

**Expanded Discussion Paper
Review of Regulations under
Executive Order 14276 Restoring American Seafood Competitiveness:
Council Workplan Development**

September 12, 2025

Abstract: This expanded discussion paper reviews regulations to identify potential changes that would reduce regulatory burdens and optimize seafood production while maintaining sustainability in Alaska's fisheries under Executive Order (E.O.) 14276, "Restoring American Seafood Competitiveness." It outlines ongoing Council actions responsive to E.O. 14276, summarizes responsive actions that are currently in the NMFS rulemaking process, and proposes new actions to reduce regulatory burden, categorized by their implementation vehicle (*e.g.*, those using Magnuson-Stevens Fishery Conservation and Management Act Section 305(d) authority or requiring the Council process). The document also conveys the Council's interest in pursuing process improvements. This discussion paper provides considerations for prioritizing these recommendations, including analytical and implementation complexity.

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1 NMFS's Request for Council Review

On April 17, 2025, the President signed [E.O. 14276 Restoring American Seafood Competitiveness](#).¹ E.O. 14276 is similar to the previous [E.O. 13921 Promoting American Seafood Competitiveness and Economic Growth](#), which the Fishery Management Councils responded to by providing a ‘prioritized list of recommended actions to reduce burdens on domestic fishing and to increase production within sustainable fisheries’ in November 2020. The North Pacific Fishery Management Council’s recommendation in response to [E.O. 13921](#), which was made during the October 2020 meeting, can be found [here](#).²

This document provides information about Fishery Management Plans (FMPs) and regulations for federal fisheries under the authority of the Council and other existing regulatory review processes, and identifies potential FMP amendments and regulatory revisions to support the goals of [E.O. 14276](#).

In addition to [E.O. 14276](#), the President also signed [E.O. 14192 Unleashing Prosperity Through Deregulation](#).³ To support the administration policy of reducing regulatory burden and private expenditures required to comply with federal regulations, this E.O. requires Agencies to track the incremental cost of new regulations and that the total incremental costs for all new regulations finalized in FY25, including repealed regulations, be significantly less than zero. In future fiscal years, Agencies must identify regulations that increase incremental costs, offsetting regulations (repealed regulations that eliminate existing costs), and the total approximate costs or savings with each new or repealed regulation. For actions recommended by the Council and implemented by NOAA Fisheries Alaska Region, Sustainable Fisheries Division (NMFS), review for consistency with the E.O. will occur during the rulemaking process and be accounted for at the Department of Commerce level. The Office of Management and Budget (OMB) provided guidance to Agencies on March 26, 2025 regarding implementation of Section 3 of [E.O. 14192](#).⁴ In that guidance, an [E.O. 14192](#) Regulatory Action is defined as a significant regulatory action as defined in Section 3(f) of [E.O. 12866](#) that has been finalized and that imposes total costs greater than zero. The guidance goes on to identify an [E.O. 14192](#) deregulatory action as an action that has been finalized and had total costs less than zero.

NMFS further subcategorizes deregulatory actions into the following:

- the deregulatory components/economic benefits of the action outweigh costs,
- it increases flexibility or reduces burden for regulated entities,
- it streamlines procedures and requirements,
- it expands consumption and/or production options, or
- it removes obsolete regulations.

¹ E.O. 14276, 90 FR 16993 (2025). Available from: <https://www.federalregister.gov/d/2025-07062>

² Council Motion D-2, October 14, 2024. Available from: <https://meetings.npfmc.org/CommentReview/DownloadFile?p=1193c41c-c7fa-483b-955c-910318aa5be1.pdf&fileName=D2%20Motion.pdf>

³ E.O. 14192, 90 FR 9065 (2025). Available from: <https://www.federalregister.gov/d/2025-02345>

⁴ M-25-20 Guidance Implementing Section 3 of Executive Order 14192, Titled “Unleashing Prosperity Through Deregulation” (March 26, 2025). Available from: <https://www.whitehouse.gov/omb/information-resources/guidance/memoranda/>

For purposes of streamlining this process to identify deregulatory actions, NMFS has placed recommended actions into these subcategories when appropriate in this discussion paper.

1.1 Process to Identify Actions to Implement E.O. 14276

On May 6, 2025, Mr. Eugenio Piñeiro-Soler, Assistant Administrator for NOAA Fisheries, sent a letter to Regional Fishery Management Council Executive Directors requesting each Council's recommendations pursuant to Section 4(a)(i) of [E.O. 14276](#). Comments are due by September 30, 2025. Section 4(a)(i) of [E.O. 14276](#) includes the following specific language pertaining to the Regional Fishery Management Councils:

(i) The Secretary of Commerce shall request that each Regional Fishery Management Council, within 180 days of the date of this order, provide the Secretary of Commerce with updates to their recommendations submitted pursuant to Executive Order 13921, to reduce burdens on domestic fishing and to increase production. Building upon the earlier goals, identified actions should stabilize markets, improve access, enhance economic profitability, and prevent closures. The Regional Fishery Management Councils will commit to a work plan and a schedule for implementation to ensure these actions are prioritized.

This recognizes that the Council develops and recommends FMPs, FMP amendments, and associated regulations for the conservation and management of the Federally managed fisheries off the coast of Alaska, which NMFS implements consistent with the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) and other applicable law.

1.1.1 NMFS Review of Regulations

As a first step to assist with implementing [E.O. 14276](#), NMFS prepared a discussion paper for the Council's review at their June 2025 meeting.⁵ The discussion paper served as a broad regulatory review that focused on suggestions that may improve domestic fishing operations for fisheries in the Exclusive Economic Zone (EEZ) off Alaska under the authority of the Council. Building upon previous efforts, NMFS Alaska Region outlined possible changes to reduce regulatory burdens and optimize seafood production while continuing to promote sustainability. The report identified current initiatives under development at the Council, such as modifications to Maximum Retainable Amount (MRA) regulations and expansions in electronic monitoring (EM); provided recommendations from NMFS, such as modernizing recordkeeping and reporting regulations; and described other possible actions the Council could consider for recommendation to NMFS to implement.

1.1.2 Council's June 2025 Motion

After receiving the NMFS discussion paper and public comments, the Council adopted the following motion in June 2025. This expanded discussion paper responds to the Council motion

⁵ Discussion Paper, Review of Regulations under Executive Order 14276 Restoring American Seafood Competitiveness (May 29, 2025). Available from <https://meetings.npfmc.org/CommentReview/DownloadFile?p=b3d7fdc6-bf39-4f46-92c8-1fcb7c5e8290.pdf&fileName=B2%20NMFS%20Regulatory%20Review%20EO%2014276.pdf>

and aims to provide information for the Council to prioritize actions and develop a workplan and timelines.

Text in the box is the Council motion.

In response to the Secretary of Commerce's request for each regional fishery management council to provide recommendations, a workplan, and timelines pursuant to Section 4(a)(i) of EO 14276 to reduce burdens on domestic fishing and increase production, the Council requests staff develop and submit a workplan around the following recommendations by the September 30, 2025 deadline. The Council may finalize any supplemental recommendations for a second submittal after additional public comment and B reports at the October 2025 meeting.

Council Actions Already in Progress in Response to E.O. 14276 (Section 3 of NMFS discussion paper)

- Modification to the pelagic trawl gear definition
- Modification to maximum retainable amount calculations
- Crab Program report and information requirements
- Removal of Economic Data Reporting requirements
- Changes to minimize incremental costs billed to industry (from cost recovery)
- Modification to eligibility requirements and use caps for crew quota shares in the BSAI Crab Program
- Allow use of NMFS approved scales in the sablefish fishery
- Evaluate earlier Aleutian Islands (AI) golden king crab fishery start date
- Changes to pot gear regulations to improve consistency and increase operational flexibility across pot gear fisheries
- Individual Fishing Quota (IFQ) transfer, Community Quota Entity (CQE), and beneficiary changes (includes waiving or reducing the transfer eligibility requirements for CQE eligible community residents fishing CQE-held quota share)
- GOA Rockfish Program EM

Council Actions Already Submitted to NMFS for Rulemaking (Section 4 of NMFS discussion paper)

- Recreational Quota Entity Funding (charter halibut stamp)
- BSAI Amendment 125 - Additional Pacific cod harvest opportunity for small vessels using hook- and-line or pot gear
- Small Sablefish Release – Operational flexibility for fixed gear to carefully release small sablefish
- Area 4 Halibut IFQ Vessel Use Caps - Provide additional harvest opportunities for vessels that were constrained by the previous vessel use cap.

- Sablefish Season Start Time - Provide additional flexibility for NMFS to set the time of day annually for the sablefish IFQ fishery to open
- Standardize the reporting time limit for assigning a management program to a haul, including Community Development Quota (CDQ) Program if applicable

New Actions to Reduce Regulatory Burden (Section 5 of NMFS discussion paper)

The Council requests Council and NMFS staff sort the reporting and streamlining actions under Section 5 of the NMFS discussion paper into at least three vehicles for inclusion in the Council response to [E.O. 14276](#): 1) minor recordkeeping and reporting regulations and streamlining for which the SOC can use Section 305(d) authority under the Magnuson Stevens Act; 2) omnibus package for recordkeeping and reporting, monitoring, or streamlining regulations that must go through the Council process due to FMP language; or 3) regulations that could be included in analytical packages already underway, without significant delay. If possible, prioritize these actions for efficient and timely implementation.

In addition to those actions proposed under Section 5, include the following proposed changes in the appropriate vehicle(s) above:

- Modify the endorsement criteria at [§ 679.53\(a\)\(5\)\(iv\)](#) to allow hauls sampled in the At-Sea Hake Observer Program and/or shoreside plant offloads in Alaska to count towards the minimum sampled haul requirement of a Lead Level 2 (LL2) certification in Alaska
- Modify the minimum sampled haul requirement to obtain LL2 certification on trawl vessels to 60 sampled hauls rather than 100 sampled hauls
- Grant the Observer Program the authority to waive fixed gear LL2 requirements when no fixed gear LL2 observers are reasonably available
- Eliminate the weight deduction for bled sablefish at the time of delivery

The Council response should also convey interest in pursuing NMFS process improvements to reduce regulatory burden (Section 6.10 of NMFS discussion paper):

- Increase ability to use Magnuson-Stevens Act Section 305(d) rulemaking authority for recordkeeping and reporting and other minor issues
- Remove the national NMFS Policy 01-119 specifying the need for regular allocation reviews
- Streamline the charter halibut management measures timing to provide more time for charter businesses to plan

1.1.3 Next Steps

This expanded discussion paper is intended to assist the Council in providing recommendations, a workplan, and timelines pursuant to Section 4(a)(i) of [E.O. 14276](#).

