



December 1, 2023

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 February 2023 meeting include:

- On **November 24, 2023**, NMFS published a final rule to implement Amendment 123 to the Fishery Management Plan (FMP) for Groundfish of the Bering Sea and Aleutian Islands (BSAI) Management Area (BSAI FMP); Halibut Abundance-Based Management ([88 FR 82740](#)). This rule is effective **January 1, 2024**.
- On **November 9, 2023**, NMFS published a final rule to modify monitoring requirements for catcher/processors using pot gear in the BSAI ([88 FR 77228](#)). This rule is effective **December 11, 2023**.
- On **November 3, 2023**, NMFS published a notice of availability of fishery management plan amendment for Amendment 18 to the FMP for the Scallop Fishery off Alaska ([88 FR 75535](#)). Comments are invited through **January 2, 2024**.
- On **October 19, 2023**, NMFS published a proposed rule and notice of availability ([88 FR 72314](#)) for Amendment 16 to the Salmon FMP which would implement Federal management of salmon fishing in the Cook Inlet EEZ. Comments are accepted until December 18, 2023. After reviewing and addressing all comments, NMFS will publish a final rule no later than May 1, 2024.
- NMFS published the proposed 2024 and 2025 BSAI harvest specifications on **December 5, 2023** with comments invited through **January 4, 2024**. NMFS expects to publish the proposed 2024 and 2025 Gulf of Alaska (GOA) harvest specifications soon after.
- On **November 24, 2023**, NMFS published the 2023 standard prices and fee percentages to calculate the required cost recovery fees for four catch share programs in the BSAI management area ([88 FR 82336](#)). The fee percentages are 1.37 percent for the Amendment 80 Program, 0.26 percent for the American Fisheries Act inshore cooperatives, 0 percent for the Aleutian Islands Pollock Program, and 1.07 percent for the Western Alaska Community Development Quota Program. Cost recovery fees are due by **December 31, 2023**.
- **Attachment 1** provides additional detail.

Inseason Management Report

See separate presentation.



Cook Inlet Salmon

On October 19, 2023, NMFS published in the **Federal Register** a notice that Amendment 16 to the Fishery Management Plan for the Salmon Fisheries in the Exclusive Economic Zone (EEZ) Off Alaska (Salmon FMP) ([88 FR 72314](#)). Amendment 16 and proposed regulations are available, as required by MSA 304(c)(4)(B), for a 60-day public comment period, consistent with MSA 304(c)(6). The public comment period closes on **December 18, 2023**. Amendment 16 and the proposed rule would establish Federal management for salmon fishing in the Federal (EEZ) waters of upper Cook Inlet.

NMFS submitted Amendment 16 and the implementing regulations to the Council on October 19, 2023. At this meeting, NMFS will provide an overview of the proposed Amendment 16 and the proposed regulations to the Council. The Council is invited to submit comments and recommendations on Amendment 16 and proposed regulations during the public comment period.

Alaska Aquaculture Opportunity Areas Request for Information

On October 19, 2023, NMFS published a Request for Information (RFI) in the [Federal Register](#) with a 60-day public comment period to assist with the identification of study areas, data, and analyses relevant to identifying Aquaculture Opportunity Areas (AOA's) in Alaska state waters (88 FR 72046). NMFS is working in partnership with the State of Alaska on this effort, which will only consider invertebrates (e.g., shellfish and sea cucumber), and seaweed farming. NMFS will incorporate input from Tribes, State and Federal Agencies, aquaculture stakeholders, and public comments collected through the Request for Information into final study areas. Comments may be submitted electronically, identified by Docket (NOAA-NMFS-2023-0113), via [Regulations.gov](#), or by mail to the Alaska Regional Office until **December 18, 2023**. In addition, NMFS hosted three public listening sessions to gather input from those who prefer to submit oral comments. The final listening session is scheduled December 11th from 2-4pm AST. More information on how to submit comments is available at: <https://www.fisheries.noaa.gov/action/request-information-identifying-aquaculture-opportunity-areas-alaska>.

