



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

January 31, 2022

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 2021 meeting include:

- Comment period for the proposed 2022 and 2023 BSAI and GOA harvest specifications for Groundfish ended on January 3, 2022 and January 5, 2022, respectively. The final harvest specifications are expected to publish in early 2022.
- Final Rule to remove GOA sablefish IFQ pot tag and notary requirements published on December 13, 2021. Effective date: **December 13, 2021**.
- **Attachment 1** provides additional detail.

IPHC – Update

During the 98th session of the IPHC Annual Meeting, US Commissioners considered a regulatory proposal submitted by Canada to allow a three fish daily bag limit in the recreational halibut fishery in Area 2B.¹ The IPHC decided to defer action on this regulatory proposal until an IPHC Special Session is scheduled in late February or early March, 2022. NMFS is requesting input from the Council and stakeholders on the potential impacts of this proposal.

Management of the recreational halibut fishery in Area 2B is described in the Canadian National report starting on page 15.² Various management measures were relaxed throughout the 2021 fishing year due to the impacts of the ongoing COVID-19 pandemic.

The DFO and Sport Fishing Advisory Board (SFAB) Halibut Committee meets monthly throughout the fishing season to review estimated catches. For 2022, the SFAB is considering

¹ IPHC Fishery Regulatory Proposal B4 submitted by Fisheries and Oceans Canada is available at: <https://iphc.int/uploads/pdf/am/am098/iphc-2022-am098-propb4.pdf>.

² The Canada Contracting Party report is available at: <https://iphc.int/uploads/pdf/am/am098/iphc-2022-am098-nr01.pdf>.



various management options they may recommend to DFO in light of existing and/or continuing impacts from the Covid-19 pandemic. These options may include considering changes to:

- Minimum and Maximum size limits
- Individual annual limits
- Daily and total possession limits
- Season length
- Time and area closures

The regulatory proposal to be considered at the upcoming IPHC Special Session would incorporate the 3-fish daily limit into the routine suite of management measures available to fishery managers. IPHC Commissioners welcome the Council and stakeholder perspectives on the Canadian proposal to allow a 3-fish bag limit and will consider those perspectives at the upcoming Special Session.

Petition for Emergency Rulemaking – Salmon Bycatch

On January 25, 2022, NOAA Fisheries denied a request for emergency action to eliminate Chinook salmon bycatch in the Bering Sea pollock fishery and implement a hard cap on chum salmon bycatch.

The request—submitted on December 21, 2021 by Kawerak, Inc., the Association of Village Council Presidents, the Kuskokwim River Inter-Tribal Fish Commission, the Yukon River Inter-Tribal Fish Commission, the Aleut Community of St. Paul Island, and the Bering Sea Elders Group—effectively asked Secretary of Commerce Gina Raimondo to close the Bering Sea pollock fishery in 2022. The petitioners also asked for Tribal consultation with Western and Interior Alaska Tribes to develop long-term measures to reduce chum salmon bycatch, which NOAA Fisheries is currently undertaking.

The agency has determined that this request does not meet the three criteria necessary for NOAA Fisheries to implement an emergency rule nor the requirements under MSA. In particular, the petition does not indicate that the elimination of bycatch is “practicable” (as is required by the MSA) nor is the requested action likely to address the emergency from salmon run failures in Western Alaska. The best available scientific information indicates that those failures have resulted from broad changes in the marine and freshwater environment. Chinook salmon bycatch in the Bering Sea pollock fishery comprises less than 3 percent and chum salmon bycatch comprises less than 1 percent of the returns to Western Alaska river systems. Closure of that fishery in 2022 is unlikely to result in substantive increases to the subsistence and commercial harvests in 2022.

Research suggests unfavorable ocean conditions related to climate change are likely a cause of the Bering Sea salmon fishery failures. The bottom temperatures in the Bering Sea have been higher than average in recent years, and 2019 was the warmest year in the 40-year time series. The reasons for the poor run sizes of salmon in 2020 and 2021 are assumed to be related to warmer than usual Bering Sea temperatures in recent years. The ecosystem conditions contributing to the declines in salmon runs have persisted for numerous years. There are also additional sources of salmon ocean mortality.