Section 3 provides an overview of the ongoing Council actions identified as responsive to [E.O. 14276](#). The information in this section is intended to aid the Council in prioritizing these actions following considerations for making and prioritizing recommendations in Section 2.

Section 4 provides an overview of NMFS's implementation of Council recommendations consistent with the purposes of E.O. 14276, including the potential expected impacts from implementing the recommended changes and an assessment of implementation complexity.⁶

Section 5.1 provides an overview and discussion of actions which the Secretary of Commerce may use Section 305(d) authority under the Magnuson-Stevens Act. The decision whether to promulgate rulemaking under Section 305(d) is made at the time of rulemaking and NMFS cannot guarantee that any of these proposed actions will be implemented using Section 305(d). None of these actions would require an FMP amendment. The Council could recommend that NMFS develop proposed regulations under Section 305(d) for these actions. The Council could also identify any specific actions to more fully consider through the usual Council process. NMFS would continue to consult with the Council on actions identified as appropriate for consideration under MSA 305(d).

Section 5.2 provides an overview of recordkeeping and reporting, monitoring, or streamlining regulations that must go through the Council process due to FMP language. These actions would require both an FMP amendment and a regulatory amendment to implement. As such, these actions would go through the usual Council process.

Section 5.3 provides an overview of additional proposed changes in the Council's June motion. At this time, NMFS finds that these actions would require the usual Council process to develop alternatives and recommend a proposed action.

Section 6 discusses the three types of process improvements to reduce regulatory burdens that the Council identified in their June 2025 motion. Of the three process improvements, one would require the usual Council process to develop alternatives and recommend a proposed action because it would require changes to FMPs. The other two process improvements may not require rulemaking or amending an FMP, depending on the Council's decision.

At the October meeting, the Council has an opportunity to finalize any supplemental recommendations on this topic. At this meeting, and in the context of this expanded discussion paper, the Council may wish to **prioritize actions** and **affirm eligible rulemaking changes should be developed and implemented by NMFS** as described, or alternatively, identify if there are any actions for which the Council wishes to further develop. In addition, this paper describes which actions would require Council action through an FMP amendment in order to move them forward.

⁶The impacts of actions described in this paper have not been fully analyzed and would depend upon the specific range of alternatives considered for each action. This discussion paper provides a qualitative assessment of the types of potential impacts that could be expected from the actions as described.

In sum, the Council's potential action at this meeting include:

1. Prioritize the Council's actions in section 3.
2. Recommend a list of actions which may be appropriate to implement under MSA Section 305(d) from section 5.1.
3. Consider new actions consistent with the E.O.
4. Initiate omnibus amendment of recordkeeping and reporting/ regulatory clean up actions that require Council process from section 5.2 (and any additional actions).
5. Consider initiating new actions with Purpose & Need and alternatives that require Council process (at this staff tasking or a future staff tasking).

1.1.4 Public Comments in Response to E.O. 14276

The public had the opportunity to comment on action to implement [E.O. 14276](#) at the June 2025 Council meeting. The Council received 4 written comments from organizations representing fishery participants.

On August 27, 2025, NMFS published a [notice seeking public comment \(90 FR 41818\)](#) on suggestions to improve fisheries management and science outlined in the E.O. and invited the public to share input on how to improve fisheries management and science. The public comment period closes on Tuesday, October 14, 2025. After review, the agency will be coordinating with the Council on public recommendations relevant to the North Pacific.

In response to the E.O., the Department of Commerce, through NMFS, is launching a bold, coordinated effort to revitalize the U.S. seafood sector. We are committed to addressing the recent decline in fisheries landings and revenue, boosting sustainable aquaculture, reducing the seafood trade deficit, and strengthening supply chain resilience.

NMFS is looking for public input on the following issues:

- Regulations that govern fishing activities that may be suspended, revised, or rescinded.
- Challenges specific fisheries are facing, suggestions for innovative improvements, and examples of existing federal fishery regulations that could be modified to enhance U.S. fishing businesses.
- Ways to improve fisheries management and science, including supporting fisheries assessments through less expensive and more reliable technologies and cooperative research; increasing responsiveness of fisheries management to real-time ocean conditions through modernization of data collection and analysis; and developing and disseminating data, forecasting tools, or information products to help U.S. fishing businesses adapt to changing economic and environmental conditions.
- How to expand exempted fishing permit programs to promote fishing opportunities nationwide.

Additionally, NMFS will host two public listening sessions during the comment period. Details are available on the [NOAA Fisheries website](#).

1.2 The Authority of the Council and the Council Process

The Council is authorized under the Magnuson-Stevens Act to develop and recommend FMPs for the fisheries under its authority that require conservation and management. The Council is also authorized to develop and recommend amendments to those FMPs and to recommend federal regulations to implement the FMPs.

The specific federal regulations that implement FMPs for federal fisheries off Alaska are listed below:

- [50 CFR Part 679](#), which primarily contains regulations governing the groundfish fisheries of the Gulf of Alaska (GOA) and the Bering Sea and Aleutian Islands (BSAI);
- [50 CFR Part 679](#), which also contains regulations implemented under the FMPs for BSAI King and Tanner Crabs, the Scallop Fishery off Alaska, the Salmon Fisheries in the EEZ off Alaska, and the Fish Resources of the Arctic Management Area; and
- [50 CFR Part 680](#), which contains the regulations governing the shellfish fisheries of the EEZ off Alaska, primarily the Crab Rationalization Program.

In addition to regulations implementing FMPs, the Council also recommends regulations governing the Pacific halibut fisheries off Alaska under the Northern Pacific Halibut Act. These regulations are found at [50 CFR Part 300, subpart E](#), and [50 CFR Part 679](#).

Through the Council process and NMFS implementation of federal regulations, the regulations implemented under the Magnuson-Stevens Act and the Northern Pacific Halibut Act are continuously reviewed and revised to reflect current conservation and management needs. The Council recommends FMP and regulatory amendments to address new or changing conservation or management concerns and to improve the effectiveness of the regulations. Although not always explicitly stated, part of the Council review process is assessing whether the benefits of the current regulations outweigh the costs. Analytical documents in support of regulatory revisions (primarily the Regulatory Impact Review) analyze costs and benefits, and NMFS also analyzes whether there will be any adverse economic impacts to small entities under the Regulatory Flexibility Act. The E.O. does not functionally change the required process for FMP amendments.

The Council meets four or more times per year in public session to receive staff reports, advice from its committees, and public comment on fishery conservation and management issues under discussion; and to take action to make recommendations to the Secretary of Commerce for FMPs, FMP amendments, and regulatory amendments. The Council takes written and oral public comment prior to and during these meetings; during which members of the public, the affected industry, Tribes, and others have an opportunity to identify a problem with existing regulations and request consideration of revisions to these regulations. Additionally, NMFS also brings potential regulatory revisions to the Council for the Council's consideration in making recommendations for implementation.

2 Considerations in Making and Prioritizing Recommendations

There are a broad range of potential actions that could be responsive to [E.O. 14276](#). The Council may wish to consider the following as it evaluates and prioritizes potential actions and recommendations.

Consistency with applicable laws.

Any action recommended by the Council must comply with applicable laws, including the Magnuson-Stevens Act, the Northern Pacific Halibut Act, the Marine Mammal Protection Act (MMPA), and the Endangered Species Act (ESA). Deregulatory actions that may have consequences such as increasing bycatch or causing increased effects to marine mammals will require careful review.

Impact.

Substantive revisions to existing programs may result in significant cost savings or increased harvest; however, major revisions require more development work and may have additional implementation and operation costs to the agency that could also result in increased cost recovery fees. If considering major revisions, starting with a clean sheet could be more efficient than fundamentally changing an existing program. Alternatively, small actions may have a more limited impact, but could be completed quickly. Another category of potential actions could reduce regulatory complexity. While not all actions reducing regulatory complexity may directly reduce the burden on industry, they could increase the usability of regulations and reduce agency staff time and costs associated with implementing them and providing regulatory guidance. This may have potential benefits to industry in the form of decreased cost recovery expenses and increased staff capacity to work on other Council priorities. The Council will have to decide how to balance these considerations.

Implementation complexity.

Some actions are more complex to implement than others. To evaluate the implementation complexity, the action needs to be relatively well developed to be able to determine what would be affected including scale and scope of the changes to be made upon implementation. This includes identifying the fishery management programs and internal and partner Agency processes and functions that are affected by the action. Several key factors include IT programming, permitting, and impacts to partner Agencies and offices. **Implementation complexity is particularly important when NMFS and partner agencies have limited staff resources and capacity to make changes to existing systems.** Implementation complexity also impacts the time required to do the rulemaking and implement the Council action.

- **IT-related implementation** - The types of data systems involved, such as front-end reporting tools like eFISH, web-based reports, and internal databases, along with the scale of the proposed changes, are key factors in assessing implementation complexity. The NMFS data management systems include data warehouses; the Catch Accounting System (CAS), permitting, observer data interface with Alaska Fisheries Science Center (AFSC), EM interfaces, reporting tools like eFISH and eLandings, and internal database management processes that manage the technical processing, storage of data, and web reporting. The scope of change to key IT systems is a significant factor when considering implementation resources and implementation difficulty. For example, the more systems

a regulatory change affects and the complexity of IT procedures involved (*e.g.*, quota share tracking and estimation of discards), the greater the coordination required among data owners and users, as well as the programming effort needed to develop and test implementation methods. A large change such as this may impact front end reporting by fishery participants, database and CAS accounting processes, and web-reporting, which impacts many systems. Some situations may be less obvious but still affect many systems, such as those involving data confidentiality or the tracking of ownership and use caps, where a change can impact multiple systems not originally targeted for change. Whereas, simple changes, such as changing fee percentages or minor changes to special areas, would touch fewer IT components. Considering the scope of these changes is an important component in establishing timelines and resources for implementation of regulatory actions.