The public input provided in response to this RFI will inform NMFS as it works in coordination with appropriate Tribal Organizations, state and federal agencies, and the North Pacific Fishery Management Council (Council) to identify geographic areas that will be considered in more depth through the Programmatic National Environmental Policy Act (NEPA) review. NMFS 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.

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 RFI webpage](#). If you have questions, please contact the Alaska Regional Office's Aquaculture Coordinator Alicia Bishop at Alicia.Bishop@noaa.gov.

Alaska Region Priorities for FY24

The NMFS Alaska Region [FY24 Priorities](#) document is available on our website. This is the second annual compilation of top priorities for the Alaska Region, supporting our mission to provide science-based stewardship of Alaska’s marine resources and their habitats in the Gulf of Alaska, eastern Bering Sea, and Arctic oceans. We are guided by strategic plans that set multi-year goals and objectives, and we have for many years identified milestones to track our progress on some major activities each quarter. Laying out our top priorities for FY24 in this document is an additional step and a way to make clear to Alaska Region staff, other parts of NMFS, the Council, and our partners and stakeholders the top things we aim to accomplish this fiscal year. Given that we have limited resources, it’s useful to remind ourselves about what needs to come first, while of course recognizing that priorities sometimes must shift in response to changes around us.

This document identifies our priorities based on the [Alaska Region 2022-2027 Strategic Plan](#), higher-level strategic plans, and our Senior Leadership Team’s view of the most pressing things we need to do this year to meet our legal mandates, address the expectations of our stakeholders, and support our staff. The Alaska Region accomplishes many other important tasks over the course of a year that are priorities for various NMFS programs. This document strives to capture must-do priorities at the level of the Alaska Region as a whole.

2024 Annual Deployment Plan

The final 2024 Annual Deployment Plan (ADP) for Observers and Electronic Monitoring (EM) in the Groundfish and Halibut Fisheries off Alaska is posted under the B-2 Agenda Item. The North Pacific Observer Program is the largest observer program in the country and covers vessels in both partial coverage and full coverage. In the full coverage component of the program, every trip is monitored by one or two observers and the vast majority of groundfish harvest is covered by this portion of the program. In 2024, NMFS expects to monitor 2,833 trips, consisting of an estimated 16,817 days, in the full coverage component of the program, and 1,006 trips and 5,025 days in the partial coverage component. The ADP mainly focuses on the partial coverage component of the program and specifies the scientific deployment design and selection rate—the portion of trips that are sampled by observers and EM. The budget for EM and observer deployment in the partial coverage component of the program in 2024 is \$5.819M. The fixed-gear EM pool will consist of 177 vessels, which accounts for one vessel that was removed from this pool for not adhering to its vessel monitoring plan, four vessels that opted-out, and three new vessels that requested to be added to this pool for 2024 and were approved by NMFS. The trawl EM pool is composed of all vessels fishing under an Exempted Fishing Permit to evaluate the efficacy of EM on pollock catcher vessels using pelagic trawl gear in the Bering Sea and Gulf of Alaska. In 2024, 108 vessels are expected to participate in this pool, 55 of which will participate in partial coverage fisheries.

In 2024, the NMFS will implement the Proximity allocation method to deploy observers and EM in the partial coverage component. The draft ADP presented five allocation methods that were evaluated to address the Council’s priority for improving cost efficiencies in the partial coverage program and maintaining a monitoring program that meets NMFS’s data collection mandates. The overarching goal of the cost efficiencies analysis was to develop a fishery monitoring design that balances statistically rigorous data collection with minimizing the impacts on fishing operations while maximizing the amount of sampling conducted under a given budget. The Proximity allocation method is designed to spread sampled trips throughout the fisheries to increase the

proportion of trips that are sampled or near a sampled neighbor and to be consistent between strata within a specified budget, while also protecting against small sample sizes within a stratum. The method is precautionary with respect to obtaining data from all types of fishing activity (decreasing data gaps) while protecting against high variance associated with low sample sizes.