NOAA Fisheries is committed to working with the Tribes, North Pacific Fishery Management Council, fishing industry, and other stakeholders to examine our current salmon bycatch management measures and develop long-term management measures to further limit Chinook and chum salmon bycatch.

A copy of the petition is posted on the Council agenda and the NOAA Fisheries news release is available at: <https://www.fisheries.noaa.gov/news/noaa-fisheries-denies-request-emergency-action-bering-sea-salmon-bycatch>.

Petition for Emergency Rulemaking – Red King Crab Savings Area

Emergency action was requested by the Alaska Bering Sea Crabbers (ABSC) on September 29, 2021, due to the low abundance of mature female red king crab and the subsequent closure of the directed fishery for Bristol Bay red king crab (BBRKC) in the 2021/2022 crab fishing year. ABSC proposed an expansion to the current red king crab savings area (RKCSA) with the expectation that this action will provide immediate conservation benefits to the BBRKC stock and reduce the potential of future closures of the directed crab fishery. Under this proposed request, the expanded area would be subject to the RKCSA's prohibition on fishing with trawl gear other than pelagic trawl gear (50 CFR 679.22(a)(3) and Figure 11 to 50 CFR part 679). In response to the request for an emergency rule at their October 2021 Council meeting, the North Pacific Fishery Management Council (Council) requested an analysis on the likely impacts of expanding the RKCSA through emergency rule to shift the northern boundary from 57° 00.0' N to 57° 30.0' N. The Council requested that the analysis 1) assess the immediate conservation benefits for female red king crab and whether an emergency rule would improve the likelihood of a directed red king crab fishery in the following year consistent with NOAA's emergency rule criteria, and 2) include an evaluation of impacts this closure may have on red king crab and other PSC species and harvests of groundfish species to the extent possible.

At their December 2021 meeting, the Council reviewed the analysis and chose to not recommend emergency action on the proposed expansion of the RKCSA as the proposal did not meet all three necessary criteria for NMFS to implement an emergency rule. Independently, NMFS agreed with the Council's determination and justification and concluded that this request for emergency action does not meet all three criteria necessary to determine that an emergency exists. A case could be made for the first two criteria in that the closure of the directed fishery is a recently discovered circumstance, as well as a management problem, and that the low abundance of mature female BBRKC represents a serious conservation problem. However, the analysis does not support the third criterion. Our analysis suggests that the proposed closure expansion is unlikely to result in any measurable BBRKC savings when taking into account the impacts on bycatch of BBRKC and other species when moving the nonpelagic trawl groundfish fisheries to other areas.

A copy of the petition is posted on the Council agenda.

Petition to Require Transition to Ropeless Fishing

NMFS received a petition from the Center for Biological Diversity. The petition is nationwide in scope and asks NMFS to promulgate regulations requiring all Marine Mammal Protection Act Category I and II trap/pot fisheries (those with frequent or occasional mortality or serious injury to

marine mammals) to transition to ropeless fishing within the next five years, prioritizing areas in National Marine Sanctuaries. Currently the only Category II pot fishery in Alaska is the AK Bering Sea / Aleutian Islands Pacific cod pot fishery. The petition cites North Pacific right whales as one of the examples of a species subject to entanglement risks. NMFS will review this petition as we do with all petitions we receive.

CBD news release with link to the petition:

<https://biologicaldiversity.org/w/news/press-releases/legal-petition-seeks-federal-ropeless-rule-to-save-whales-from-fishing-gear-2021-12-09/>

ESA Status Review for Sunflower Sea Stars

On December 27, 2021, NMFS published a positive 90-day finding on a petition from the Center for Biological Diversity to list sunflower sea stars under the Endangered Species Act. NMFS found that the petition presents substantial scientific information indicating that listing may be warranted, and we are therefore initiating a status review of the species to determine whether listing under the ESA is warranted. We are soliciting relevant information through February 25, 2022. The petition and finding are available at: <https://www.fisheries.noaa.gov/action/90-day-finding-petition-list-sunflower-sea-star-under-endangered-species-act>.

