



March 29, 2024

Agenda B-2: NMFS Management Report

Status of Actions Report Online

Updated daily at: <https://www.fisheries.noaa.gov/sites/default/files/akro/amendments.pdf>

Progress on Rulemaking

Highlights on progress since the December 2023 meeting include:

- On **February 27, 2024** and **March 7, 2024**, NMFS published a Notice of Availability and proposed rule for Amendments 54 and 55 to the Fishery Management Plan (FMP) for Bering Sea and Aleutian Islands (BSAI) King and Tanner Crabs (Crab FMP). This action would revise two provisions of the Crab Rationalization Program to do the following: change active crab fishery participation requirements for crab quota share established for vessel operators and crew, and expand the exemptions for custom processing from processor use caps and remove the CR Program processor facility use cap. **Public comments are due on April 29, 2024.** FMP Decision date is **May 29, 2024.** If approved, our goal would be to implement this final rule as soon as possible with the hope that it could be effective prior to the June 15, 2024 deadline for IFQ applications for the 2024/2025 crab fishing year.
- On **March 4, 2024**, NMFS published the final 2024 and 2025 GOA groundfish harvest specifications. Effective March 4, 2024.
- On **March 11, 2024**, NMFS published the final 2024 and 2025 BSAI groundfish harvest specifications. Effective March 11, 2024.
- The 2024 Halibut Annual Management Measures were effective **March 9, 2024** and NMFS published the notification of effectiveness in the Federal Register on March 19, 2024.
- **Public comments are due on April 5, 2024** for Amendment 126 to the Fishery Management Plans for Groundfish of the Bering Sea and Aleutian Islands Management Area (BSAI FMP) and Amendment 114 to the Fishery Management Plan for Groundfish of the Gulf of Alaska (GOA FMP) to expand electronic monitoring to the pollock fisheries (89 FR 3902). FMP Decision date is **April 21, 2024.**
- **The Status of Actions Report** provides additional detail.

Additional NMFS Documents

In addition to this B2 NMFS Management Report, NMFS also posted the following documents on the Council agenda:

1. Confidentiality of Information Proposed Rule
2. NMFS Essential Fish Habitat (EFH) Report
3. Alaska EFH Research Plan
4. Habitat Accomplishment Report for 2023
5. Seabird Report 2024



6. Inseason Management Report (included as Attachment 2 at the end of this document)
7. Tribal Relations Update
8. Letter from NMFS to the North Pacific Fishery Management Council on the range of alternatives in the Chum Salmon Bycatch Preliminary Draft Environmental Impact Statement

Halibut and Sablefish IFQ Permit issuance

NMFS issued Individual Fishing Quota (IFQ) for the 2024 halibut and sablefish fisheries on March 11, 2024. The 2024 halibut IFQ fishery opened at 06:00 am, Alaska Local Time (ALT) on March 15, 2024 and is scheduled to close at 11:59 pm, ALT on December 7, 2024. The 2024 sablefish IFQ fishery opened at 12:00 pm (noon), ALT on March 15, 2024 and is scheduled to close at 12:00pm (noon), ALT on December 7, 2024.

The International Pacific Halibut Commission (IPHC) changed the time of day for the March 15 opening of the halibut fishery from 12:00 pm (noon), which was in place in previous years, to 6:00 am for the 2024 season. However, under NMFS regulations, the IFQ sablefish fishery opened at 12:00 pm (noon) on March 15. Therefore, if halibut gear was deployed in the commercial fishery before 12:00 pm (noon) on March 15, then sablefish caught from that deployment may not be retained. If a vessel operator holds both halibut and sablefish IFQ, and the operator intended to retain sablefish on March 15, then the vessel should have deployed its commercial fishing gear after 12:00 pm (noon).

There are also different closing times of day for 2024 IFQ halibut and IFQ sablefish. Therefore, if gear is deployed to fish for halibut in the commercial fishery off Alaska after 12:00 pm (noon), ALT on December 7, 2024, then available IFQ and CDQ sablefish caught from that deployment may only be retained up to the Maximum Retainable Amount (MRA). If a vessel operator holds both halibut and sablefish IFQ or CDQ, and the operator intends to retain sablefish on December 7, 2024, after 12:00 pm (noon) ALT, then the vessel may only retain IFQ or CDQ sablefish in accordance with the MRA regulations at § 679.20(e).

