



B1 Executive Director's Report

February 2022

Action Memo

New Council Staff

Ms. Sarah Rheinsmith started working in January as a Fishery Analyst for the Council. Ms. Rheinsmith holds Master of Science degree in Marine Biology from the University of North Carolina. She has experience with field and laboratory fish research, teaching marine biology and environmental science, and scientific outreach. At this point, she has been tasked to take over the plan coordinator duties for the crab and scallop plan teams, take the staff lead on essential fish habitat, and assist with the snow crab rebuilding analysis. Welcome aboard Sarah!

AP/SSC Election of Officers

Each year, the AP and SSC elect new Chair(s) and Vice Chair(s) for their respective bodies, from among their members. These elections will take place at the start of their meetings and will be reported during the Council meeting.

Plan Team Nomination

The North Pacific Research Board has nominated Ms. Danielle Dickson to the Bering Sea FEP Team to replace Dr. Jo-Ann Mellish, who is stepping down to focus on other work priorities. Ms. Dickson has extensive marine mammal experience and is currently working on the Northern Bering Sea Integrated Ecosystem Research Program. The nomination letter and Ms. Dickson's resume is attached. The SSC will review the nomination and provide the Council with a recommendation.

Request for Comments on America the Beautiful Atlas

The Department of the Interior, in coordination with the Departments of Agriculture and Commerce and the Council on Environmental Quality, invited public comment and announced listening sessions regarding the development of the American Conservation and Stewardship Atlas (Atlas), a new tool that will be used to track conservation and restoration of U.S. lands and waters. The Federal Register notice is here: <https://www.govinfo.gov/content/pkg/FR-2022-01-04/pdf/2021-28548.pdf>

I have prepared draft response comments for the Council to consider in developing its comment letter. Written comments have been requested regarding the data used, the level of conservation provided, and attributes of each conservation area to be included in the Atlas. Comments are due March 7. See attached draft response comments.

Also, on December 20, the Administration issued its first progress report on the America the Beautiful initiative. The report can be found here: [https://www.whitehouse.gov/wp-content/uploads/2021/12/AtB-Year-One-Report .pdf](https://www.whitehouse.gov/wp-content/uploads/2021/12/AtB-Year-One-Report.pdf) In addition to the progress report, the Administration announced several steps it was taking to advance the initiative. One of these is to establish a Federal Advisory Committee to provide advice to NOAA on area-based management in marine and coastal waters. The Council may wish to request representation from the North Pacific on this FAC, understanding that 1) we have more marine conservation areas than any other region, 2) we harvest more seafood than any other region, and 3) we

understand that special area measures are but one tool to achieve conservation. I assume NOAA will announce a call for nominations in the federal register sometime in the next few months.

The Administration's announcement can be found here: https://www.whitehouse.gov/briefing-room/statements-releases/2021/12/20/fact-sheet-biden-harris-administration-celebrates-expansion-of-locally-led-conservation-efforts-in-first-year-of-america-the-beautiful-initiative/?utm_medium=email&utm_source=govdelivery

St. George Unangan Heritage National Marine Sanctuary renewed

After a review and a public comment period, NOAA Sanctuaries have retained the nomination for a St. George Unangan Heritage National Marine Sanctuary in the inventory of candidate sites. The letter from John Armor, NMS Director, is [attached](#).

Proposal for New National Marine Sanctuary - Alaġum Kanuuġ

In December, a new national marine sanctuary around the Pribilof Islands of Alaska was proposed: Alaġum Kanuuġ: Heart of The Ocean Pribilof Islands Marine Ecosystem (Prime) Initiative. It is posted here:

<https://nmsnominate.blob.core.windows.net/nominate-prod/media/documents/2021-alagum-kanuux-nomination.pdf>

This proposed Alaġum Kanuuġ (pronounced ahl-ah-GOOM ka-NOH) sanctuary would include the area 100 nm around the islands of St. Paul and St. George, and would fully encompass the St. George Unangan Heritage sanctuary nomination. It covers an area of approximately 40,000 nm² (my rough estimate). The proposal would establish a co-management governance framework between the tribal governments of St. Paul and St. George and the United States government with equitable consensus-driven management decision-making authority and shared responsibilities.