Petition on Cook Inlet Beluga Takes

On January 19, 2022, NMFS received a petition from the Center for Biological Diversity, Environmental Investigation Agency, Alaska Wildlife Alliance, and Cook Inletkeeper to cap directed and incidental take authorizations for Cook Inlet beluga whales. The petition calls for NMFS to develop a programmatic Environmental Impact Statement and undertake a programmatic ESA section 7 consultation to look comprehensively at take authorization; to promulgate a cap on take authorization that would allow zero takes per year with limited exceptions until the whales are recovering; and to increase the transparency of take accounting. NMFS will review this petition as we do with all petitions we receive.

Cost recovery Fee Percentages

Reports for cost recovery programs are posted on the Alaska Region website and under NPFMC agenda item B-2, NMFS Management Report.³ The annual notices for IFQ and rockfish cost recovery programs published December 29, 2021 and January 24, 2022, respectively.

The 2021 IFQ fee percentage was 2.3 percent, a decrease from the 2020 fee percentage of 3.0 percent. The overall decrease was due to an increase in combined fishery value for Halibut and sablefish landings and a decrease in management costs.

³ Annual cost recovery reports are available at: <https://www.fisheries.noaa.gov/alaska/commercial-fishing/cost-recovery-programs-fee-collection-and-fee-payment-alaska>.

The 2021 Rockfish fee percentage was 2.77 percent, a decrease from the 2020 fee percentage of 3.0 percent. The overall decrease was due to an increase in fishery value. Management costs increased marginally, a change of 1.8 percent.

Notice to Permit Holders

NMFS Restricted Access Management Program (RAM) regularly communicates with Federal fisheries permit holders electronically through the Gov-delivery email service. To ensure you receive up-to-date information and communications from NMFS regarding permitting news, deadlines, and activities, please update your email address on file with RAM.

You can update your email address by emailing our staff with your current contact information at RAM.Alaska@noaa.gov.

Aquaculture Opportunity Area Identification Process

NOAA hosted an Aquaculture Opportunity Area and Aquaculture Atlas webinar on January 18, 2022. Slides are available [here](#). The webinar focused on the recently released [Aquaculture Atlases](#) identifying 19 areas (500 to 2,000 acres), or “options”, that may be suitable for marine aquaculture across the Gulf of Mexico and Southern California Bight. These Atlases are powerful tools that will help to inform the identification of AOAs in both regions. The Atlases provide the most comprehensive marine spatial analyses ever developed for any U.S. ocean space. The Atlases do not establish AOAs, but provide peer-reviewed spatial mapping and data analyses that contribute to and inform the selection process.

During the public meeting NOAA staff will provide an overview of the contents of these Atlases, discuss next steps as the agency works toward the development of the programmatic EISs for the first two AOAs, and answer AOA related questions from the public. These public meetings ensure that the development of AOAs is an inclusive and transparent process and we encourage stakeholders to explore the [AOA information available](#).

NOAA is still evaluating available resources in regional and headquarters offices to determine next steps and a timelines for moving forward with identifying AOAs in the next region(s) of the country where interest was expressed during the public comment period.

Tribal Consultation Update

In response to public testimony by tribal members or representatives to the Council at their October 2021 meeting, NMFS Alaska Region invited testifiers to participate in two engagement sessions. NMFS organized two listening sessions to discuss halibut and salmon bycatch issues. The first virtual discussion session was November 29, 2021 to discuss halibut bycatch and the second was January 11, 2022 to discuss salmon bycatch. Notes from both of these sessions are posted on the Council agenda and available on our website (link below).

NMFS staff, including Acting RA Doug Mecum, participated in a tribal consultation with members of the Tanana Chiefs Conference on January 21, 2022. Representatives of this group

provided their perspectives and recommendations for salmon issues such as the impacts of the lack of Chinook and chum salmon returns to interior rivers, associated impacts on subsistence needs, the need for additional Native representation on the Council and other management bodies, and food security. NMFS provided information about the Council process, NMFS's decision-making process associated with fishery management actions, NMFS's tribal engagement efforts, current salmon bycatch restrictions in the groundfish fisheries, salmon research, and the petition to prohibit pollock fishing in 2022. Notes from this consultation will be made available on our website (link below).