- **Permitting** - If an action requires new permits or substantive changes to the permitting system, this requires time and staff resources. Changes could range from timing when permits are issued, rules for transferring permits, repeal of existing permits, and calculations of IFQ or Cooperative Quota, etc.
- **Regulatory complexity** - Each regulatory or FMP amendment requires compliance with a number of federal laws, and many laws have additional analytical or process requirements that must be completed prior to implementation. If an action requires changes that trigger additional process and analytical requirements, such changes to an application form that has Paperwork Reduction Act (PRA) requirements or potential impacts to species listed under the ESA that require an ESA consultation, these additional requirements add substantial time and complexity to the implementation.
- **Outreach and education for fishery participants** - Some regulations make broad changes to vessel operations, such as monitoring requirements or record keeping and reporting, that require education and outreach. These may include informational workshops or training sessions, which introduces additional layers of complexity for action implementation. These often require close coordination among program managers, communication staff, enforcement personnel, and regional partners. Timing is also critical. For example, working with vessel operators may require scheduling outreach during periods when they are not actively fishing, which can vary across fleets and regions. Identifying these factors early allows managers to realistically assess the time, staff effort, and resources required. It also increases the likelihood that stakeholders will understand and follow the new requirements. Compared to a technical correction or minor policy change, a regulation reliant upon effective outreach for successful implementation is more complex to implement and should be prioritized accordingly when resources are limited.
- **Impacts to partner agencies/offices** - Actions that have substantive effects on partner offices and Agencies are more complex to implement than those that only affect NMFS Alaska Region. This adds additional coordination efforts to discuss the action with partner offices and establish necessary implementation procedures. Typical offices and Agency partners that could be affected include Alaska Department of Fish and Game

(ADF&G), NOAA Office of Law Enforcement (OLE), the North Pacific Observer Program, AFSC, Pacific States Marine Fisheries Commission, or the Treasury Department in the case of changes to an existing or new fee collection program. The scale and scope of each action would dictate the exact level of implementation complexity and the number of partner offices affected.

Council and NMFS staff capacity.

Recommendations from the Council will have to be integrated with other ongoing work by Council and NMFS staff. At this time, NMFS and the Council have reduced staff capacity. The Council will have to consider its recommendations and prioritization in the context of other ongoing work in weighing how to be responsive to [E.O. 14276](#). Clear direction from the Council to NMFS on prioritization of actions responsive to this E.O. would help guide NMFS to effectively balance ongoing actions.

Synergy with ongoing actions.

Combining multiple related elements into a single action, or integrating additional elements to ongoing actions may increase efficiency. Integrating recommendations, particularly those of an administrative nature, into actions that are already in process may allow more rapid implementation.

Actions requiring Council development versus recommendations to NMFS to implement actions directly through MSA Section 305(d).

The Council could recommend that NMFS complete development and implementation of policy neutral or administrative actions already authorized under an FMP through Section 305(d) authority if they determine no additional Council development work is required.

3 Actions Currently Under Council Development Which Respond to E.O. 14276

Most of the actions recommended by the Council and implemented by NMFS reflect, to some extent, an intent to reduce regulatory burdens, increase economic stability, and increase flexibility.

In June 2025, the Council identified the following ongoing Council actions as responsive to [E.O. 14276](#). These include actions for which the Council is in the process of making recommendations and also actions from the Council's roster where it has already made motions to develop discussion papers or analyses. Scheduling for these actions can be found in the [Council's 3-meeting outlook](#).⁷ The Council may wish to consider if prioritizing or deprioritizing specific actions could better address priorities identified in recent E.O.s, including [E.O. 14276](#), particularly while there are capacity limitations with NMFS and Council staff.

Table 1 provides an assessment of the expected impact, analytical complexity, and implementation complexity of each action listed below under Council development.

⁷ Three Meeting Outlook developed and revised during the Council meeting in June 2025. This schedule is available from <https://meetings.npfmc.org/CommentReview/DownloadFile?p=cab4aecb-680c-4693-93c8-c59830755236.pdf&fileName=E%203%20Meeting%20Outlook%20-%20DURING%20MEETING.pdf>

3.1 Maximum Retainable Amounts (MRA)

NMFS identified potential changes to MRA regulations in the October 2023 B2 NMFS Management Report. The Council then received a discussion paper in April 2024, followed by an initial review draft analysis presented in April 2025. MRA regulations establish the amounts of groundfish species closed to directed fishing (incidentally-caught species) that a vessel operator may retain while engaged in directed fishing for a different species or species group open to directed fishing. The purpose of this action is to improve, clarify, and update current MRA regulations to make MRA calculations easier for vessel operators to comply with by reducing regulatory discards and addressing medical, mechanical, or weather issues that can impact MRA calculations. The Council intends to maintain the original intent of MRAs and is not considering changes that would increase MRA percentages or impact how MRAs assist in limiting harvest of a groundfish species within its annual total allowable catch (TAC). **The Council is scheduled to take final action on this issue in October 2025.**

3.2 Crab Arbitration

In December 2024, the Council initiated action to consider changes to the Crab Rationalization Program (CR Program) arbitration process. Options include: 1) removing the requirement that the arbitrator can only select a remedy proposed by one side and allow the arbitrator to select an independent or compromise remedy; 2) allowing parties to receive the arbitrator's written report and rationale, as well as a publicly available report providing key rationale (without including confidential information); 3) removing the requirement for the market report; and 4) removing the arbitration requirement for non-performance after a contract has been established to define BSAI crab price, delivery, or other terms. This action also includes an alternative that would allow IFQ and Individual Processing Quota (IPQ) applications to be withdrawn within 24 or 48 hours after the TAC limits are announced by the ADF&G. **The Council is scheduled to take final action on this issue in December 2025.**

Remove repetitive requirements for Alaska Crab Arbitration System reports

In response to the 2018 renewal of the authority to collect information for the Alaska Crab Arbitration System for the CR Program fisheries, a commenter noted that some of the information required to be submitted for a complete annual arbitration organization report appears to be redundant. Sections [680.20\(d\)\(2\)\(ii\)](#) and [\(iii\)](#) require submission of the amount of QS/IFQ or PQS/IPQ held by each member and QS, PQS, IFQ, and IPQ ownership information for the members. Neither arbitration organization currently submits this information with its annual report. The report is due May 1, but information on IFQ pounds is not available until October. NMFS has access to the information on IFQ pounds and detailed information on the organizations' members, so there is no need for some of this information to be submitted with the annual report. Additionally, NMFS recommends reviewing the need to annually submit the information listed in [§ 680.20\(d\)\(2\)](#) if this information has not changed. NMFS also recommends reviewing two other components of the arbitration system, the notifications and the market report, to determine if some requirements at [§ 680.20](#) for these are no longer necessary or could be revised. **This issue is added to the Crab Arbitration paper that will be reviewed in December 2025.**

3.3 Crab C-Shares

At the June 2024 meeting, the Council requested a discussion paper to consider modifications to eligibility requirements and use caps for crew quota shares (C shares) in the BSAI CR Program. Modifications included: 1) revise eligibility requirements for receiving C-shares through transfer either as a new entrant or a current C-shares holder buying more to mirror the requirements recently implemented for holding or maintaining active participation requirements for C-shares and 2) increase C-share use caps. The Council reviewed the discussion paper at the December 2024 meeting and recommended alternatives for a draft initial review analysis which include 1) revising eligibility requirements to purchase/receive C-shares by transfer to allow for the time tendering in any Federal or State commercial fishery off Alaska to count toward the 150-day eligibility and increase time to 3 years to participate in a CR Program fishery trip and 2) increasing C-share use caps for CR Program fisheries within a range of up to 5-10% individually for the Bristol Bay red king crab, Bering Sea snow crab, Eastern Bering Sea Tanner crab, Western Bering Sea Tanner crab, St. Matthew Island blue king crab, and Pribilof Islands blue and red king crab. **The Council is scheduled to review the initial review draft analysis in October 2025.**

Removing repetitive documentation for the Application for Annual Crab Harvesting Cooperative IFQ Permit

In 2018, NMFS identified and recommended removing unnecessary documentation from the Application for Annual Crab Harvesting Cooperative IFQ Permit. Section [680.21\(b\)\(2\)\(iii\)](#) states that a complete annual crab harvesting cooperative IFQ permit application must contain the following information, which cannot be submitted in an on-line application: a copy of the business license issued by the state in which the crab harvesting cooperative is registered as a business entity, a copy of the articles of incorporation or partnership agreement of the crab harvesting cooperative, and a copy of the crab harvesting cooperative agreement signed by the members of the crab harvesting cooperative (if different from the articles of incorporation or partnership agreement of the crab harvesting cooperative).

Most of this information is not necessary for existing crab cooperatives unless something in these documents changes. This information generally is only necessary for new crab harvesting cooperatives. NMFS recommends consideration to revise this regulation to require some or all of this documentation only for new cooperatives or for existing cooperatives if changes occur. This would reduce the cost and time burden on applicants and, in some cases, could enable online submission of the application. Some documents could also be submitted as part of another information collection (*e.g.*, submit the harvesting agreement as part of the cooperative's annual report) to allow online submission of the annual permit application. **These issues are included in the C-shares paper.**

3.4 Evaluate Earlier AI Golden King Crab Fishery Start Date

In June 2021, the Council initiated a discussion paper to identify potential regulatory or administrative changes that would allow Eastern AI golden king crab (EAG) and Western AI golden king crab (WAG) IFQ to be issued or fished prior to August 1. Revisions could include regulatory changes to the EAG and WAG fishing year or other administrative, FMP, or regulatory changes that would allow issuance or fishing of golden king crab IFQ earlier in the year. The paper will include potential impacts on other CR Program fisheries, including impacts

to the timing of the annual cost recovery process, as well as other annual administrative activities that could be affected from changing the fishing year for the EAG and WAG crab fisheries.

NMFS intends to provide an assessment of potential options in the next review draft of the Cost Recovery Process Streamlining discussion paper tentatively scheduled for June 2026.

