administering effectively	Change to providing a statement on this criteria affirming applicant is capable of administering the effectively for the number of vessels and processors listed
(xi)	A list of all vessels and processors, and food bank networks or food bank distributors participating in the PSD program. (A) The vessel's or processor's Federal fisheries permit number or Federal processor permit number. (B) The name of the vessel owner or responsible operator or the name of the owner or plant manager of the processor. (C) The vessel's or processor's telephone number. (D) The signature of the vessel owner or responsible operator or the owner or plant manager of the processor.	Necessary to assess whether the applicant can be an authorized distributor, but the requirement to list the telephone number is outdated	Update the requirement for a telephone number to “provide contact information.”
(xii)	A signed statement from the applicant and from all persons who are listed under paragraph (b)(1)(xi) of this section and who would conduct activities pursuant to the PSD permit waiving any and all claims against the United States and its agents and employees for any liability for personal injury, death, sickness, damage to property directly or indirectly due to activities conducted under the PSD program.	Necessary to assess whether the applicant can be an authorized distributor	Keep
(xiii)	A list of locations where fish must be delivered by participating vessels and processors.	Redundant. A list of processors is already provided	Remove
(xiv)	A separate application must be submitted for each species listed under paragraph (a) of this section that the applicant seeks to distribute.	Redundant	Change to providing one application but applicant must declare each species the applicant seeks to distribute.

Another way to simplify the application process could be to create a streamlined permit. This type of permit could be helpful to keep donations within a community (*i.e.*, processor and recipient are in the same location) where some of the application requirements under § 679.26(b)(1) are not applicable. The Council could constrain streamlined permits in several ways, such as via duration (*i.e.*, valid for 6

months), geography (*e.g.*, restricted to donations within the same community), recipient (*e.g.*, valid for donations only to one named entity), and/or total amount of allowed donation. This would allow smaller, community-based distributors in remote coastal areas to participate with minimal paperwork, though it would require NMFS to monitor multiple small entities rather than a single, centralized distributor.

4.3.2 Reforming the Selection and Evaluation Criteria

When NMFS receives an application for a PSD program permit, the Regional Administrator must select an authorized distributor based on a set of criteria identified in § 679.26(b)(2). Certain elements of the selection process can be challenging for NMFS staff to assess, such as "anticipated level of prohibited species bycatch" under § 679.26(b)(2)(iii). A non-profit authorized distributor has no control over fleet-wide bycatch rates or the environmental factors that drive them, thus this selection criterion does not align with operational reality.

The Council could consider addressing this issue through restructuring the PSD program permit process to match the standard-based approval system used for IPAs under § 679.21(f)(12). An IPA is a voluntary private contractual agreement among fishery participants. The regulations in § 679.21(f)(12) set out a clear checklist of required elements, and if the submitted IPA meets these objective regulatory standards, NMFS approves it. **NMFS would retain the authority to suspend, modify, or revoke a permit at any time.**

The Council could consider several options:

- Option 1: Status quo. NMFS would continue to select an authorized distributor based on a set of criteria identified in § 679.26(b)(2).
- Option 2: Transition to a standard-based checklist approval, removing comparative criteria and replacing them with an objective list of minimum standards. NMFS would approve any applicant that submits a completed application packet based on the elements in § 679.26(b).
- Option 3: Transition to an approval system that reflects Incentive Plans where NMFS evaluates whether each applicant meets the criteria for the PSD program. This would allow greater flexibility for NMFS to approve applicants and alter details of the non-profit authorized distributor throughout a fishing year.

4.3.3 Reduce Burden on Applicants by Extending the PSD Program Permit to Five Years

Under § 679.26(b)(3)(iv), the effective period of a PSD program permit is three years. Extending this effective period to five years would reduce the burden on the applicants to apply every three years and directly save NMFS staff resources. Note that NMFS retains the authority to suspend, modify, or revoke a permit at any time.

Note that changes to the effective period of the PSD program permit will need to be adjusted in other parts of regulation such as § 679.4.

4.4 Options to Clarify and/or Expand the PSD Program

Federal regulations and the BSAI and GOA FMPs limit the PSC species that can be donated though the PSD program to salmon and halibut. The potential changes discussed in this section may require amending the FMPs as well as Federal regulations.