The NOAA National Ocean Service's National Marine Sanctuary program is currently reviewing the proposal to see if it meets the nomination requirements and see if it is a good candidate for sanctuary designation. Sanctuary staff have told me that this process will take only a couple of months to complete. While the regulations require that NOAA discuss the nomination with interested tribal or state governments and Federal land managers during this review, consultation with the Councils is not required (or even mentioned). Once the nomination successfully passes the review stage, it is added to the inventory of successful nominations for potential designation as a National Marine Sanctuary. The nomination process is described here: <https://nominate.noaa.gov/>

Regulation of fisheries in a national marine sanctuary can occur at the time of designation under Section 304 of the National Marine Sanctuaries Act (see: <https://sanctuaries.noaa.gov/about/legislation/>), or at any point thereafter. Section 304(a)(5) describes the consultative role of a council regarding in establishing fishing regulations for a sanctuary. Note that the Secretary makes the regulations if council recommendations are deemed not to fulfill the purposes and policies of the Act, or are deemed inconsistent or incompatible with the goals and objectives of the proposed sanctuary designation (see below):



(5) FISHING REGULATIONS. – The Secretary shall provide the appropriate Regional fishery Management Council with the opportunity to prepare draft regulations for fishing within the Exclusive Economic Zone as the council may deem necessary to implement the proposed delegation. Draft regulations prepared by the Council, or a Council determination that regulations are not necessary pursuant to this paragraph, shall be accepted and issued as proposed regulations by the Secretary unless the Secretary finds that the Councils action fails to fulfill the purposes and policies of this chapter and the goals and objectives of the proposed designation. In preparing the draft regulations, a Regional Fishery Management Council shall use the as guidance the national standards of section 301(a) of the Magnuson-Stevens Act (16 U.S.C. 1851) to the extent that the standards are consistent and compatible with the goals and objectives of the proposed designation. The Secretary shall prepare the fishing regulations, if the Council declines to make a determination with respect to the need for regulations, makes a determination which is rejected by the Secretary, or fails to prepare the draft regulations in a timely manner. Any amendments to the fishing regulations shall be drafted, approved, and issued in the same manner as the original regulations. The Secretary shall also cooperate with the other appropriate fishery management authorities with rights or responsibilities within a proposed sanctuary at the earliest practicable stage in drafting any sanctuary regulations.

The Office of National Marine Sanctuaries (ONMS) regulations are codified at 15 CFR Part 922, with the sections applicable to fisheries regulations listed below:

922.22 Development of designation materials. (a) In designating a National Marine Sanctuary, the Secretary shall prepare the designation materials described in section 304 of the Act. (b) If a proposed Sanctuary includes waters within the exclusive economic zone, the Secretary shall notify the appropriate Regional Fishery Management Council(s) which shall have one hundred and twenty (120) days from the date of such notification to make recommendations and, if appropriate, prepare draft fishery regulations and to submit them to the Secretary. In preparing its recommendations and draft regulations, the Council(s) shall use as guidance the national standards of section 301(a) of the Magnuson Act (16 U.S.C. 1851) to the extent that they are consistent and compatible with the goals and objectives of the proposed Sanctuary designation. Fishery activities not proposed for regulation under section 304(a)(5) of the Act may be listed in the draft Sanctuary designation document as potentially subject to regulation, without following the procedures specified in section 304(a)(5) of the Act. If the Secretary subsequently determines that regulation of any such fishery activity is necessary, then the procedures specified in section 304(a)(5) of the Act shall be followed.

New Legislation

Senators Murkowski and Sullivan have introduced a bill to form an Alaska Salmon Research Task Force consisting of Alaska’s salmon stakeholders and research experts to study Pacific salmon science needed to understand and managing salmon returns in Alaska and provide recommendations on research priorities. The bill can be accessed here: https://www.sullivan.senate.gov/imo/media/doc/Bill_121621.pdf

The task force would be appointed by the Secretary of Commerce and would include one member of the NPFMC. I would assume that the Council could nominate the person to represent the Council on this taskforce, but that process is not clear in the legislation. The press release on the draft legislation is here: <https://www.murkowski.senate.gov/press/release/sullivan-and-murkowski-introduce-alaska-salmon-research-task-force-act>

On January 25, Representative Huffman introduced H.R. 6491, the “Salmon Focused Investments in Sustainable Habitats Act” or the “Salmon FISH Act”, a bill to require the NOAA Administrator and the

Director of the USFWS Service to identify of salmon conservation areas and salmon strongholds, and for other purposes. The bill is available here: <https://www.congress.gov/bill/117th-congress/house-bill/6491/text?r=3&s=1>

Council Written Comment Policy

At every meeting, staff reports publicly to the Council on any comments removed from the commenting system, and the rationale for removal, so that we can monitor and revise the process as needed to address unanticipated events. The February meeting comment period was open for 15 days, from January 14 to January 28. No submitted comments were removed.