In light of IPHC's action, the Council may want to consider whether to initiate an analysis for a regulatory change to have the sablefish fishery open and close at the same time as the halibut fishery.

Halibut and Sablefish IFQ Beneficiary Issues

Under the beneficiary provision of the IFQ program, NMFS allows a beneficiary to transfer (lease) IFQ resulting from the QS transferred to the beneficiary by right of survivorship for a period of 3 years following the death of the original QS holder (§ 679.41(k)(3)). The intent of this provision was to provide continued income and allow time for the beneficiary to fish the associated IFQ, lease the IFQ to other qualified fishery participants, and/or become qualified to obtain a Transfer Eligibility Certificate (TEC) and retain the QS at the end of the 3 year beneficiary period. In preparation for IFQ permit issuance for the 2024 IFQ fishing year, NMFS identified an increase in the amount of QS held by beneficiaries beyond the 3 year beneficiary window.

QS held by beneficiaries is difficult to track in existing legacy systems. NMFS is working to improve the systems used to administer the IFQ Program through the development of an Integrated

Fisheries Application (IFA) software program. The IFQ program will be implemented in the IFA program in a future fishing year. Until then, we continue to evaluate the current programming and improve our tracking mechanisms for existing IFQ program provisions. Under the current system, the beneficiary provision is monitored through manual checks and reporting to verify how many years the QS has been held by the beneficiary. In the past, even when the QS has been held by a person beyond the 3 year beneficiary window, NMFS has still issued the IFQ to the beneficiary.

Beginning with next year's 2025 IFQ fishing season, NMFS will no longer issue IFQ to beneficiaries that have exceeded the 3 year beneficiary window. This year, there is an increase in the amount of IFQ issued to beneficiaries that have held QS beyond the 3 year maximum allowed in regulations. In the 2024 IFQ fishing season, NMFS will be notifying all beneficiaries that are out of compliance with the 3 year window and will phase out this past practice of issuing IFQ to beneficiaries outside the 3 year window allowed in regulations. This will better align NMFS practices with the intended use of the beneficiary provision. As a result of not issuing IFQ to beneficiaries that have held QS for more than 3 years, those QS units will not be included in the QS pool for issuance of IFQ in 2025 and beyond, allowing those IFQ pounds to be distributed among other QS holders.

Confidentiality of Information Proposed Rule

NOAA Fisheries published a proposed rule that would bring our implementing regulations for managing confidential information into compliance with the 2007 statutory amendments to the Magnuson-Stevens Fishery Conservation and Management Act (MSA) ([89 FR 17358](#), March 11, 2024 - posted on the Council's agenda). When Congress originally passed the MSA in 1977, it for the first time created new federally mandated requirements that fishermen report things like when and where they catch fish. In exchange, however, Congress also required that this information be kept confidential. Throughout the years, Congress has occasionally tweaked these confidentiality requirements. NOAA Fisheries has implemented regulations to meet the statutory requirements in the MSA, but the regulations have not been updated for some time and specifically have not fully incorporated the requirements of the 1996 Sustainable Fisheries Act or the most recent MSA amendments in 2007.

The proposed rule aims to streamline access for the fishing industry as well as Regional Fishery Management Councils, states, commissions, and other entities that need such information for fishery conservation and management purposes. It would bring our implementing regulations into compliance with the Congressional amendments and address their application to some of our more recent issues, such as applying the MSA confidentiality provisions to camera-based electronic monitoring programs and uncertainty associated with sharing data across international partnerships. The rule would also prohibit unauthorized disclosure of confidential information, clarify exceptions to the MSA that allows for the release of confidential information, and provide a general framework for the handling of confidential information under the MSA. A core component of the MSA confidentiality requirements is for NOAA Fisheries to establish and publish internal control procedures for the maintenance of, and access to, any confidential information. As part of updating our internal control procedures after the final rule is published, NOAA Fisheries will provide opportunities for engagement during their development, and final control procedures would be shared and posted publicly.