4.4.1 Update Definition of Eligible Receiving Entity

In the 1996 EA/RIR of the SDP and the 1998 EA/RIR for the temporary HDP, both analyses iterate the intention of the donation programs was to reduce the discarded protein to feed economically disadvantaged individuals through tax-exempt organizations (NMFS 1996, Trumble and Kinsolving

1998). This intent was translated into regulations by allowing donations to go to "hunger relief agencies, food bank networks, or food bank distributors" and the receiving entity "may not consume or retain prohibited species for personal use and may not sell, trade or barter, or attempt to sell, trade or barter any prohibited species that is retained under the PSD program" (§ 679.26(d)(3)).

At its February 2026 meeting, the Council discussed the need to clarify the PSD program regulations to include school districts as an eligible receiving entity. In general, school districts do not cater exclusively to "economically disadvantaged individuals" as specified in the original establishment of the SDP and the HDP and are not categorized as "hunger relief agencies, food bank networks, or food bank distributors" as specified in § 679.26(d)(3). However, PSD program donations to school districts could be particularly beneficial for coastal and remote communities, where food security can be a concern.

Furthermore, clarification of allowable receiving entities could include consideration of additional food programs that are not categorized as "hunger relief agencies, food bank networks, or food bank distributors" as specified in § 679.26(d)(3), such as for elder care facilities, women's shelters, senior citizen's programs, youth shelters, etc. This could be an opportunity to update these regulatory definitions to more fully fulfill the original intent of the PSD program to feed economically disadvantaged individuals.

To address this, the Council could consider several options:

> **Option 1:** Status quo. Eligible receiving entities under the PSD program are specified in § 679.26(d)(3) as "hunger relief agencies, food bank networks, or food bank distributors"
>
> **Option 2:** Broaden regulations to explicitly include school cafeteria programs.
>
> **Option 3:** Expand eligible receiving entities to include other targeted food programs, such as elder care facilities, women's shelters, senior citizen programs, youth shelters, etc.
>
> **Option 4:** Utilize the NMFS Alaska Region website referral. Instead of defining eligible receiving entities in the regulations, the regulations would refer to a list of eligible food programs maintained on the NMFS Alaska Region website. This would provide NMFS with the administrative flexibility to update and expand the list of eligible receiving entities as local donation pathways become available, without requiring a lengthy formal rulemaking process each time.

Note that for Options 2 and 3, NMFS staff will provide further information in future analyses on possible ways to approach this. As an example, for Option 2, one approach is to add "school districts and/or its representatives" to the list of eligible receiving entities specified in § 679.26(d)(3). Another approach could be that entities are eligible to receive PSD program donations if they participate in federal food programs such as the National School Lunch Program (NSLP), school food authorities, the Child and Adult Care Food Program (CACFP), and the Summer Food Service Program (SFSP) etc.

4.4.2 Clarify Requirements and Role for Each Participant Group

When the language of "vessels and processors" are used in the PSD program regulations (§ 679.26(b)(1)(xi) and § 679.26(c)), it can be confusing for participants to distinguish the specific requirements for their group. PSD program groups include catcher vessels, shoreside processors/stationary floating processors, catcher processors, and authorized distributors.

One way to address this issue is to revise the requirements and/or role for each participant group. Under § 679.26(d), there are several references in which there is the identification of whether fish is fit for human

consumption. Clarity could be provided by stating that the processor is responsible for determining whether fish is food grade due to their expertise.

For catcher vessels, some of the requirements under § 679.26(b)(1)(xi) could be streamlined by tying PSD program enrollment with the renewal and/or application for a Federal Fisheries Permit (FFP), such as adding a checkbox in the application that asks the participant if they want to enroll in the PSD program. In this scenario, the vessel owner and/or designee could certify their participation in the PSD program through their FFP enrollment. One drawback is that the renewal process is every 3 year cycle. Until this certification is fully embedded into the 3 year cycle, these changes would have to be made mid-cycle, which would add significant administrative workload.

4.4.3 Expand Definition of Authorized Species Under the PSD Program

Since its implementation, the only species authorized within the PSD program have been salmon and halibut. When the SDP was first established, the intent of the program was to donate incidentally caught salmon deemed to have 100 percent mortality to economically disadvantaged individuals (NMFS 1996). While the PSD program has historically been solely focused on halibut and salmon, there are other bycatch species and scenarios in which the bycatch experiences near 100 percent mortality and would otherwise be required to be discarded. In the reevaluation of the PSD program, there is an opportunity to consider whether the PSD program is a food donation program that utilizes dead fish, that would otherwise be discarded or disposed of (*i.e.*, consider more broadly other bycatch species and scenarios in which the bycatch experiences near 100 percent mortality).