3.5 Economic Data Reports (EDRs) (2025 analysis)

In April 2025, the Council initiated an analysis to consider removing EDR requirements for all Limited Access Privilege Programs (LAPPs). The Council indicated it has successfully analyzed the economic performance of numerous fisheries without the use of EDRs. The Council has previously reviewed and modified EDRs to improve usability, efficiency, and consistency and to minimize costs to industry and the Federal government. In response, the Council and NMFS have removed EDR requirements for one program and streamlined others. EDRs are currently required for three LAPPs: the American Fisheries Act (AFA), CR, and Amendment 80 (A80) Programs. These LAPPs pay fees for administering their EDRs through cost recovery. This action will evaluate the costs and benefits of the three EDR programs and evaluate whether the cost of EDRs to fishery participants and the agency outweighs the value of EDRs to management. **The Council is scheduled to receive an initial/final review draft analysis in October 2025.**

Removing the EDRs for the AFA Program would not require an FMP amendment. Removing the CR Program and A80 EDRs would require an FMP amendment, and it would be possible for the Council to combine its recommendation on the CR Program EDR with recommendations on the crab arbitration action for Secretarial Review.

3.6 Cost Recovery Process Streamlining

In April 2025, the Council received a discussion paper to inform options to adjust the annual timing and administrative processes for all cost recovery and fee collection programs administered by NMFS Alaska Region. The paper identified inefficiencies and challenges faced by stakeholders and NMFS as well as opportunities to improve clarity, consistency, and efficiency within associated cost recovery processes. The Council requested NMFS continue to evaluate options for cost recovery changes proposed in the discussion paper. These changes could increase efficiency and be responsive to the E.O. **The Council may schedule this action for further review in June 2026.**

At the same meeting, the Council requested NMFS implement cost reduction actions to minimize incremental costs billed to cost recovery and provide additional data in future cost recovery reports, which NMFS provides annually to the Council. The Council could also consider streamlining or removing features of LAPPs that are expensive for NMFS to administer to reduce agency costs. This would be separate from the cost recovery process streamlining action currently in process. It is also important to note that cost recovery funding is likely to help expedite development and implementation of Council recommended changes to existing LAPPs relative to other programs, which have to compete for more limited discretionary funding.

Cost recovery regulations are found in different locations of the eCFR for each fishery. There is potential to consolidate these into a single section, improving readability and streamlining the implementation of future programs that include cost recovery.

3.7 Allow the Use of NMFS-Approved Scales in the Sablefish Fishery

In 2023, the Council requested a discussion paper to address an option for sablefish A share IFQ holders to use NMFS-approved flow or hopper scales when participating in the sablefish fishery. The paper will explore the potential operational and management impacts of utilizing NMFS-approved scales as an option to account for sablefish harvest, outline potential challenges to facilitating their use in the fishery, and consider non-regulatory options to allow for their use. Development is needed on scale systems by private scale companies to meet CAS data needs before this can be implemented. Monitoring branch staff are currently working with scale vendors to develop a solution before this option can be explored further. **The Council has not yet scheduled its review of the discussion paper.**

3.8 Pot Gear Regulation Consistency

In February 2022, the Council initiated a discussion paper to evaluate changes to pot gear regulations for IFQ and Greenland turbot fisheries that could increase operational efficiency. An increasing number of vessels are using new pot gear designs (*i.e.*, slinky pots). Existing regulations may limit potential innovations in pot gear design improving harvest efficiency and potentially minimizing bycatch of non-target species. The Council requested a discussion paper exploring potential regulatory changes to simplify pot gear regulations, allow for additional flexibility to use pots in the BSAI and GOA groundfish fisheries, and consider revised gear configuration requirements for biodegradable panels, escape mechanisms, tunnel opening sizes, and/or the use of longline and single pot gear. **The Council has not yet scheduled its review of the discussion paper.**

3.9 IFQ Transfer and Beneficiary Changes

In December 2024, as a result of the IFQ Program review, the Council initiated a discussion paper to consider the following changes to the IFQ Program:

1. Explore options to allow the automation of in-season transfers of CQE-held quota share between eligible residents; and
2. Potential changes to the criteria to be eligible to receive QS or IFQ by transfer (Transfer Eligibility Certificate):
 - a. Waive or reduce transfer eligibility requirements for CQE eligible community residents fishing CQE-held quota share;
 - b. Allow time as crew on a tender vessel operating in support of a commercial fishery managed by the State or in a Federal commercial fishery in the EEZ off Alaska to count towards the 150 days of sea time required for a Transfer Eligibility Certificate; and
 - c. Establish a regulatory minimum age to be eligible to receive IFQ or QS by transfer. Discuss administrative and legal considerations of establishing a minimum age less than the interim policy of 18 years old (*e.g.*, 16 years old).

The paper will also include information on the amount of QS held by beneficiaries beyond the 3-year period during which the NMFS Regional Administrator will approve an application for transfer of IFQ. This would allow the Council to assess the scope of retention of QS by beneficiaries who do not have a Transfer Eligibility Certificate and whether changing the

survivorship transfer privilege regulations at [§ 679.41\(k\)](#) may be warranted. **The Council has scheduled a review of this discussion paper in October 2025.**

3.10 Rockfish Program EM

In April 2025, the Council's Advisory Panel recommended that the Council initiate a discussion paper on implementing EM in the Rockfish Program shoreside sector for all target species and harvests with both pelagic trawl gear and nonpelagic trawl gear. Given that a large amount of effort has gone into implementing the Trawl EM program in the pelagic trawl pollock fishery, which shares participants with the CGOA Rockfish Program, the discussion paper should compare and contrast the two fisheries to explore which aspects of Trawl EM could be utilized in a Rockfish Program EM program. This paper should describe the CGOA Rockfish Program shoreside fishery and management structure with suggestions for Trawl EM program goals and objectives for the CGOA Rockfish Program. It should include a description of elements within the pelagic trawl pollock Trawl EM program and how each element could be similar or different for an effective shoreside Trawl EM program for the CGOA Rockfish Program.

The Fisheries Monitoring Advisory Committee discussed the possible development of EM for vessels in May. The next step is for fishery participants to submit a proposal for an EFP to NMFS for a pilot program to test EM for this fishery, which would subsequently be reviewed by the Council. Thus far, NMFS has been communicating with fishing industry representatives from Alaska Groundfish Data Bank (AGDB) about the development of an EFP. The EFP process has proven to be an effective and transparent way to test and develop new monitoring systems through a collaborative process between NMFS Alaska Region, AFSC, and industry participants. There are multiple paths to reduce regulatory burden and costs on Rockfish Program vessel operators that range in analytical and regulatory complexities.

In July 2025, AGDB announced plans to dissolve the company and cease providing the coordination and management services including their role as Rockfish Inter-cooperative Manager and Cooperative Manager for the upcoming 2026 fishing year. Without collaboration from AGDB, the development of a new EM program for this fishery may be paused.

Consolidation of EM Regulations

Along with the Rockfish EM rulemaking, the Council could consider whether to address the considerable overlap between the nontrawl EM regulations at [§ 679.51\(f\)](#) and trawl EM regulations at [§ 679.51\(g\)](#). By consolidating these sections, the requirements that apply broadly to all EM programs would exist in a single location, increasing usability to the public. This change could also help streamline the implementation of future EM programs.

Table 1 Assessment of the potential impact, analytical complexity, and implementation complexity of actions under Council development.

Action	Potential Impact	Analytical Complexity (NEPA, RIR, PRA, RFA)	Implementation Complexity
Maximum Retainable Amounts (MRA)	High: Higher amounts of retained catch, reduced discards, and simplified MRA regulations that are easier to understand. Impacts all groundfish vessels.	Moderate: NMFS's implementation likely requires an EA to fulfill NEPA requirements, potential to raise ESA issues.	Moderate: Complex regulatory changes and outreach, but no other identified implementation actions
Crab Arbitration & Remove unnecessary requirements for Arbitration reports (2025 analysis)	Moderate: Additional decision-making flexibility in order to settle contract disputes between crab harvesters and processors. Removal of market report and arbitration reports along with associated costs. Increased consistency in IFQ/IPQ withdrawals.	Low: NMFS's implementation likely could be done with a CE to fulfill NEPA requirements. Discontinuation of PRA requirements. Crab FMP amendment required. For NMFS's rulemaking, likely could certify under RFA.	Moderate: Allowing IFQ/IPQ application withdrawals within a time constrained process will increase complexity for NMFS. Low: Changes to the arbitration process regulations are not complex for NMFS to administer.
Crab C-Shares & Remove unnecessary documentation from Cooperative IFQ Permit application	Low: Additional flexibility to meet Crew QS holders eligibility requirements and increased holding caps. Could impact individuals seeking to buy Crew QS and Crew QS holders seeking to sell.	Low: NMFS's implementation likely could be done with a CE to fulfill NEPA requirements. Discontinuation of PRA requirements. Crab FMP amendment required. For NMFS rulemaking, likely could certify under RFA.	Moderate: Increases data collection and review of expanded criteria in meeting eligibility requirements and adjustments to Crew QS issuance when/if Crew QS is transferred, received, or purchased.
Evaluate earlier AI golden king crab fishery start date	Low: Fleet would have flexibility to fish IFQ in the summer months to accommodate ADF&G survey. Could result in higher cost recovery needs. Less than 5 vessels would benefit.	Low: NMFS's implementation likely could be done with a CE to fulfill NEPA requirements. Discontinuation of PRA requirements. Crab FMP amendment required.	High: If the start date is too early to correspond with other CR fishery schedules. Low: If the start date does correspond with other CR fishery schedules.
Economic Data Reports (2025 analysis)	Moderate: Reduced reporting burden and direct costs recovery fees for the participants in three LAPPs. Reduced agency costs for management, monitoring, and production of public reports. Would result in reduced economic information available about these fisheries.	Low: NMFS's implementation likely could be done with a CE to fulfill NEPA requirements. Discontinuation of PRA requirements. Crab FMP amendment required. For NMFS rulemaking, likely could certify under RFA. Could be a candidate to combine with crab arbitration in a FMP amendment/rulemaking package (timing dependent).	Low: Primarily a reduction of administrative requirements.

