



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
P.O. Box 21668
Juneau, Alaska 99802-1668

May 20, 2022

Mr. Simon Kinneen
Chairperson
North Pacific Fishery Management Council
1007 West Third, Suite 400
Anchorage, Alaska 99501-2252

Dear Mr. Kinneen,

Enclosed is a draft analysis that National Marine Fisheries Service (NMFS) is developing to evaluate the benefits and costs of waiving medical transfers approved in 2020, 2021, or 2022 toward the medical transfer restriction specified at 50 CFR 679.42(d)(2)(iv)(C). NMFS staff will present an overview of this draft analysis to the North Pacific Fishery Management Council (Council) and the IFQ Committee at their upcoming meetings in May and June 2022.

The options considered in the draft analysis are being developed in response to the high number of Individual Fishing Quota (IFQ) medical transfers that were approved during the COVID-19 pandemic in 2020 and 2021. In those same years, the Council recommended, and NMFS enacted, emergency rules allowing the temporary transfers of IFQ to provide Quota Share (QS) holders flexibility in times of restrictive health and travel mandates. Because many of the medical transfer applications in 2020 and 2021 were filed and approved by NMFS prior to the effective dates for the emergency rules in each year, these medical transfers currently count toward the medical transfer restriction specified at 50 CFR 679.42(d)(2)(iv)(C). Waiving medical transfers approved in these years would provide eligible QS holders more flexibility to utilize the medical transfer provision in future years.

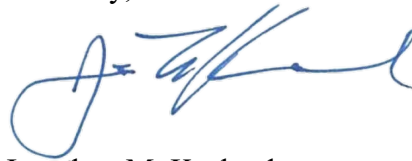
At this time, NMFS intends to propose regulations to waive medical transfers approved during 2020, 2021, and 2022 under section 305(d) of the Magnuson-Stevens Act, which authorizes the Secretary of Commerce to develop regulations necessary to implement fishery management plans and the Halibut Act. At the June 2022 meeting, NMFS requests the Council and IFQ Committee identify any questions or other areas of concern with the draft analysis. **It is not necessary for the Council to make a recommendation to NMFS for this action to move forward, but the Council may provide feedback or request to review a later draft of the analysis or draft regulations at a future Council meeting.** Unless further review at a subsequent meeting is requested by the Council, we would address questions or concerns raised by the Council or the public in a draft proposed rule.



We expect to publish a proposed rule for this action in the fall of 2022 followed by a final rule in the spring of 2023. This timing would provide relief to any affected IFQ participants that may be otherwise restricted from using a medical transfer in 2023.

If you have any additional questions, please contact Mason Smith at mason.smith@noaa.gov or 907-58-7459.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jonathan M. Kurland". The signature is fluid and cursive, with a large initial "J" and a long, sweeping underline.

Jonathan M. Kurland
Administrator, Alaska Region

Enclosure