The Council could consider several options regarding authorized species under the PSD program:

> **Option 1:** Status Quo. Authorized species continue to be defined by § 679.26(a): "Authorized species. The PSD program applies only to the following species: (1) Salmon. (2) Halibut delivered by catcher vessels using trawl gear to shoreside processors and stationary floating processors."
>
> **Option 2:** Remove sector-specific restrictions on currently authorized species (*i.e.*, allow halibut donations from catcher processors).
>
> **Option 3.** Expand the list of authorized species. Retain halibut and salmon as authorized species, but also broaden the regulations to authorize the retention and donation of other categories of incidentally caught species.
>
> > **Suboption A:** All PSC species as defined at § 679.2. Expand the authorized species list to include all species designated as PSC under the FMPs, including Pacific herring, steelhead trout, king crab, and Tanner crab.
> >
> > **Suboption B:** Any groundfish placed on PSC status. Expand the program to include any target groundfish species listed in Table 2a to part 679 (*e.g.*, Pacific cod or flatfish) that has achieved its total allowable catch (TAC) for the year and NMFS has placed on PSC status.

Note that Options 2 and Options 3 are not mutually exclusive; both Options may be selected. Additionally, under Option 3, Suboptions A and B can both be selected.

Option 1. Status Quo

Under status quo, authorized species continue to be defined by § 679.26(a): "Authorized species. The PSD program applies only to the following species: (1) Salmon. (2) Halibut delivered by catcher vessels using trawl gear to shoreside processors and stationary floating processors."

Option 2. Remove sector-specific restrictions on currently authorized species

Beyond species-specific limitations, the PSD program for halibut is also structurally restricted based on specific vessel operations and processing sectors. Under § 679.26(a)(2), donations for halibut are restricted to "halibut delivered by catcher vessels using trawl gear to shoreside processors and stationary floating processors." This sector-based restriction for halibut means that halibut caught as bycatch by a catcher/processors, including those in AFA trawl and Amendment 80 trawl, are prohibited from entering the PSD program.

Fisheries management and monitoring on catcher/processors has changed significantly since the establishment of the PSD program, including the halibut deck sorting program (84 FR 55044, October 15, 2019) where non-pollock trawl catcher/processors remove halibut from the deck with the minimum amount of injury and reduce overall mortality. Because halibut have a higher chance of survival when returned to the water quickly, regulations mandate that catcher/processors return all incidentally caught halibut to the sea with a minimum of injury. Therefore, expanding PSD program authorized species and operations would be unlikely to create a disincentive to sort and release live halibut at sea. Under this Option, the council could consider adding requirements to reduce impacts on existing programs. For example, for catcher processors, allowable PSD donations can only be halibut that was missed during the halibut deck sorting to continue to provide strong incentives to remove halibut from the deck with the minimum amount of injury.

NMFS is currently reviewing an exempted fishing permit (EFP) application from Sea Share, Inc. & Glacier Fish Co. to test the donation of Pacific halibut from a trawl catcher/processor to the PSD program submitted in September 2026. The applicants propose testing from May 1, 2027 – December 31, 2027 and January 20, 2028 – December 31, 2028. This application and any updates can be viewed on the NMFS Alaska Region website.

Option 3: Expand the list of Authorized species

When the SDP program was created in 1996, the donation program aimed to utilize salmon that 1) were incidental bycatch in the Alaska groundfish trawl fisheries, 2) considered to have 100 percent mortality, and 3) required to be discarded at sea (NMFS 1996). As the current PSD program is reevaluated and modernized, it is useful to consider whether those same parameters that established the SDP program could be expanded to include other groundfish fisheries that are 1) landed as bycatch, 2) the bycatch are considered to be at or near 100 percent mortality, and 3) are required to be discarded.

Allowing the donation of additional incidentally caught species could maximize the utilization of valuable marine protein that would otherwise be discarded dead at sea, directly supporting improved retention/improved utilization (IR/IU) efforts. For an overview, sections 3.2.3 on other PSC species and 3.3 on Groundfish placed on PSC status provides a picture of the scope and magnitude of the potential impacts to PSD program donations.