NOAA Fisheries is **requesting public comment through April 25, 2024**. The document can be viewed on the Federal Register's website:
<https://www.federalregister.gov/documents/2024/03/11/2024-05106/confidentiality-of-information>
as officially published on March 11, 2024.

For further information please visit our website at:
<https://www.fisheries.noaa.gov/action/proposed-rule-updating-and-clarifying-provisions-magnuson-stevens-act> or reach out to us at nmfs.msa.confidentiality@noaa.gov.

Proposed Rule to List the Sunflower Sea Star as Threatened Under the Endangered Species Act

On August 18, 2021, the Center for Biological Diversity petitioned NMFS to list the sunflower sea star (*Pycnopodia helianthoides*) under the Endangered Species Act (ESA). NMFS determined that the proposed action may be warranted (86 FR 73230, December 27, 2021) and conducted a full status review to evaluate overall extinction risk for the species. NMFS determined that the sunflower sea star is likely to become an endangered species within the foreseeable future throughout its range and published a proposed rule to list the sunflower sea star as a threatened species (88 FR 16212, March 16, 2023). NMFS did not propose to designate critical habitat at that time. The agency is currently integrating public and peer comments into the final status review report, and expects to publish a final listing decision in Spring 2024. In preparation for the possibility of the sunflower sea star being listed, the Fisheries Monitoring and Analysis Division of the AFSC is conducting a project intended to improve understanding of the interactions of *Pycnopodia* with the commercial groundfish fisheries in the federal waters of Alaska. This project will inform any changes proposed to the sampling protocols that will be presented to the Fisheries Monitoring Advisory Committee (FMAC) this May.

Killer Whale Incidental Catches in Alaska

NMFS is continuing to work with representatives of the Amendment 80 (non-pollock trawl) fleet to investigate factors that may have contributed to the elevated killer whale bycatch rates in 2023. We also are continuing to work with the industry and our own survey operations to explore ways to avoid killer whale interactions. We are funding a project that is scheduled to start this spring involving Dr. Hannah Myers and the Alaska Seafood Cooperative.

Northern Fur Seal Conservation Plan Update

The revision to the Conservation Plan for the Eastern Pacific Stock of Northern Fur Seal (Laaqudan) (Conservation Plan) is in review within the Alaska Regional Office. We anticipate that the Conservation Plan will be complete in the early summer of 2024 and we will publish a *Federal Register* notice of availability. In response to comments received from the Marine Mammal Commission on the Conservation Plan, the Alaska Regional Office and The Aleut Community of St. Paul Island are working on a proposal to be submitted to NPRB to use new methods to involve a greater variety of experts and knowledge holders to prioritize threats to Northern fur seals. In addition we will provide an update on co-management projects and progress.

ESA Consultation Process Review

Alaska Regional Office Protected Resources staff will provide a brief overview of the Endangered Species Act Section 7 Consultation process. Additional information can be found here:

<https://www.fisheries.noaa.gov/insight/endangered-species-act-section-7-alaska-region>.

Aquaculture Opportunity Areas

NOAA Fisheries and the Interagency Working Group reviewed public comments submitted through the 60-day [Request for Information](#), and applied best available data in finalizing 10 Alaska Aquaculture Opportunity Area Study Areas. Four maps are linked under the B2 agenda item in the Council meeting eAgenda. The first showing all Alaska Aquaculture Opportunity Area Study Areas, the second showing six final study areas and one undetermined study area¹ in Southeast Alaska, the third showing three study areas in Southcentral Alaska and, the fourth showing one expanded study area in Southwest Alaska.

NOAA held two Aquaculture Opportunity Area Spatial Planning Workshops (Anchorage Jan 26 and Juneau March 26-27) to discuss the ongoing [Aquaculture Opportunity Area \(AOA\) identification process in Alaska state waters](#). The workshops were an opportunity to:

- Learn more about NOAA’s spatial planning approach and discuss available spatial data within Alaska study areas
- Document data gaps and help identify points of contact for additional data
- Increase transparency, local capacity, and resources to support seaweed and invertebrate mariculture planning
- Further develop an engaged community to inform NOAA’s AOA identification process in Alaska state waters

We are currently developing the summary report for the workshops which will include a comprehensive list of the available data identified at the workshops, and a list of prioritized data gaps. NOAA will use a combination of powerful data-driven siting analysis using hundreds of types of data on ocean uses and this public input to identify AOA options for further NEPA analysis. The synthesis of these two essential elements will highlight space that is environmentally, socially, and economically appropriate for commercial aquaculture in Alaska state waters.