Action	Potential Impact	Analytical Complexity (NEPA, RIR, PRA, RFA)	Implementation Complexity
Cost Recovery Process Streamlining	Low: Changes would streamline cost recovery processes and may reduce overall regulatory burden and cost, but cost recovery processes would remain in place.	Moderate: Cost recovery regulations and timelines are complex; large changes may be necessary. Some ideas to streamline are more complex than others. NMFS's implementation likely could be done with a CE to fulfill NEPA requirements.	Moderate: Depending on the changes, this could require IT programming to modify existing systems, and education / outreach for implementation.
Allow use of NMFS-approved scales in the sablefish fishery	Low: Not supported by the entire FLC fleet. Currently only one company is asking for an option to be considered.	Low/Moderate: Certain elements of scale regulations support data quality and new elements may need to be developed and analyzed to incorporate this change.	Moderate to High: Need a technological solution before we can implement.
Pot gear regulation consistency	Low/Moderate: Could improve regulatory consistency across fisheries and potentially allow for the use of Longline pot gear in additional groundfish fisheries in the BSAI and GOA and additional flexibility in gear configuration.	Low: Depending on the options considered, this could be a straightforward analysis or ranging to a complex analysis.	Low/Moderate: Depending upon the scope of changes, could require additional recordkeeping and reporting changes.
IFQ transfer and beneficiary changes	Low: Could provide additional flexibility for eligible community residents to harvest IFQ held by a CQE and streamline transfers from CQE's to those residents.	Low: NMFS's implementation likely could be done with a CE to fulfill NEPA requirements. Requires modification to PRA requirements. For NMFS rulemaking, likely could certify under RFA.	Low to Moderate: Could require additional programming changes to allow automated transfer to be initiated by the CQE.
Rockfish Program EM	Moderate/High: For participants in the CGOA Rockfish Program, this could reduce costs and provide more efficient fishing operations.	Moderate: Depending on the options considered, this could be a straightforward analysis or ranging to a complex analysis. GOA FMP amendment required. NMFS's implementation likely requires an EA to fulfill NEPA requirements. For NMFS rulemaking, likely could certify under RFA.	Moderate: Depending on the options considered. Simple options are ready to go with minor regulation changes needed. More complex options could create implementation challenges.

4 Actions in the NMFS Rulemaking Process

The Council recommended the following actions that NMFS is in the process of implementing. As recommended by the Council, these actions are intended to increase flexibility, reduce regulatory burdens, and/or improve fishing opportunities. Table 2 summarizes recent Council actions that are consistent with the purposes of E.O. 14276, expected impacts from implementing recommended changes, and an assessment of implementation complexity.

Table 2 Assessment of the expected impact and implementation complexity for recent Council final actions for which NMFS is undergoing rulemaking.

Council Action and date	Current Status	Expected Impact	Implementation Complexity
Standardize reporting time limit for assigning a management program to a haul - April 2019	Proposed rule development.	Provides vessels harvesting groundfish with regulatory clarity on recording and assigning hauls to specific management programs.	Low - Operational change for the fishing fleet only, no programming changes necessary.
BSAI Amendment 125 - Small Boat Cod - October 2022	Notice of availability: 90 FR 23664 , June 4, 2025 Proposed rule: 90 FR 37831 , August 6, 2025 FMP decision: Approved Sept 3, 2025 Final rule development.	Increased flexibility for small vessels (less than or equal to 55 ft (16.8 m) length overall) using hook-and-line or pot gear to harvest under the jig sector allocation during the jig gear A season (January 1 to April 30); increased stability and opportunities for existing and potential new fishery participants.	Moderate - Involves highly specific and technical modifications to allocation regulations and annual harvest specification process, and programming changes to the CAS. No changes to allocation percentages or sector allocations.
Recreational Quota Entity (RQE) Funding (Charter halibut stamp) - April 2022 & October 2024	Proposed rule: 89 FR 86772 , Oct 31, 2024. Final rule: 90 FR 29774 , July 7, 2025 Effective 1/2026	Industry requested program that would require CHP holders to purchase a \$20 stamp for each charter vessel angler. The RQE would use funding from the stamp sales to purchase halibut QS which could allow for less restrictive annual management measures for the charter halibut fishery such as bag limits, size limits, and day of the week closures. This action is intended to promote stability and economic viability in the charter halibut fishery; Deregulatory/cost-savings components of action outweigh costs	High - Involves development of software to facilitate the sale of stamps and tracking the transfer of QS, and development of new inter-agency processes between NMFS Alaska Region and ADF&G, NMFS Headquarters, and the Treasury Department. Will likely require substantial outreach and communication as operators become familiar with the system.
Small Sablefish Release -	Proposed	Additional limited operational	High - Involves highly specific and

Council Action and date	Current Status	Expected Impact	Implementation Complexity
April 2025	rule development.	flexibility to carefully release sablefish may increase the value of the commercial harvest.	technical modifications to allocation regulations and annual harvest specification process including adjustments to the stock assessment modeling framework to incorporate discard mortality rates, account for voluntary discards, and the limited data to inform them, and IT programming changes to the CAS as well as outreach and education to the Observer Program and NOAA OLE.
Halibut IFQ Vessel Use Caps - April 2025	Proposed rule development.	Provide additional harvest opportunities for vessels that were constrained by the previous vessel use cap.	Low - Involves basic programming changes to the IFQ Landings system.
Sablefish Season Start Time - April 2025	Proposed rule development. We plan to incorporate this into another action.	Provide additional flexibility for NMFS to set the time of day annually for the sablefish IFQ season.	Low - Operational change for the fishing fleet only, no programming changes necessary.
Pelagic trawl gear definition updates - June 2025	Proposed rule development	It streamlines procedures and requirements; Clearly allows commonly used components in codends and bycatch excluder devices, allows instrumentation necessary to monitor net performance, removes unnecessary outdated text, and provides some flexibility for future gear innovation.	Low - No programming changes, only operational and enforcement changes necessary.

5 New Actions that Reduce Regulatory Burdens

This section suggests a number of reporting and streamlining actions that could be responsive to [E.O. 14276](#) and [E.O. 14192](#). These actions are organized and prioritized for efficient and timely implementation as:

- recordkeeping and reporting changes for which the Secretary of Commerce may use Section 305(d) authority;
- omnibus package for recordkeeping and reporting, monitoring, or streamlining regulations that would go through the Council process due to FMP language; or
- proposed changes identified by the Council’s June 2025 motion that require separate analysis.

Each recommendation would need to be fully analyzed and follow the rulemaking process, including requests for public comment, to be implemented, consistent with the Magnuson-Stevens Act and other applicable law. Additionally, this section identifies if a regulation change could be included in analytical packages already underway without significant delay.

5.1 Recordkeeping and Reporting Regulations and Streamlining for which the Secretary of Commerce could use Section 305(d) Authority

The Magnuson-Stevens Act establishes a Federal fisheries management program based upon a unique, constituent-based public forum known as the fishery management council process. The act establishes distinct roles and responsibilities for regional Councils and NMFS, creating multiple rulemaking mandates and rulemaking authorities, each with its own procedural and other requirements.

Magnuson-Stevens Act Sections 303(c) and 304(b) describe the typical scenario for proposed rules prepared to implement an FMP or FMP amendment. As described in Section 303(c), a Council submits to NMFS proposed regulations that it “deems necessary or appropriate” for the purposes of implementing an FMP or amendment (FMP Rulemaking) or modifying regulations that implement an FMP or amendment (Regulatory Amendment). Section 304(b) outlines the procedures, including minimum comment periods, for NMFS to review and implement such rules.

In addition to the above authorities, Section 305(d) authorizes the Secretary to promulgate regulations in accordance with the Administrative Procedures Act (APA) that are necessary to implement FMPs or FMP amendments approved or developed by the Secretary or to carry out any other provision of the Magnuson-Stevens Act. There are no special procedural or timing requirements specified in the Magnuson-Stevens Act that are applicable to this authority.

The rulemaking authority in Section 305(d) can be a versatile tool for facilitating **pre-planned efficiencies** or responding to unforeseen events. However, in light of the Magnuson-Stevens Act’s focus on developing management measures through the open and inclusive public processes for Council actions, Section 305(d) should not be used as the statutory authority for rulemaking when Sections 303(c)/304(b) or 304(c) would be more appropriate.

To promote consistency and best practices in the use of the Magnuson-Stevens Act's rulemaking authorities, NMFS has identified the following examples of situations in which Section 305(d) may be appropriate:

1. Frameworks. NMFS recognizes frameworks as important tools for facilitating speed and flexibility in management responses to changing information or conditions.⁸ Pursuant to Magnuson-Stevens Act Sections 304(a)-(b) and 303(c), Councils establish framework mechanisms in an FMP/amendment or regulations to authorize NMFS to take future actions. In certain frameworks, the Councils authorize NMFS to take action without further Council action, *e.g.*, closing a fishery when the quota is reached. NMFS considers such future actions to be taken pursuant to Section 305(d).
2. Technical Changes. These include actions such as simple housekeeping changes to existing regulations, updating cross-references to other effective rules or laws that are no longer clearly or accurately presented in fishery regulations, and clarifications or corrections of implemented rules that did not appropriately express the intent of the FMP or the amendment.
3. Corrections. This refers to corrections to errors made during the publication process either by NMFS or the OFR, such that the published material does not match the submitted material. It may refer to an error in the regulatory text, the preamble, or tables.
4. Administrative Actions. This includes actions that are purely administrative in nature. Depending on the circumstances, examples might include removing old dates and revising application deadlines.
5. Actions developed outside of the Council process. These include implementation of ESA, Halibut Act, or MMPA-related requirements; compliance with treaty rights; or court-ordered actions.
6. Actions taken pursuant to other special authorities of the Magnuson-Stevens Act. Other sections of the Magnuson-Stevens Act create rulemaking authorities that, either on their own or in combination with Section 305(d), authorize rulemaking to address specific circumstances.
7. Other situations as appropriate. This list of examples is not intended to be an exclusive list or to restrict appropriate usage of Section 305(d). Other situations may arise in which Section 305(d) is the appropriate authority. In such cases, the rationale for use of Section 305(d) should be documented.