Note that changes under Option 3 would need amendments to the FMP as section 3.6.1.1 of the FMPs states:

> *The Prohibited Species Donation Program authorizes the distribution of specified prohibited species, taken as bycatch in the groundfish trawl fisheries off Alaska, to economically*

disadvantaged individuals through a NMFS-authorized distributor selected by the Regional Administrator in accordance with regulations that implement the FMP. The program is limited to the following species:

1. Pacific salmon

2. Pacific halibut

Under Option 3, Suboptions A and B are not mutually exclusive; both Suboptions may be selected.

Option 3. Suboption A: All PSC species as defined at § 679.2.

Transitioning groundfish PSC species from mandatory at-sea discard to allow for some shoreside delivery and donation under the PSD program successfully addresses resource waste concerns while significantly increasing the precision of total catch estimation for inseason fisheries management. Because these PSC species are prohibited from entering commerce, meaning the processor cannot pay the vessel for PSC species, it is unlikely that a vessel operator would have incentives to change fishing practices to harvest that species. Therefore, this is likely to retain the management goals of placing a species on PSC status to remove incentives to continue to harvest that species.

Suboption A would meet the original goals of the SDP to create a donation avenue for species that are 1) landed as bycatch, 2) the bycatch is considered to be at or near 100 percent mortality, and 3) are required to be discarded. There could be logistical challenges with this Suboption such as certain species like crab PSC may present processing challenges due to the special handling required. Future analyses will further explore the logistical challenges and the interest from hunger relief agencies for these PSC species.

Option 3. Suboption B: Any groundfish placed on PSC status.

By expanding the PSD program authorized species to include groundfish placed on PSC status, incidental catch in trawl gear could be treated similarly to fixed gear bycatch and be utilized through donation. This would provide increased efficiency for processors to handle these species.

The implementation of a donation pathway for PSC species could provide opportunity for more utilization with limited impact on management. NMFS inseason management already regularly tracks and makes management decisions regarding groundfish closures and they assume continued catch of species even after a species is closed to directed fishing or placed on PSC status. A public notice is released when an inseason management action is taken to close a fishery or place a groundfish species on PSC status. Vessel operators and processors are fully informed of species status changes as part of standard daily regulatory compliance. By allowing utilization of groundfish species on PSC status for donation under the PSD program it may actually lessen operational issues faced by vessel operators when complying with these closures with limited impact to management. The key assumption is vessels would continue to operate consistent with current practice after a groundfish species is placed on PSC status. Vessels typically seek to avoid harvesting that species since there is no financial value associated with that catch. Processing plants that receive groundfish on PSC status would be permitted to donate that under the PSD program.

Under current federal fishery management measures, catcher vessels utilizing fixed gear (*e.g.*, hook-and-line, pot, or jig gear) are subject to a strict mandate to retain and land all rockfish to ensure precise catch accounting. If a specific rockfish species is subsequently placed on PSC status in season, these fixed gear operators are still legally required to retain them, but the landed fish are strictly prohibited from entering commerce. By expanding the PSD program's authorized species list to include PSC groundfish, the Council could provide a clearer donation pathway for these already-retained species, promoting their beneficial utilization through the PSD program.

Similarly, for the trawl sector, vessel operators face a different set of regulatory and operational challenges. When a target groundfish species (such as a rockfish species, Pacific cod, or flatfish) is placed on PSC status in season, trawl catcher vessels (except for vessels participating in trawl EM) are in violation simply for having any of that PSC groundfish species onboard, forcing them to sort and discard those fish at sea. This at-sea sorting is challenging. Allowing trawl catcher vessels to legally retain and deliver some PSC groundfish species that were missed in sorting and allow for their accounting at a shoreside processor or stationary floating processor with donation aligns catch handling with the fleet's standard operational flow. It is expected that vessel operators would continue to sort PSC species to the extent practicable and inclusion of these species in the PSD program provides a pathway for utilization of species missed while sorting at sea.

5 Considerations

5.1 Processor Considerations

Allowing PSC to enter normal processing waste streams after processors determine it is unsuitable for donation and required sampling and accounting are complete could improve efficiency and reduce disposal costs. Processors do not control the incidental catch delivered by vessels, but they bear the costs of separately handling, storing, and arranging disposal of fish that cannot enter those waste streams. While these additional costs could create an economic incentive to reduce PSC, that incentive is likely limited because the costs are borne by the processor rather than by the vessel responsible for the incidental catch. As a result, the costs of PSC disposal are not necessarily aligned with the fishing decisions that influence PSC catch. Clear, consistently applied disposition requirements would reduce confusion for processor staff and simplify handling, particularly where the same options apply across PSC species.