Alaska Regional Office fisheries Tribal Consultation information is available at: <https://www.fisheries.noaa.gov/alaska/consultations/alaska-fisheries-tribal-consultation-documents-and-workgroup>. For further information, contact Obren Davis at obren.davis@noaa.gov.

Staff Changes

Allyson Olds has moved from the Inseason Management Branch to the Operations Branch to serve as our technical editor. Allyson began working in SF in January 2021 with Inseason management, and is taking the skills and knowledge earned there, along with her background in editing, to her new role. Allyson has a Bachelor of Science in Fisheries and Wildlife from Michigan State University and a Master's of Science in Fisheries from the University of Alaska in Fairbanks where she also received a Certificate of Writing Excellence: Recognition of Writing Excellence from the Dean of the Graduate School.

Jason Gasper began a 4-month temporary detail assignment in January 2022 as the chief of the Catch Analysis and Data Quality (CADQ) branch in SF. Jason has a Masters in Marine Affairs from the University of Washington, a PhD Fisheries from the University of Alaska Fairbanks, and a Certificate of Specialization in Leadership and Management from Harvard Business School. Jason has worked in the Alaska Region since 2005. He began his NMFS career writing regulations related to halibut sport fishing and IFQ issues and he moved to the CADQ branch in 2006. Jason is an experienced team lead and provides technical and statistical expertise and analysis for policy and regulatory projects on a wide variety of topics, including catch accounting and observer issues. He also serves on the North Pacific Fishery Management Council's Scientific and Statistical Committee.

Inseason Management Report

Attachment 2 provides additional detail.

Attachment 1 -- Status of Regulatory Actions

Changes since December 2021 are noted in **Bold Red** EOC = End of Comment Period

Action Status	Lead Council and SF Staff	Date of Council Final Action	Start Regional Review	Received by GCAK	Transmittal Date of Action to NMFS HQ for Review	Notice of Availability (FMP) Published in <i>Federal Register</i>	Proposed Rule Published in <i>Federal Register</i>	Final Rule or Notice of Approval Published in <i>Federal Register</i>
FMP Amendments								
Amendment 122 (BSAI) Pacific cod Trawl CV Cooperative Program	McCracken Warpinski	October 2021						
Amendment 123 (BSAI) Halibut ABM	Stram Mansfield	December 2021						
Regulatory Amendments								
Remove GOA sablefish IFQ pot tag and notary requirements	A. Miller	N/A	PR: 8/31/21 FR: 11/12/21	PR: 8/31/21 FR: 11/12/21	PR: 9/17/21 FR: 11/22/21	N/A	Oct 6, 2021 86 FR 55560 EOC: 11/5/21	Dec 13, 2021 86 FR 70751 Effective: 12/13/21
Gulf of Alaska; Proposed 2022 and 2023 Harvest Specifications for Groundfish	Cleaver Davis	December 2021	PR: 10/18/21 FR: 12/27/21	PR: 10/21/21 FR: 1/10/22	PR: 11/15/21 FR: 1/31/22	N/A	Dec 6, 2021 86 FR 68982 EOC: 1/5/22	
Bering Sea and Aleutian Islands: Proposed 2022 and 2023 Groundfish Harvest Specifications	Stram Whitney	December 2021	PR: 10/19/21 FR: 1/4/22	PR: 10/22/21 FR: 1/10/22	PR: 11/17/21	N/A	Dec 3, 2021 86 FR 68608 EOC: 1/3/22	