Usually, the Council requests that NMFS implement a specific regulatory change under section 305(d) when that change is authorized under an existing FMP provision. Generally, NMFS and the Council determine some changes to recordkeeping and reporting regulations may be implemented under FMP language that authorizes the Secretary, in consultation with the Council, to require recordkeeping that is necessary and appropriate to determine catch, production, effort, price, and other information necessary for conservation and management of the fisheries.

⁸ NMFS's Operational Guidelines (NMFS Procedure 01-101-03) define frameworking as: [E]stablishing in an FMP/amendment or regulations a mechanism for implementing recurrent, routine, or foreseeable actions in an expedited manner. Such mechanisms may vary in terms of their structure, terminology, etc. A framework mechanism – and individual actions executed thereunder – must comply with the Magnuson-Stevens Act and other applicable law.

Proposed recordkeeping and reporting changes for which the Secretary of Commerce could use Section 305(d) authority under the Magnuson-Stevens Act are identified in the following table and described in more detail in this section. Note that the decision to promulgate rulemaking under Section 305(d) is made at the time of rulemaking. NMFS cannot guarantee that any of these proposed actions will be implemented using Section 305(d). None of these actions would require an FMP amendment.

Table 3 Proposed actions that may be appropriate under guidance on Section 305(d), their Section 305(d) situation and E.O. 14192 deregulatory subcategory, potential impact, and implementation complexity.

Action	Section 305(d) Situation and deregulatory subcategory	Potential Impact	Implementation Complexity
Update references to NMFS Alaska Region Website	Technical change Remove obsolete regulatory language	Streamlines future changes; Prevents inconsistency due to future URL changes.	Low - Simple technical change; Replace URLs with the phrase “NMFS Alaska Region website”
Remove shoreside processor check in / check out reports	Framework action consistent with Sections 3.9.1.1 of the BSAI and GOA FMPs Streamline procedures and requirements	Removes a regulatory burden on fishery participants.	Low - Simple regulation text removal; PRA.
Remove requirement to print documents	Administrative change Streamline procedures and requirements	Modernize options available and support electronic reporting with current technology. Print defined as print to PDF to comply with the printing and signing of documents, allowing for digital alternatives that may be easier to comply with.	Low - Simple revision to regulatory text to allow for alternative digital compliance options; PRA.
Update the Daily Cumulative Production Logbook regulations	Technical change Streamline procedures and requirements	The DCPL for motherships is completed using eLandings. This clarifies that the DCPL is automatic.	Low - Remove obsolete regulations and specify the use of eLandings for motherships. PRA.
Remove reporting requirements for active / inactive periods for Catcher/Processors (C/Ps)	Framework Streamline procedures and requirements	Eases burden on fishery participants by utilizing other required monitoring options to determine periods of activity or inactivity.	Moderate: Other changes may be necessary to ensure management functions are not impacted by this change, such as requiring the use of ELBs for all C/Ps.

Action	Section 305(d) Situation and deregulatory subcategory	Potential Impact	Implementation Complexity
Modernize electronic logbook regulations	Technical change Streamline procedures and requirements	This would modernize logbooks and reduce the number and complexity of recordkeeping and reporting requirements.	Low - Expand and clarify regulations to allow more streamlined approval of ELBs and add digital compliance options; PRA.
Remove Kodiak as a valid inspection location	Administrative action Streamline procedures and requirements	This would reduce cost recovery, but would remove an infrequently used inspection location.	Low - Outreach to impacted fleets would be necessary; PRA.
Allow shoreside and Stationary Floating Processors (SFP) to supply non-State certified observer scales	Administrative action Remove obsolete regulatory language	Increases flexibility for fishery participants; Allows more options for valid observer scales.	Low - Remove regulation requiring State certification for scales. PRA.
Remove requirement to track observer scale serial numbers for shoreside and SFPs	Administrative action Remove obsolete regulatory language	Reduce regulatory burden on fishery participants; Scale changes would not require updates to the catch monitoring control plan (CMCP).	Low - Remove regulation requiring serial number tracking; PRA.
Remove expired or erroneous regulations	Administrative action Remove obsolete regulatory language	No impact to current requirements, but would remove unnecessary paragraphs from the regulations for clarity and readability.	Medium - Extensive regulatory revision involving multiple parts and subparts would require substantive and detailed review and careful planning of the rulemaking sequence. PRA.
Remove regulations for Exempted Fishing Permits in the North Pacific (rely on nationwide regulations instead)	Framework Streamline procedures and requirements	Streamline duplicative, more restrictive Alaska-specific EFP regulations. Could increase opportunity and flexibility for fishery participants.	Low - Regulation removal. PRA.

Action	Section 305(d) Situation and deregulatory subcategory	Potential Impact	Implementation Complexity
Streamline and consolidate sections pertaining to eLandings	Technical change Streamline procedures and requirements.	Increase readability of regulations, allowing industry participants to more easily understand and comply with requirements.	Medium - Must be completed without incidentally removing requirements necessary for management of the fisheries. PRA.
Streamline and consolidate sections pertaining to IADs	Technical change Streamline procedures and requirements	Reduce duplicative language allowing industry participants to more easily understand and comply with requirements.	Low - Remove obsolete language.
Remove reference to fax machines	Administrative action Remove obsolete regulatory language	Focus regulations on modern methods that result in expedited or more convenient communication.	Low - Remove obsolete language. PRA.
Remove Rockfish Program CMCP Specialist Notification Requirement	Administrative action Remove obsolete regulatory language	Decrease burden on fishery participants by removing a requirement that is no longer necessary.	Low - Remove obsolete language. PRA.
Remove the specific time for closing groundfish fisheries by inseason action	Framework action consistent with Sections 3.5.1 of the BSAI and GOA FMPs	Increases flexibility	Low - Remove regulations.
Remove references to non-specified species	Administrative action Remove obsolete regulatory language	Would align with current practice and BSAI FMP and GOA FMP	Low - Remove regulations.
Modify Trawl EM Recording Requirements when Transiting	Technical change Streamline procedures and requirements	Increases flexibility and efficiency of the trawl EM program while reducing regulatory burden on fishery participants.	Low – Alter wording of regulations.

5.1.1 Update References to the NMFS Alaska Region Website.

Background: In 2023, NMFS Alaska Region added a definition at 679.2 for the *NMFS Alaska Region Website* <https://www.fisheries.noaa.gov/region/alaska> (88 FR 53704, August 8, 2023). Section 6.1.3.3 of the BSAI and GOA FMPs specify where information produced by NMFS Alaska Region can be accessed. This is a technical change to regulations to update old and outdated references to previous web addresses for the NMFS Alaska Region Website. Reducing the number of times the NMFS Alaska Region Website Uniform Resource Locator (URL) is repeated throughout the regulations will streamline the process to make future changes when that becomes necessary. Removing all existing references in regulations to a specific URL or website address and replacing those with a reference to the NMFS Alaska Regional Website definition at § 679.2, would allow NMFS Alaska Region to make one simple correction to correct everywhere the website is referenced when a specific URL changes. Because this is a technical change to the regulations that is a simple non-substantive housekeeping change, it may be appropriate to use Section 305(d) rulemaking authority.

Issue: From time to time, the web address, or URL, that identifies the location of a resource on the internet changes.

Potential solution: Technical change to update references throughout 50 CFR Part 679, Part 680, and Part 300 to state “NMFS Alaska Region website” and change instances of “web site” to “website” for consistency. It may also be appropriate for the Council to update the language in Section 6.1.3.3 of the BSAI and GOA FMPs to point to the definition at § 679.2 for the current website URL.

Text in the box is language from each groundfish FMP for reference.

BSAI FMP

6.1.3.3 Website

Much of the information produced by NMFS Alaska region can be accessed through its website, to be found at: <http://www.fakr.noaa.gov/>

GOA FMP

6.1.3.3 Website

Much of the information produced by NMFS Alaska region can be accessed through its website, to be found at: <https://www.fisheries.noaa.gov/region/alaska>

5.1.2 Remove Shoreside Processor Check-in / Check-out Reports

Background: In 2018, NMFS recommended the Council review the requirement for Shoreside Processor Check-in/Check-out Reports (§ 679.5(h)). These reports were used to identify which processors were operating when NMFS managed the fisheries based on weekly reports from processors. Now NMFS receives daily reports at the vessel level, which makes this report obsolete; therefore, these reports are rarely, if ever, used by inseason managers. This section also requires motherships and Catcher/Processor (C/P) vessels to submit Check-In/Check-Out Reports, however an exception exists at § 679.5(h)(2) that exempts vessels from these reports if

they comply with Vessel Monitoring System (VMS) requirements. All motherships and C/Ps are required to comply with VMS and do not submit these reports.

The implementation of VMS aboard vessels delivering catch to the SFP can be used to verify the location of the SFP, making the requirement to report on the Check-in/Check-out Report unnecessary. Regulations at §§ [679.4\(l\)\(5\)\(iii\)\(B\)](#) and [679.7\(k\)\(3\)\(iv\)\(B\)](#) are no longer necessary, as NMFS does not import or utilize that data for any purpose beyond assisting OLE in enforcement of the Check-in/Check-out report.

Issue: Check-in/check-out reports were previously used to inform the agency which shoreside processors are participating in the fisheries and that NMFS should expect to receive weekly production reports from those active processors. With implementation of eLandings, trip and vessel specific data is available to managers within hours of a vessel offloading to shoreside processors. eLandings data are used to inform managers of which processors are active. As a result, check-in/check-out reports are no longer needed nor are they used for inseason management purposes.

Potential solution: Regulatory change under the FMP Framework in Sections 3.9.1.1 of the BSAI and GOA FMPs to remove the section for Check-in/Check-out Reports at [§ 679.5\(h\)](#). Additional revisions would be necessary as other regulations point to [§ 679.5\(h\)](#). The regulations below help track SFP single geographic location requirements.

- [§ 679.4\(l\)\(5\)\(iii\)\(B\)](#) - SFP geographic location requirement.
- [§ 679.7\(k\)\(3\)\(iv\)\(B\)](#) - SFP geographic location requirement.