In 2024, fishing trips will be divided into groups, or selection pools, defined by whether monitoring is required on either all trips or a subset of trips and whether the trips will be monitored by observers or EM. In addition, groups will be further split into sampling strata, based on the FMP area (BSAI, GOA), and gear that combines hook-and-line and pot gear (Fixed, Trawl). Overall, NMFS will implement 10 sampling strata in 2024. The selection rates (rounded to the nearest whole number) for partial coverage strata in 2024 are—

- Observer Trip Selection
 - Trawl Observed BSAI – 72%
 - Trawl Observed GOA – 21%
 - Fixed-gear Observed BSAI – 44%
 - Fixed-gear Observed GOA – 13%
- Trawl EM – all vessels 100% at-sea coverage with EM; plus 33% shoreside monitoring in the GOA and 100% shoreside monitoring in the BSAI.
- Fixed-Gear EM
 - Fixed-Gear EM BSAI – 74%
 - Fixed-Gear EM GOA – 24%
- No Selection – 0%

Equity and Environmental Justice Town Hall Meetings

NMFS released its National Equity and Environmental Justice (EEJ) Strategy May 22, 2023. The EEJ Strategy guides us to serve all communities more equitably and effectively, and reflects input our agency received as part of an extensive public outreach and engagement process. NMFS Alaska Region and AFSC have formed an EEJ Working Group to advance equity and environmental justice through our marine conservation and management work in Alaska. The Group is seeking public input to be considered for inclusion in an Alaska Equity and Environmental Justice Implementation Plan. We are currently seeking initial feedback to be included in a draft of the implementation plan, due December 31, 2023. Throughout 2024 we will seek additional public feedback on the draft plan, which will be incorporated in the final Alaska Equity and Environmental Justice Implementation Plan, due December 31, 2024. Detailed information including how to comment can be found in a one-page flier attachment included with this report.

Halibut Abundance-Based Management Final Rule

The final rule to implement Amendment 123 to the BSAI FMP is effective **January 1, 2024**. The Alaska Fisheries Science Center (AFSC) provided the Eastern Bering Sea (EBS) shelf trawl survey estimate of halibut abundance. The 2023 EBS index estimate of halibut abundance is 170,238 mt and is above the high range of 150,000 mt and is in the “high” abundance state. The 2023 International Pacific Halibut Commission (IPHC) index estimate of halibut abundance is 6,462 mt and is in the “low” range. Based on the intercept of those separate indices in Table 58 to part 679, the 2024 Amendment 80 Prohibited Species Catch limit will be 1,396 mt.

Pacific Cod Trawl Cooperative Program Implementation

Effective September 7, 2023, NMFS issued a final rule to implement the Pacific Cod Trawl Cooperative (PCTC) Program ([88 FR 53704](#), August 8, 2023). Alaska Region staff have been busy reviewing Applications for Cooperative Quota (CQ) and reviewing claims for additional QS and supporting evidence. On October 19, 2023, NMFS issued quota shares (QS) to 95 License Limitation Program permits belonging to 66 different participants. NMFS issued 12 PCTC Processor QS Permits to 9 participants. Fishery participants then formed cooperatives and applied for CQ. NMFS received applications from six cooperatives. NMFS will issue CQ to cooperatives after inter-cooperative agreements are submitted to NMFS. Inter-cooperative agreements are due December 31, 2023. NMFS did not receive notification from Aleutian Islands communities that they intend to process Pacific cod for the 2024 fishing season by the October 15 deadline and announced that there was no intent to process in the proposed harvest specifications. NMFS received one QS transfer request under the 90-day transfer provision at 50 CFR 679.130(i)(5)(ii). NMFS will process this transfer request before issuing CQ for fishing in 2024. Based on the timing of initial QS issuance, the deadline for any additional QS transfer requests under the 90-day transfer provision is January 16, 2024. Additional information about the PCTC Program and upcoming deadlines is available on the NMFS [Alaska Region website](#).