Amendment 121 to BSAI FMP and Amendment 110 to GOA FMP to Reclassify Sculpin; Correction to Tables 10 and 11 to Part 679	Smith	N/A	FR: 11/30/21	FR: 12/1/21	FR: 12/10/21	N/A	N/A	Dec 30, 2021 86 FR 74386 Effective: 12/30/21
Other Federal Register Notices								
Cost Recovery Fee Notice for Halibut and Sablefish IFQ Program for 2021	Jahn	N/A	12/20/21	12/20/21	12/21/21	N/A	N/A	Dec 29, 2021 86 FR 74071 Effective: 12/29/21
Cost Recovery Fee Notice for Rockfish Program 2021	Jahn	N/A	1/12/22	1/13/22	1/18/22	N/A	N/A	Jan 24, 2022 87 FR 3509 Effective: 1/24/2022
Notice of North Pacific Observer Program Standard Ex-Vessel Prices	Jahn	N/A	12/8/21	12/8/21	12/9/21	N/A	N/A	Dec 15, 2021 86 FR 71240 Effective: 1/1/2022

Attachment 2 -- Inseason Management Report

Catch during 2022 is through January 22, 2022 and is compared to catch during 2021 through January 23, 2021. 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 2022 Bering Sea pollock TAC is 1,111,000 mt compared to 1,375,000 mt in 2021. For 2022, NMFS will not reallocate any AI pollock TAC from the Aleutian Islands to the Bering Sea since the Bering Sea TAC is set equal to the Bering Sea acceptable biological catch.

Directed fishing opened by regulations at noon, A.l.t., January 20, 2022. Pollock catch is only for two days of fishing.

Bering Sea	2022 A season allocation	2022 A season catch	Percent taken
Inshore	213,840	5,296	2.5%
CP	171,072	2,120	1.2%
Mothership	42,768	0	0%
CDQ ¹	49,995	1,272	2.5%
Total	477,675	2,606	0.5%

Salmon in the Bering Sea Pollock Fisheries

NMFS estimates of salmon PSC is preliminary and subject to change. NMFS has determined that 2021 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, in 2022, the Chinook salmon PSC limit is 45,000 Chinook salmon, allocated to each sector as specified in 50 CFR 679.21(f)(3)(iii)(A).

Blackspotted and Roughey Rockfish

For 2022, the maximum species specific catch recommended in the Western Aleutian Islands is 32 mt. All sectors are requested to avoid blackspotted/roughey rockfish. A [weekly report](#) is available to monitor total catch of blackspotted/roughey rockfish in the Western Aleutian Islands.

BSAI Pacific cod by Sector

The 2022 Pacific cod TAC is 136,466 mt in the Bering Sea and 13,796 mt in the Aleutian Islands compared to the 2021 Bering Sea TAC of 111,830 mt and Aleutian Islands TAC of 13,796 mt. In 2022, NMFS has prohibited directed fishing for three sectors: pot CVs \geq 60 feet, hook-and-line/pot CVs less than 60 feet, and AFA CPs.

BSAI Sector	2022				2021			
	A season allocation ¹	Catch Jan 22	A season closed	# of vessels Jan 22	A season allocation ¹	Catch Jan 23	A season closed	# of vessels Jan 23
CDQ	9,647	201	n/a	3	8,037	0	n/a	0
Hook-and-line CP	33,164	2,189	n/a	8	27,600	3,595	n/a	11
Pot CP	1,021	120	n/a	<3	850	792	Jan 16	3
Pot CV \geq 60 ft	5,720	6,104	Jan 22	27	4,761	4,486	Jan 21	21
Hook-and-line CV \geq 60 ft	136	0	n/a	0	113	0	n/a	0
Hook-and-line/Pot CVs < 60 ft	3,746	3,075	Jan 26	18	3,122	2,817	Jan 26	26
Jig	52	0	n/a	0	39	0	n/a	0
Trawl CV	21,944	10	n/a	17	18,281	8	n/a	8
AFA CP	2,315	12	Jan 20	6	1,928	0	Jan 20	0
Amendment 80 CP	13,485	67	n/a	10	11,234	58	n/a	7
Total	91,230	11,778		92	75,965	11,756		77

¹In 2022, NMFS reallocated 1,075 mt, and in 2021 NMFS reallocated 900 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 - trawl CVs

Currently, the trawl CV sector is voluntarily standing down from directed fishing for Pacific cod until February 6, 2022. The stand down is to delay fishing for Pacific cod when catch rates are expected to be higher and halibut prohibited species catch rates are expected to be lower. Current catch reported is incidental in other target fisheries.