We look forward to further engaging with the Council on this process. For more information on the AOA identification process in Alaska visit the [AK AOA webpage](#) and [AK AOA FAQ webpage](#). Final AOA study area maps can be found [here](#). If you have questions, please contact the Alaska Regional Office’s Aquaculture Coordinator Alicia Bishop at Alicia.Bishop@noaa.gov.

¹ NOAA Fisheries is in conversations with tribal leadership regarding the Metlakatla Study Area. Annette Island and the surrounding tribal waters are the only Indian Reservation in all of Alaska. We will only proceed with this study area at the invitation of the tribe.

Staff Changes

Obren (Obie) Davis retired at the end of February after serving 30 years, first in the Restricted Access Management division and starting in 1998, in the Sustainable Fisheries division in the Alaska Region. Obie worked on many projects related to the Community Development Quota Program and was the lead author for Amendment 95 for GOA halibut PSC management and for the GOA groundfish harvest specifications for 10 years. Obie was a member of the GOA Groundfish Plan Team and was AKR's Information Quality Act coordinator. We congratulate Obie on his NMFS career and wish him all the best in his retirement from NMFS!

Megan Mackey is transferring to the West Coast Region (WCR) to work in their Sustainable Fisheries Groundfish Branch starting on April 8, 2024. Megan joined the Alaska Region (AKR) Sustainable Fisheries Division in June of 2016 and, in her 8 years with AKR, she has worked on numerous regulatory and fishery management plan amendments as a member of the Ecosystem Branch. She has also worked on behalf of AKR as a member of the Bycatch Reduction Engineering Program, worked with SeaShare and the Prohibited Species Donation Program, managed exempted fishing permits and scientific research permitting, and coordinated annual salmon bycatch reporting. We will miss working with Megan and wish her well in her new role with the WCR!

Attachment 2 -- Inseason Management Report

Catch during 2024 is through March 23, 2024 and is compared to catch during 2023 through March 25, 2023. All catch amounts are in metric tons. Additional information is available from [daily catch reports and information bulletins](#).

Bering Sea and Aleutian Islands

Bering Sea Pollock

The 2024 Bering Sea pollock TAC is 1,300,000 mt the same as in 2023. For 2024, reallocated projected unharvested AI CDQ pollock TAC (1,900 mt) and Aleut Corporation TAC (11,860 mt) from the Aleutian Islands to the Bering Sea AFA sectors.

Bering Sea	2024 A season allocation	2024 A season catch	Percent taken
Inshore	254,628	190,232	75%
CP	203,702	177,979	87%
Mothership	50,926	42,469	83%
CDQ	59,355	58,752	99%
Total	568,611	469,432	83%

Salmon in the Bering Sea Pollock Fisheries

NMFS has determined that 2023 was a low Chinook salmon abundance year, based on the State of Alaska’s estimate that Chinook salmon abundance in western Alaska is less than 250,000 Chinook salmon. Therefore, the 2024 Chinook salmon PSC limit is 45,000 Chinook salmon, allocated to each sector as specified in 50 CFR 679.21(f)(3)(iii)(A).

Species	Chinook				Non-Chinook			
	2024		2023		2024		2023	
Amount	#	Rate ¹	#	Rate ¹	#	Rate ¹	#	Rate ¹
CDQ	694	0.012	1,151	0.019	71	0.001	72	0.001
AFA	3,595	0.009	9,089	0.020	825	0.002	372	0.001
Total	4,289	0.009	10,240	0.020	896	0.002	444	0.001

¹Rate is total salmon per groundfish in the pollock target.