Recreational Quota Entity (RQE)

In early 2023, the Magnuson-Stevens Act was amended to authorize NMFS to develop regulations for the collection of fees from charter operators to fund the purchase of halibut quota shares by the RQE. The Alaska Region is now actively engaged with implementing the program. NMFS held a series of scoping meetings with charter operators in the summer of 2023 to explore the utility of a program where fees would be collected based upon electronic stamps that would be paid for and issued to charter operators using the existing Alaska Region eFish online platform. NMFS will continue to move forward with this project through 2024.

2023 Guided Angler Fish

NMFS finalized the 2023 annual report on the use of Guided Angler Fish (GAF) in the charter halibut sector.¹ The halibut Catch Sharing Plan authorizes annual transfers of commercial halibut individual fishing quota as GAF to qualified charter halibut permit holders. Using GAF, charter operators may offer charter anglers the opportunity to harvest up to two halibut of any size per day. NMFS issues GAF in numbers of halibut, based on a conversion factor from the average weight of GAF harvested in the respective areas in the previous year.

GAF continues to be an important component of the halibut Catch Sharing Plan, particularly in Southeast Alaska (IPHC Area 2C), where approximately 110,000 pounds of GAF was harvested. This represents a 14% increase above the existing 800,000 pound Area 2C charter allocation.

¹ Guided Angler Fish (GAF) Program Annual Reports are available at: <https://www.fisheries.noaa.gov/resource/document/guided-angler-fish-gaf-program-annual-reports>.

Killer Whale Incidental Catches in Alaska

NMFS confirmed the causes of death or injury for 11 killer whales caught incidentally in fishing gear and a NMFS research survey in Alaska in 2023. NMFS was also able to collect biological samples from 8 of the 11 whales to conduct genetic analysis to determine stock identification.

Nine of these 11 whales were caught by Bering Sea/Aleutian Island catcher processor vessels using non-pelagic trawl gear targeting flatfish (e.g., arrowtooth flounder, rex sole). Of these 9 whales, one was released alive and two were dead prior to capture – not killed by the fishing vessel. A tenth killer whale was caught by a BSAI catcher processor vessel using pelagic trawl gear to target pollock. This whale was also dead prior to capture – not killed by the fishing vessel. The eleventh whale was entangled and killed in survey gear during the AFSC’s annual longline survey for sablefish and groundfish.

Observers were able to collect biological samples from 8 of the 11 whales and determined that these whales were from the Eastern North Pacific Alaska Resident killer whale stock. All eight were females. Scientists were not able to determine the stock for the remaining three whales.

Under the Marine Mammal Protection Act, a Potential Biological Removal estimate determines the maximum number of animals, not including natural mortalities, that may be removed from a marine mammal stock per year while allowing the stock to reach or maintain its optimum sustainable population. For the Eastern North Pacific Alaska Resident killer whale stock, that number is 19 whales per year. For the Gulf of Alaska, Aleutian Islands, and Bering Sea Transient stock, it is 5.9 whales per year. For the Eastern North Pacific Offshore stock, it is 2.8 whales per year. The number of incidental takes of killer whales is higher than previous years; however, it is still below the annual level that would pose a risk to the long-term health for any of the three killer whale stocks found in the region where the incidental takes occurred.

NMFS takes seriously its responsibility to monitor and protect marine mammal populations in Alaska. We remain committed to further investigating potential 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.

Additional information about this analysis can be found on our [website](#).

Northern Fur Seal Conservation Plan Update

On June 12, 2023, NMFS published a Notice of Availability for public comment on the draft Conservation Plan for the Eastern Pacific Stock of Northern Fur Seal (Laaqudan) (Conservation Plan) with a public comment period that was open through August 11, 2023. This current revision is required to include the latest research and management changes for the Eastern Pacific stock of northern fur seals (formerly the Pribilof Islands population). We are working through our response to public comments and finalizing the plan.