Pacific cod directed fishing - pot CVs \geq 60 ft

The BSAI pot CV \geq 60 ft A season closure date of January 23, 2022, was projected based on a daily rate of 400 mt per day and an unfavorable weather forecast. However, the rate appears to have almost doubled the last few days of the fishery causing an A season overage. The overage amount will be deducted from the B season allocation of 5,496 mt.

Gulf of Alaska

Pacific cod

In 2022, NMFS closed directed fishing for the A season for some sectors with allocations that are necessary to support incidental catch:

Western GOA – Hook-and-line CV, Trawl CP

Central GOA – Trawl CV, Trawl CP

Pacific cod - Western GOA

Sector	2022				2021			
	A season allocation	Catch Jan 22	A season closed	# of vessels Jan 22	A season allocation	Catch Jan 23	A season closed	# of vessels Jan 23
Hook-and-line CP	732	91	n/a	1	588	0	n/a	0
Hook-and-line CV	47	0	Jan 1	0	38	0	Jan 1	0
Jig	146	0	n/a	0	117	0	n/a	0
Pot CV/CP	1,330	202	n/a	6	1,068	448	n/a	9
Trawl CV	2,118	0	n/a	0	1,701	0	n/a	0
Trawl CP	60	0	Jan 20	0	49	0	Jan 20	0
Total	4,433	293		7	3,561	448		9

Pacific cod - Central GOA

Sector	2022				2021			
	A season allocation	Catch Jan 22	A season closed	# of vessels Jan 22	A season allocation	Catch Jan 23	A season closed	# of vessels Jan 23
Hook-and-line CP	602	0	n/a	0	416	0	n/a	0
Hook-and-line CV <50 ft	1,366	13	n/a	2	945	115	n/a	10
Hook-and-line CV ≥50 ft	823	48	n/a	3	569	0	n/a	0
Jig	89	0	n/a	0	61	0	n/a	0
Pot CV/CP	2,615	928	Jan 22	8	1,808	1,579	Jan 22	14
Trawl CV	3,710	0	Jan 20	0	2,565	0	Jan 20	0
Trawl CP	294	0	Jan 20	0	203	0	Jan 20	0
Total	9,499	988		13	6,567	1,694		24

Pollock

For Area 610, NMFS closed directed fishing for the A season on January 20, 2022 because the TAC does not support directed fishing.

The pollock fleet is voluntarily standing down in Area 620 from January 20 to February 4 and for Area 630 from January 20 to February 14. There is some incidental catch reported from the non-trawl Pacific cod fisheries. There has been some effort in area 640.

2022 A season	610	620	630	640
A season allocation	1,132	52,304	8,080	5,412 (annual)
A season catch	2	0	1	251
A season closure	January 20	n/a	n/a	n/a

Halibut Mortality Data

Halibut mortality is preliminary and subject to change. In 2022 relative to 2021, the total halibut mortality and groundfish are lower in the BSAI and GOA.

Area, Gear, and Sector	2022			2021		
	Halibut mortality	Groundfish	Rate	Halibut mortality	Groundfish	Rate
BSAI Total	7	13,554	0.05%	11	9,054	0.12%
Amendment 80	2	1,485	0.13%	8	1,663	0.48%
BSAI trawl limited access	2	7,582	0.03%	0	2,685	0
Non-trawl Pacific cod	3	2,955	0.10%	3	4,706	0.06%
Non-trawl Other	0	0	0	0	0	0
CDQ	0	1,532	0	0	0	0
GOA Total	0	0	0	3	141	2.13%
Trawl, Deep-water	0	0	0	0	0	0
Trawl, Shallow-water	0	0	0	0	0	0
Hook-and-line CP	0	0	0	0	0	0
Hook-and-line CV	0	0	0	3	141	2.13%