Authorizing FMP language: In Sections 3.9.1 of the BSAI and GOA FMPs, the Council has established a framework for the Secretary, in consultation with the Council, to develop recordkeeping and reporting regulations necessary to carry out the goals and objectives of the FMPs. The Council has not established specific requirements in its FMPs that would need to be modified to remove the regulatory requirements for shoreside processors to submit check-in or check-out reports. Because this is a change to the regulations under the FMP's framework, it may be appropriate to use Section 305(d) rulemaking authority in this situation.

Text in the box is language from each FMP for reference (but, as noted, no changes to FMPs are needed to remove the Check-in/Check-out Report requirement).

BSAI FMP

3.9.1.1 Processor Reports

All processors of groundfish shall report information necessary for the management of groundfish resources. *The regulations implementing this plan specify the information to be reported and the time schedule for reporting.*

GOA FMP

3.9.1.1 Information on catch and production, effort, and price

Recordkeeping and reporting is required of operators of catcher vessels, C/P vessels, mothership processor vessels, and by responsible officers of shoreside processor plants. *Such requirements will be contained in regulations implementing this FMP.*

5.1.3 Remove Requirements to Print Documents

Background: Revisions to [50 CFR Part 679](#) could modernize how industry participants meet Federal documentation requirements. Examples that highlight where this could be advantageous include: Electronic Logbook (ELB) logsheet regulations for printing at § [679.5\(f\)\(3\)\(i\)](#) and signing at § [679.5\(f\)\(4\)](#), printed scale reports at §§ [679.28\(b\)\(5\)\(iii\)](#) and [\(iv\)](#), and the requirement for the scale inspector to sign scale reports at § [679.28\(b\)\(2\)\(vii\)\(A\)](#).

This idea could explore ways to allow for the use of digital signatures and the use of digital file formats, such as Portable Document Format (PDF). Rather than maintaining hard copies, operators could retain and submit documentation electronically, reducing the need for physical storage and manual processing. These updates would not eliminate any recordkeeping or reporting requirements but would change the way those requirements are met, preserving compliance while reducing cost. The result is a more modern and flexible regulatory approach that aligns with industry technology, improves efficiency, and fulfills the E.O. directive to remove outdated regulatory barriers that hinder innovation and competitiveness in U.S. fisheries.

Catcher vessels in the fixed gear and trawl EM categories are currently using ELBs and are permitted to keep an electronic copy of their Vessel Monitoring Plan aboard to meet current requirements. While not explicitly in regulation, allowing the use of ELBs was a joint decision between NMFS and NOAA OLE to resolve a request from smaller vessels in the Western GOA that did not have a printer aboard. In this case, a PDF copy of the ELBs is considered to be “printing”.

Issue: Currently, several provisions require individuals to physically print and sign paper forms, such as logbooks, catch reports, and permit applications. These steps can be burdensome, especially in remote or at-sea operations, and increase costs without improving data quality or regulatory compliance.

Potential Solution: Administrative change to allow digital signatures in place of ink to reduce the overall burden on fishery participants on landing reports and fish tickets. This change may allow ADF&G to implement electronic signatures as well. Digital signatures are currently in use for Vessel Monitoring Plans in the fixed gear and trawl EM programs. Digital copies of documents could be provided upon request to NMFS or enforcement agencies, replacing the need to have a physical copy aboard. Vessels in the fixed gear and trawl EM programs currently use electronic copies of their Vessel Monitoring Plans to satisfy this requirement.

5.1.4 Logbook Recordkeeping and Reporting Changes

NMFS has modernized many of the reporting requirements since the original logbook regulations were implemented. The following changes would update regulations to reflect when reporting can be electronic through eLandings, ELBs, or integrated EM technologies.

Daily cumulative production logbook (DCPL) adjustments

Background: Recordkeeping and reporting is required of operators of catcher vessels, C/P vessels, mothership processor vessels, and by responsible officers of shoreside processor plants. Section 3.9.1.1 and 3.9.1.2 of the BSAI FMP specifies additional reporting requirements for processors and at-sea processor vessels.

As specified at [§ 679.2](#), *logbook* means Daily Cumulative Production Logbook (DCPL) or Daily Fishing Logbook (DFL) required by [§ 679.5](#).

There are four types of DCPLs: 1) Longline and pot gear C/P ([§ 679.5\(c\)\(3\)](#)); 2) Trawl gear C/P ([§ 679.2\(c\)\(4\)](#)); 3) Shoreside processor ([§ 679.5\(c\)\(5\)](#)); and 4) Mothership ([§ 679.5\(c\)\(6\)](#)).

Issue: The required information collected by the mothership DCPL is also collected through eLandings. The data entered into eLandings is then used for management and support of observers. The mothership DCPL regulations should be updated to specify the use of eLandings to satisfy the DCPL requirements similar to the shoreside processor regulations found at [§ 679.5\(c\)\(5\)](#).

Potential solution: Modify regulations to clarify that the mothership DCPL found at [§ 679.5\(c\)\(6\)](#) has been replaced by eLandings to satisfy DCPL requirements. This would not change the information required to be reported by the shoreside processors and mothership vessels.

Remove logbook active/inactive periods

Background: Recordkeeping and reporting regulations at [§ 679.5\(c\)\(2\)](#) require vessel operators to report active and inactive periods in the DFL or DCPL. These operators must account for each day of the fishing year, January 1 through December 31, in the DFL or DCPL and indicate whether the vessel or processor was active or inactive during the time period. Active/Inactive data are not used for inseason management or catch accounting, but were initially used to inform the agency when other data that was used for management such as weekly production reports should be expected. Since logbook data are now readily accessible to managers and other tools such as VMS and eLandings are available to inform managers on vessel activity, the collection of these data are no longer necessary.

VMS automatically transmits the vessel's location, course, and speed, providing objective data to determine if a vessel is transiting, fishing, or stationary in port. Regulations outlining VMS transmission requirements can be found at [§ 679.28\(f\)\(6\)](#). A summary of this information is also provided in Table 4. Concurrently, entries for gear deployment and catch within the ELB system inherently document periods of fishing activity by requiring vessel operators to record retention of groundfish species. ([§ 679.5\(f\)](#)). Currently, only one C/P vessel is not voluntarily utilizing an ELB system.

Furthermore, at-sea observers or EM systems provide direct, independent verification of when fishing operations are occurring ([§ 679.51](#)). The data from these combined systems offers a comprehensive and verifiable record of a vessel's operational status, making a separate, manual declaration of active or inactive periods unnecessary for effective fisheries management and compliance monitoring. It is also possible to use eLandings in combination with the other monitoring methods listed above to verify periods of fishing activity for vessels. VMS transmission requirements, observer coverage, and citations to regulatory requirements for each C/P vessel type or program are provided in Table 4.

Table 4 VMS transmission requirements, observer coverage, and citations to regulatory requirements for each C/P vessel type

Catcher/Processor Vessel Type or Program	VMS Transmission	Observer Coverage (§ 679.51(a)(2)(vi))	Citation
A80	Always	200%	§ 679.28(f)(6)(vi)
AFA	Always	200%	§ 679.28(f)(6)(i)
Freezer Longliner	Always	100%	§ 679.28(f)(6)(i)
Rockfish Program	Always	200%	§ 679.28(f)(6)(iv)
Atka mackerel, Pacific cod, or pollock directed fisheries	When the vessel's authorized gear type and fishery is open to directed fishing.	200%	§ 679.7(a)(18)
AI subarea	Always	200%	§ 679.7(a)(21)

Issue: The requirement for catcher processor vessel operators to manually log "active" or "inactive" periods is now largely duplicative due to integrated EM technologies.

Solution: Regulatory change under the FMP Framework in Sections 3.9.1 of the BSAI and GOA FMPs to remove references to logbook active / inactive periods at § 679.5(c)(2) and (3) and throughout § 679.5. Alternatively, an exemption could be implemented for C/P vessels using at least one of the listed monitoring methods, similar to the one found at § 679.5(h)(2)(i) for check-in/check-out reports.

Text in the box is language from the FMP for reference.

BSAI FMP

Table ES-2 - Summary of Management Measures for the BSAI Groundfish Fishery Recordkeeping and Reporting

At-sea processor vessels: Must submit a weekly catch/receipt and product transfer report and record cargo transfer and off-loading information in a separate transfer log. Catcher/processors are also required to check in and check out of any fishing area for which TAC is established, as specified in regulations.

Section 3.9.1.2 - At-Sea Processor Vessels

2. Check-in and check-out report

Catcher/processors are required to check in and check out of any fishing area for which TAC is established within a time period prescribed by regulation. This report may be by radio through the U.S. Coast Guard to the Regional Administrator of NMFS. The Council intends that this

requirement will enhance the ability of NMFS to monitor the timeliness of the written catch reports described in (1) above and to assess the total harvest capacity in a fishing area for purposes of projecting dates when a TAC, or apportionment of TAC, will be reached.

GOA FMP

Table ES-2 - Summary of Management Measures for the GOA Groundfish Fishery Recordkeeping and Reporting

At-sea processor vessels: Catcher/processor vessels and mothership processors vessels may be required to submit check-in and check-out reports for any Federal statistical areas or the U.S. EEZ.

3.9.1.2 At-sea Processor Vessels

The Secretary may require catcher/processor vessels and mothership processor vessels to submit check-in and check-out reports for any Federal statistical area and the U.S. exclusive economic zone. Such requirements will be contained in regulations implementing this FMP.

Modernize ELB regulations

Background: Regulations at [§ 679.5\(f\)](#) describe the requirements for using an ELB, and [§ 679.28\(h\)](#) outlines the process for third-party submission and approval of an ELB by NMFS.

These regulations were developed based on the technology available at the time, assuming software was installed on a physical drive, logbook pages were printed and signed by the operator, and data was submitted via email. They did not anticipate the development of mobile applications operating on phones or tablets with cloud-based transmission and no print capability.

To support the continued development and adoption of modern ELB systems, updates to these regulations are needed. Specific areas for revision include provisions related to printing, signing, record retention, correction of errors, and data submission. A recent example highlighting outdated language involves the term “print,” which is not currently defined. We currently include “Print to PDF” as meeting that definition, but this is not clear in current regulations. Additionally, other parts of the ELB regulations require retention of physical copies and any corrections to the data are made on paper copies instead of in the application. Modern ELB applications track all changes made, making the use of paper corrections unnecessary.