North Pacific Right Whale Flyer

In August 2021, four North Pacific Right Whales (NPRW) were observed by Marine Mammal Lab scientists during vessel-based surveys in the Gulf of Alaska, raising concern about possible NPRW-fisheries interactions, such as those reported for the North Atlantic right whale. In response to a request from a groundfish industry representative at the December Council meeting, Sara Cleaver (NPFMC staff) collaborated with staff from NMFS Protected Resources Division, the Marine Mammal Lab, Sustainable Fisheries Division, and the Alaska Region Public Affairs Officer to develop a flyer on NPRW to distribute to commercial fishing vessels and seafood processing plants. The one-page flyer is intended to help commercial fishermen distinguish NPRW from other whale species, understand where these whales have been seen and heard in Alaska from 2000 to present, how to report sightings, and best practices for avoidance. The flyer is being distributed to various fishing industry groups for use in the current fishing season. The flyer is attached.

Yukon Salmon Summit

The Tanana Chiefs Conference (TCC) is hosting an upcoming event, “Yukon Salmon Summit: Be Stewards of Our Salmon for Generations.” This is a summit led with Indigenous knowledge and tribal governance to build ecosystem stewardship from the ocean to the headwaters. TCC is looking to include all voices on the Yukon, including fishing families, scientists, and policy makers. This summit will be held February 28 and March 1-2, 2022, in a hybrid format. The in-person component will be in Fairbanks, AK and a virtual component by Zoom. The summit will run 9am to 4pm daily. The summit is an open invitation. If you are interested in attending, please visit [this RSVP link](#).

Recent Staff and Council member activities

- I fulfilled a FOIA request from Mr. Derek Martin for my emails to and from people at Trident Seafoods and At-Sea Processors.
- On January Kate Haapala attended the NMFS salmon bycatch listening session.
- I attended several public listening sessions on development of the America the Beautiful data Atlas (January 13 and 19).
- On January 14, Diana Evans and the SSC leadership hosted an orientation for new SSC members.
- On January 18, Diana Evans and I participated in a short CCC call on possible revisions to the draft policy directive regarding integration of ESA Section 7 with the MSA process.
- On January 20, several staff (Stram, Cleaver, Rheinsmith, McCracken, Evans, and Witherell) participated in the 4th surveillance audit for the Responsible Fisheries Management program and

1st surveillance audit for the Marine Stewardship Council certification for Pacific cod and pollock recertification, as well as an audit for flatfish, pollock, rockfish, Atka mackerel.

Committee Meetings

- The Climate Change Taskforce held a work session January 18-20, and the Local Knowledge/Traditional Knowledge/Subsistence Task Force held a work session January 20-21. The Taskforces will report to the Council in April.
- The Ecosystem Committee met on January 25-26 to receive an update on marine debris activities, an update on Northern Fur Seal management, essential fish habitat distribution model, forage fish research, and planning for second Council Ecosystem Workshop. The committee report will be provided under Agenda Item E-1.

Report on Bycatch Reduction Engineering Program Grant Results

The Alaska Bering Sea Crabbers (ABSC), Bering Sea Fisheries Research Foundation (BSFRF), and Natural Resources Consultants (NRC), with the support of several partners, were granted awards from the NOAA Fisheries Bycatch Reduction Engineering Program (BREP) to conduct lab and field experiments to develop and test the effectiveness of crab bycatch reduction in a variety of pot gear modifications. These projects test pot gear modifications by working with fishermen the halibut and cod fisheries, as well as gear manufacturers, to utilize their knowledge and experience when coming up with the design and then applying a scientific protocol to rigorously test its effectiveness. The goal of these projects is to work with the industry to find gear designs effective in reducing bycatch while still catching target species, then encourage the voluntary use of those designs. A written update is attached, and Ms. Jamie Goen and Mr. Scott Goodman will provide a short presentation on their results.