Petitions to Change the Northern Fur Seal Subsistence Regulations

On November 9, 2023, NMFS announced the receipt of a petition for rulemaking under the Administrative Procedure Act ([88 FR 77245](#)). The Aleut Community of St. Paul Island, the Traditional Council of St. George Island, and the Aleut Marine Mammal Commission have

petitioned NMFS to revise regulations governing the subsistence taking of northern fur seals. The revisions requested include:

- changing the current hunting season on St. Paul Island, Alaska to begin on October 15,
- creating an annual hunting season on St. George Island, Alaska to begin on October 15 and end on May 31,
- and creating an annual hunting season in the Aleutian Islands in Alaska to begin on November 1 and end on April 30, with an upper take limit for the Aleutian Islands of 100 non-breeding male fur seals.

NMFS is currently accepting public comments on this request through December 11, 2023. NMFS will consider all comments and available information when determining whether to proceed with rulemaking.

Tribal Relations Update

Key Tribal Engagements

NMFS recently participated in the following tribal engagements:

1. Cooperating agency agreement formalized for the Chum Environmental Impact Statement (EIS)
2. Cooperating agency agreement formalized for the Southeast Alaska Salmon EIS

Tribal Consultation Invitations

NMFS Alaska Region (AKR) provided several invitations to consult with Alaska Native Tribes, Corporations, and Organizations that represent Tribal Governments since the October Council meeting.

1. Consultation on the Southeast Alaska Salmon EIS
2. See *Tribal Newsletter*, linked below for the remaining offers of consultation.

Tribal Consultation

NMFS AKR participated in one Tribal Consultation since October.

1. Tlingit and Haida on the Notice of Intent for the EIS and Incidental Take Statement for Southeast Alaska salmon fisheries.

Tribal Newsletter

NMFS released the [December Edition of our Tribal Newsletter](#) on November 3, 2023. The newsletter serves as an information source for NMFS contacts, job postings, grants, educational opportunities available throughout Alaska, and upcoming Council meetings and issues.

Personnel Changes

Sustainable Fisheries New Hires

Caleb Taylor and Lis Henderson joined the Sustainable Fisheries Division, Catch Shares Branch on November 6 in Juneau.

Caleb Taylor has a Master of Science degree in Renewable Natural Resources with a concentration in Fisheries and Aquaculture from Louisiana State University. He was a Knauss Marine Policy Fellow in 2021 with the U.S. Department of Transportation in support of the U.S. Committee on the Marine Transportation System. Most recently he worked as a Seafood Processing Workforce Development Coordinator for the Alaska Sea Grant program in Kodiak.

Lis Henderson received a Ph.D. in Biological Oceanography at the School of Marine and Atmospheric Sciences and her thesis was on the direct and indirect effects of temperature on fish distributions along the northeast United States. She also has a M.Sc. in Biological Oceanography from the Graduate School of Oceanography from the University of Rhode Island. Recently Lis worked to develop a weekly survey to collect Northern anchovy in Monterey Bay, CA. The project uses genomic sequencing of stomach contents and filtered seawater to observe seasonal variability in anchovy diet selectivity. She also worked part-time for an environmental firm reviewing public comments on a development project in the California Central Valley which employed federal environmental laws and regulations such as NEPA. Lis also worked with a diverse array of collaborators to synthesize a report on the future of the U.S.-origin Atlantic salmon under climate change projections to the end of this century.

Protected Resources New Hires

Sierra Franks joined the Protected Resources Division (PRD) on November 20th. Sierra is backfilling **Greg Balogh** (who will retire mid December) as a PRD Branch Chief and ESA Section 7 Coordinator. Sierra will be in our Anchorage office. Prior to starting with us, Sierra was with the USFWS in Anchorage as their Regulatory Program Branch Chief, within the Marine Mammals Management Office which implements the Marine Mammal Protection Act. Sierra previously worked with USFWS on the west coast, Washington Department of Fish and Wildlife, and NMFS (in Sacramento from 2011-2015). Sierra earned a MS from Oregon State University and BS from University of Hawaii.