Blackspotted and Rougheye Rockfish

For 2024, the maximum species specific catch recommended in the Western Aleutian Islands is 67 mt. All sectors are requested to avoid blackspotted/rougheye rockfish. A [weekly report](#) is available to monitor total catch of blackspotted/rougheye rockfish in the Western Aleutian Islands.

BSAI Pacific cod by Sector

The 2024 Pacific cod TAC is 147,753 mt in the Bering Sea and 8,080 mt in the Aleutian Islands compared to the 2023 Bering Sea TAC of 127,409 mt and Aleutian Islands TAC of 8,425 mt.

BSAI Sector	2024				2023			
	A season allocation ¹	Catch Mar 23	A season closed	# of vessels Mar 23	A season allocation ¹	Catch Jan 28	A season closed	# of vessels Jan 28
CDQ	10,005	2,496	na	22	8,721	4,315	na	25
Hook-and-line CP	34,359	21,720	na	18	29,923	21,902	na	17
Pot CP	1,058	0	na	0	922	834	Mar 22	<3
Pot CV >= 60 ft	5,926	3,136	na	4	5,161	5,085	Jan 12	22
Hook-and-line CV >= 60 ft	141	0	na	0	123	0	na	0
Hook-and-line/Pot CVs < 60 ft	3,867	4,118	Jan 25	17	3,360	3,331	Jan 16	20
Jig	69	0	na	0	69	0	na	0
Trawl CV	22,758	19,785	na		19,837	17,994	na	79
AFA CP	2,400	516	na	14	2,092	1,307	Jan 20	15
Amendment 80 CP	13,985	7,008	na	14	12,191	6,373	na	16
Total	94,568	58,779		161	82,399	61,201		194

¹In 2024, NMFS reallocated 1,100 mt, and in 2023 NMFS reallocated 950 mt of the A season jig allocation to the hook-and-line or pot gear less than 60 ft length annual allocation.

Pacific cod directed fishing – Pacific cod Trawl Cooperative (PCTC) Program for the trawl CVs

The trawl CV sector started fishing the PCTC Program on February 1, 2024. For the A season, 32 CVs have reported 18,926 mt of the 21,258 mt A season limit. In 2023, 52 trawl CVs reported 16,899 mt in the Pacific cod target during the same time period.

BSAI Flatfish (includes CDQ)

In 2024 relative to 2023, overall BSAI flatfish catch is about 5,324 mt lower. In 2024, flathead sole has the largest increase in catch and yellowfin sole has the largest decrease in catch.

Species	2024			2023		
	Catch	TAC	% Taken	Catch	TAC	% Taken
Alaska plaice	2,222	21,752	10%	2,976	17,500	17%
Arrowtooth flounder	359	14,000	3%	491	15,000	3%
Flathead sole	7,048	35,500	20%	3,969	35,500	11%
Greenland turbot	0	3,188	0%	3	3,960	0%
Kamchatka flounder	24	7,498	0%	19	7,579	0%
Other flatfish	757	4,500	17%	654	4,500	15%
Rock sole	11,528	66,000	17%	8,785	66,000	13%
Yellowfin sole	17,920	195,000	9%	28,285	230,000	12%
Total	39,858	347,438	11%	45,182	380,039	12%

Note: Directed fishing for Arrowtooth flounder, Kamchatka flounder, and Greenland turbot opens at noon, May 1.

BSAI Atka mackerel, Pacific ocean perch (POP) includes CDQ, and Trawl Sablefish

The 2024 Atka mackerel, POP, and AI trawl sablefish catch is less 2023.

Species	2024			2023		
	Catch	TAC	% Taken	Catch	TAC	% Taken
Atka mackerel	10,143	72,987	14%	13,200	69,282	19%
Pacific ocean perch	425	37,626	1%	909	37,703	2%
BS non-CDQ Sablefish-Trawl	17	3,398	1%	15	3,398	1%
AI non-CDQ Sablefish-Trawl	5	1,794	0%	10	1,794	1%

Gulf of Alaska**Pacific cod - Western GOA**

The 2024 jig gear allocation increased from 2.5 percent to 3.5 percent, and the other sectors decreased to account for the jig gear allocation.

