



C6 Pelagic Trawl Gear Definition

October 2024 Council Meeting

Action Memo

Council Staff: Taylor Holman
Other Presenters: Caleb Taylor (NMFS SF), Alicia Miller (NMFS SF)
Action Required: 1) Review Regulatory Impact Review analysis
2) Provide input to staff on questions about the alternatives and options
3) Additional action as necessary

BACKGROUND

The Council will review a preliminary draft of a Regulatory Impact Review (RIR) for a Proposed Regulatory Amendment to modify the pelagic trawl gear definition (50 CFR 679.2). This document provides a preliminary analysis assessment of four action alternatives that would amend the regulatory definition of pelagic trawl gear.

The action under consideration was initiated by Council [motion](#) at their February 2024 meeting, following the review of a discussion paper identifying potential revisions to the regulatory definition of pelagic trawl gear. This action is intended to address compliance concerns and is separate from ongoing efforts to encourage gear innovations. Under the action alternative, the Council identified four options intended to align regulations with the longstanding interpretation of pelagic trawl gear in Alaska, and remove unnecessary outdated text from regulatory definitions. These options are intended to create a clear and enforceable definition of pelagic trawl gear that allows for identification of legal and noncompliant gear, and allows for the use of widely utilized gear designs that meet conservation and management goals.

Analysts are requesting Council input on several questions and clarifications about the alternatives and options, particularly Option 4. These are listed in the Executive Summary under “Next Steps.” It may be that these questions are best answered by convening a working group of industry participants and staff from the NMFS regional office, Council, and Office of Law Enforcement. Alternatively, the Council may consider discrete changes to the options to better align this action with its goals for addressing compliance concerns while separately incentivizing gear innovation and refinement of the performance standard.

The preliminary analysis assesses the expected outcomes of the specific changes considered in the options. However, the document does not contain an evaluation of the costs and benefits, or an evaluation of the potential environmental impacts. A NEPA analysis would be prepared in the next iteration of this analysis based upon any revisions to the alternatives and options resulting from the initial review.

ALTERNATIVES

Alternative 1: No Action (Status quo).

Alternative 2: Revise regulations at 50 CFR 679.2 that define authorized fishing gear for pelagic trawl gear and trawl gear to:

- Option 1:** Exclude the codend from limitations applicable to the trawl net;
- Option 2:** Remove outdated text related to “parallel line” trawls;
- Option 3:** Allow the use of flotation for bycatch excluder devices;
- Option 4:** Allow hardware that secures technology to the trawl as long as the hardware does not appreciably change the intended performance of the trawl. Technology that may need to be secured to the trawl includes live-feed cameras, flow sensors, etc.

The options under the action alternative can be implemented in any combination.