Expanding the PSD program would provide processors with additional opportunities to dispose of PSC, without requiring donation. Processors would retain discretion to determine whether fish are suitable for donation and whether to commit the staff time, storage, and other resources needed to participate. As discussed above, the purpose of the action is to encourage greater utilization of dead fish by providing practical options for donation and meal production while allowing processors to make decisions based on fish quality and their operational capacity.

5.2 Management Considerations

Allowing processors to use delivered PSC in meal production presents little risk to fisheries management because it would not change vessel retention requirements, PSC limits, monitoring, or catch accounting. NMFS would still obtain data necessary to accurately account for total catch to deduct catch from the applicable catch limit. The options for disposing PSC as fishmeal concerns disposition after delivery, and this discussion paper assumes vessels would receive no payment for PSC and vessels would continue to avoid PSC to the extent they currently do.

Changes to PSD program application requirements would have minimal management implications, and may streamline the application process while providing necessary oversight and reporting requirements are maintained. Implementation may require updates to forms, reporting instructions, and agency systems.

Expanding the PSD program species presents a separate consideration. Participation could allow vessels to retain fish that would otherwise have to be discarded to avoid a violation (if the associated violation is removed from regulations), creating a small incentive to reduce avoidance or sorting efforts. Whether this would lead to additional incidental catch is difficult to assess, but the risk is expected to be low because vessels would receive no payment for donated fish. NMFS inseason management already anticipates continued catch after a species is placed on PSC status. Catch accounting for all species, except halibut,

assumes 100 percent mortality whether fish are delivered or discarded at sea. Shoreside sorting, counting, and weighing could improve the precision of catch estimates. Overall, authorization to retain fish for donation is unlikely to be a substantial driver of fishing behavior or present a significant management risk.

5.3 Monitoring Considerations

A principal goal of catch monitoring is to count all fish, regardless of whether that fish was legally harvested or retained, in order to have full accounting of all harvest. As such the agency has been surgical in implementing regulations that provide barriers to reporting fish. Additionally, providing clarity in regulation helps achieve that goal.

This discussion paper considers no changes to existing PSC monitoring, sampling, or catch accounting requirements. Expanding the species eligible for donation under the PSD program or allowing meal production after required sampling and accounting are complete are not expected to compromise monitoring. As discussed above, allowing meal production could simplify handling and reduce confusion associated with retaining previously counted fish at a processing facility for later disposal.

During discussions with SeaShare, concerns were raised about whether PSC could be stored on ice to preserve food quality. Currently, PSC are stored for observer sampling without additional measures to maintain food quality. Adding refrigeration or ice could help preserve fish quality and increase suitability for donation. Current regulations do not prevent these measures, provided they do not impede observer sampling.

Allowing some PSC species to enter meal production while prohibiting others could create tracking and enforceability concerns because fish may become mixed during processing. These concerns would need further assessment and could require changes to CMCPs or additional monitoring and handling requirements. These are difficult to quantify without a suite of alternatives, however a consistent approach to how processors handle PSC would be simplest to regulate and implement. Restricting which form of PSC is allowed as fishmeal or to enter the PSD program would add complexity. The Council should weigh the benefits of restricting certain species in both regulatory complexity and associated monitoring needs for implementation when selecting alternatives for further analysis.

5.4 Enforcement Considerations

According to NOAA OLE's Enforcement Precepts (2015) simpler and more consistent regulations are easier for the regulated public to understand, thus improving voluntary compliance. The more broadly and uniformly regulations affect the industry, and the fewer regulatory exceptions and exemptions created, the easier it is for industry to discern, therefore generating fewer opportunities for inadvertent noncompliance (see section 3.6.5 for a discussion of how processors were concurrently required to treat shortraker rockfish landed by different fisheries disparately). Based on the Council's motion and the various options and scope outlined in this discussion paper, OLE does not have enough direction to put forward any interpretation or recommendations regarding enforceability. However, in determining how to generate the suite of future actions to put forward for NMFS to analyze, design, and implement, OLE suggests that the Council contemplate the simplicity (or complexity) of proposed action alternatives for future analysis. NMFS can evaluate the relevant complexity of regulatory changes required to implement proposed alternatives, and OLE will provide input concerning enforceability and straightforwardness of compliance.

6 Preparers and Persons Consulted

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