Sector	2024				2023			
	A season allocation	Catch Mar 23	A season closed	# of vessels Mar 23	A season allocation	Catch Jan 28	A season closed	# of vessels Jan 28
Hook-and-line CP	651	486	na	<3	555	409	na	3
Hook-and-line CV	42	0	Jan 1	0	36	0	Jan 1	0
Jig	92	16	na	4	78	80	Mar 14	13
Pot CV/CP	1,182	1,205	Feb 19	5	1,009	1,000	Feb 1	10
Trawl CV	1,882	1,232	na	16	1,607	1,326	Mar 4	13
Trawl CP	54	0	Jan 20	0	46	0	Jan 20	0
Total	3,902	2,939		27	3,331	2,816		40

Pacific cod - Central GOA

The 2024 jig gear allocation increased from 1 percent to 2 percent, and the other sectors decreased to account for the jig gear allocation.

Sector	2024				2023			
	A season allocation	Catch Mar 23	A season closed	# of vessels Mar 23	A season allocation	Catch Jan 28	A season closed	# of vessels Jan 28
Hook-and-line CP	622	493	na	<3	452	336	na	<3
Hook-and-line CV <50 ft	1,410	1,048	Mar 26	23	1,026	1,025	Feb 28	24
Hook-and-line CV ≥50 ft	849	672	Mar 22	7	618	518	Mar 15	7
Jig	185	5	na	3	67	3	Apr 28	<3
Pot CV/CP	2,698	3,014	Feb 9	20	1,963	2,107	Feb 26	24
Trawl CV ¹	3,828	2,150	na	37	2,785	1,268	Jan 20	38
Trawl CP	303	0	Jan 20	0	221	0	Jan 20	0
Total	9,901	7,382		92	7,131	5,256		97

¹In 2024, Central GOA trawl CV sector was closed January 20 to February 5, 2024.

Pollock

For Area 610, 11 CVs have targeted pollock in the A season.

For Area 620, the vessels are voluntarily waited to fish until February 1, 2024. Thirty-seven CVs have targeted pollock in the A season.

For Area 630, the vessels are voluntarily waited to fish until February 5, 2024. Seventeen CVs have targeted pollock in the A season.

2024 A season	610	620	630	640
A season allocation	5,422	70,918	13,862	5,565 (annual)
A season catch	4,975	49,552	2,722	1,345
A season closure	na	na	na	na

Chinook Salmon PSC Limits in the GOA

Chinook Salmon	2024 Limit	2024 PSC (Rate ¹)	2023 PSC (Rate ¹)
Total	n/a	5,333	4,154 (xx)
Western GOA pollock	6,684	996 (0.19)	0
Central GOA pollock	18,316	4,334 (0.08)	3,288 (0.05)
Western/Central trawl CV ²	3,060	3 (0.00)	866 (0.52)
Central Rockfish Program CV	1,200	0	0
Western/Central trawl C/P ²	4,080	0	0

¹Rate is number of salmon per metric tons of groundfish.

²The limit include the incentive buffer for 2023 and 2024 Western/Central trawl C/P limit (480 Chinook) and Western/Central trawl CV (360 Chinook).

Halibut PSC Data

In 2024 relative to 2023, the total halibut PSC and groundfish are lower in the BSAI and in the GOA.

Area, Gear, and Sector	2024			2023		
	Halibut mortality	Groundfish	Rate	Halibut mortality	Groundfish	Rate
BSAI Total	665	598,603	0.11%	785	644,168	12%
Amendment 80	493	64,784	0.76%	533	71,830	0.74%
BSAI trawl limited access ¹	91	433,810	0.02%	179	474,062	0.04%
Non-trawl Pacific cod	40	31,857	0.13%	34	31,009	0.11%
Non-trawl Other	0	0	0%	0	0	0%
CDQ	41	68,152	0.06%	39	67,267	0.06%
GOA Total	22	66,052	0.03%	42	70,156	0.06%
Trawl, Deep-water	0	0	0%	0	0	0%
Trawl, Shallow-water	4	62,629	0.01%	20	67,040	0.03%
Hook-and-line	18	3,423	0.53%	23	3,116	0.74%

¹In 2024 includes 74 mt of halibut mortality for the PCTC Program.