In addition, the current regulations only authorize ELB use in groundfish fisheries. However, in recent years, ADF&G has expressed support for and begun limited development of ELB for crab fisheries. Revising the regulations would allow for ELB approval and use in crab fisheries as well.

Issue: The existing regulations are based on technology and processes that are now over two decades old. As a result, they no longer align with modern ELB design, function, or data transmission standards.

Potential Solution: There are no changes to the data required to be submitted. This would align ELB regulations with current technology and enable their broader use. The following changes are recommended:

- Clarify that digital records satisfy print requirements by modifying regulations to explicitly state that digital documents including “print to PDF” files fulfill any requirement to “print” logbook pages.
- Remove outdated requirements for physical signatures and paper retention because modern ELBs do not support printing or manual signing. Regulations should be modified to allow for digital certification methods and eliminate requirements for retaining paper copies where digital records are available upon request at any time. Additionally, any changes to submitted ELB data should be done in the ELB application, not on paper copies.
- Update data submission requirements to reflect secure, modern data transmission protocols. The current requirement for email submission and a return receipt via email is outdated, raising information security concerns that are no longer supported. Technical changes to ELB regulations to allow secure in-app data submission and confirmations are needed.
- The current approval framework under [§§ 679.28\(h\)](#) and [679.5\(f\)](#) should be expanded to include crab fisheries, supporting efforts by ADF&G and others to modernize catch reporting across sectors.
- Modernize the approval process for third-party ELB developers by modifying [§ 679.28\(h\)](#) to include the current model of app-based, cloud-integrated platforms rather than assuming software resides on a physical drive with paper user manuals.

5.1.5 Remove Kodiak as a Valid Inspection Location.

Background: Scales used to weigh catch at-sea must be inspected annually to determine if the scale meets all of the applicable performance and technical requirements at [§ 679.28\(b\)\(2\)](#) of and in [appendix A to part 679](#). Regulations at [§ 679.28\(b\)\(2\)\(v\)](#) specify the locations where scale inspections will be conducted including in Kodiak, Alaska; Dutch Harbor, Alaska; and in the Puget Sound area of Washington State. Historically, vessel operators infrequently request inspections in Kodiak, AK, usually only once every few years. The Kodiak-based CMCP specialist previously conducted these inspections in Kodiak, but this position is currently vacant and NMFS has no plans to fill this position at this time.

Issue: To continue inspections in Kodiak, NMFS staff will need to travel to Kodiak, AK, from other NMFS duty stations, thereby increasing cost recovery expenses.

Potential solution: An administrative change to remove Kodiak, AK, as a valid inspection location could reduce costs for NMFS and the industry, such as cost recovery expenses, and allow NMFS to allocate staff time to other projects. However, it would result in fewer inspection locations available to fishery participants.

5.1.6 Allow Shoreside Processors and SFPs to Supply Observer Scales that have not been Certified by the State of Alaska (State).

Background: Regulations specifying the operational requirements for scales, observer sampling stations, vessel monitoring system hardware, CMCPs, catcher vessel ELB software, and video monitoring systems are set out at [§ 679.28](#). A required piece of an observer sampling station is an observer sampling scale as specified at [§ 679.28\(d\)\(5\)](#). Observer scales are meant for the exclusive use of observers to weigh samples of catch. The observers test these scales daily to ensure the scales are accurate. If the scales are found to be inaccurate, the observer notifies the processor who is then responsible to either replace or fix the scale. Table 6-1 in the BSAI and GOA FMPs presents the estimated costs of groundfish fishery management by the various government agencies involved. The Agencies/Divisions, and functions performed, are described and the Alaska Division of Measurement Standards is noted to perform the function of checking scales for shoreside plants. This FMP text would not need to be updated because it reflects the cost estimate for management at the time it was evaluated (2002-2006). If the Council decided to update Section 6.2.1 of the BSAI and GOA FMPs, the cost estimates would be updated to reflect the existing functions and tasks associated with the current FMP.

Issue: Observers test these scales daily with test weights calibrated by the National Institute of Standards and Technology, which makes the State certification unnecessary ([§ 679.28\(c\)\(4\)\(iii\)](#)). Currently, if the scale fails the observer test, the processor must find another State certified scale to replace it. However, the processor may not have another certified scale readily available at the plant which may leave the observer without a working scale and cause the plant to scramble to either fix or find another appropriate scale. Most plants do have extra platform scales available that have not been certified by the State.

Potential solution: Administrative change to remove the State certification requirement at [§ 679.28\(c\)](#) to provide processors additional flexibility without losing accountability. This would not change how the State currently certifies scales and is not meant to circumvent State scale requirements.

5.1.7 Remove Requirements to Track Serial Numbers for Shoreside Processors or SFP Observer Scales.

Background: Currently, CMCPs require that processors include the serial numbers of scales for observer use per regulations at [§ 679.28\(g\)\(9\)\(iv\)\(A\)](#). These scales must still meet weighing requirements specified at [§ 679.28](#), and as long as scales utilized by the observer meet minimum weighing requirements and pass daily observer tests, the serial number is not pertinent. Serial numbers for other scales used at shoreside processors and SFPs for catch weighing are also tracked in CMCPs and Crab Catch Monitoring Plans (CMPs) per regulations at [§ 680.23\(g\)\(5\)\(ii\)](#). These scales must meet the weighing requirements specified at [§ 679.28](#) and are currently subject to State yearly certifications (although these proposed changes could still be implemented if the requirement to be certified by the State were removed (as discussed above)).

Issue(s): Observer scales are often replaced at the shoreside processors or SFPs during the season. Tracking these serial numbers and updating CMCPs and CMPs is time consuming and provides no tangible benefit to monitoring.

Potential solutions: Administrative change to remove the requirement to list serial numbers for scales at [§ 679.28\(g\)\(9\)\(iv\)\(A\)](#).

5.1.8 Remove Expired and Erroneous Regulations to Improve Clarity

Background: Regulations implementing the fishery management programs under the Council's jurisdiction appear at [50 CFR Parts 300, 679, and 680](#). Over the past 30 years, NMFS has implemented regulations governing initial allocations for catch share and license limitation programs and other time bound regulations that are no longer relevant. Removing these regulations would be purely administrative and have no effect on fishery participants or the agency. The primary benefit of removing these regulations would be to simplify the suite of regulations at [50 CFR Parts 300, 679, and 680](#) to aid the public in navigating Federal regulations and finding applicable regulations. The discussion below provides many examples, but is not an exhaustive list.

Issue: The regulation text is very long (part 679 alone is 791 printed pages as of July 16, 2025) and contains numerous regulations that document historical actions that occurred at a specific time in the past, and are no longer used.

Potential solution: Administrative change to remove regulations that have expired and no longer apply. This could improve the general readability and clarity of fishery regulations, and improve compliance. Initial allocation regulations for each catch share program could be replaced with information about the number and amounts of share-based permits issued to facilitate the ongoing use of previously issued permits. Specific changes would need to be evaluated for each program or instance of expired regulations due to disparate organization and structure of the implementing regulations.

Examples of expired regulations:

Initial Allocation Regulations

For each LAPP the Council has developed and NMFS has implemented criteria for assigning harvest privileges under the Program. These programs are described in Section 3.7 of the BSAI and GOA FMPs, Section 3.1.2 of the Scallop FMP, and Section 11 of the Crab FMP. Some catch share based programs were developed through legislative action (*e.g.*, BSAI Crab Rationalization), whereas others were developed through the Council process (*e.g.*, PCTC Program). The processes for calculating and distributing initial allocations are described in the FMP, the preambles to the proposed and final rulemaking documents published in the *Federal Register*, and specified in regulations.

Removal of initial allocation regulations for catch share programs could significantly reduce the page count for regulations at [50 CFR Parts 300, 679, and 680](#). These regulations were important for the distribution of initial QS allocations, however upon completion of the allocation distribution and appeals processes these regulations are no longer used. NMFS will carefully review each of the provisions for regulations that created harvest privileges or granted licenses, even if the application period has ended.

Additionally, various regulations specify requirements that apply through a specific date. For those dates that have passed and the requirement is longer applicable, these regulations may be removed. This type of change would not modify the requirements that are currently applicable, but would remove unnecessary words from the regulations for clarity and readability. Although these regulations could be removed from the CFR, the processes and criteria for calculating and distributing initial allocations would remain accessible in the FMP and in preambles to the proposed and final rulemaking documents that implemented each program published in the *Federal Register*.

Charter Halibut Limited Access Program - Regulations governing the qualifications for charter halibut permits are specified at [§ 300.67\(b\)](#). Additionally, regulations at [§ 300.67\(g\)](#) and [\(h\)](#) specify the application process and period for a charter halibut permit and unavoidable circumstance provision.

LLP License qualifications and endorsements

- Groundfish and Crab LLPs - Qualifications for a groundfish or Crab license are specified at [§ 679.4\(k\)\(4\)](#) and [\(5\)](#), and qualifications for vessel and gear designations and vessel length categories are specified in regulations at [§ 679.4\(k\)\(3\)](#).
- Scallop LLPs - Qualifications for a scallop LLP license and application instructions and period specified at [§ 679.4\(g\)\(2\)](#) and [\(4\)](#).

IFQ - Regulations governing the initial process for allocation of Halibut and Sablefish QS are specified at [§ 679.40\(a\)](#).

Rockfish Program - Regulations governing the initial process for allocation of rockfish QS are specified at [§ 679.80](#).

Amendment 80 - Regulations governing the initial process for issuance of Amendment 80 QS permits, application process, the Amendment 80 official record used to determine QS amounts, and process for assigning an Amendment 80 QS permit to an Amendment 80 QS holder are specified at [§ 679.90\(a\)](#) through [\(d\)](#).

PCTC Program - Regulations governing the initial process for calculation of and issuance of PCTC Program QS permits and assigning QS to an LLP license are specified at [§ 679.130](#).

BSAI Crab Rationalization Program - Qualifications for initial process for allocation of QS, calculation of QS and PQS allocations, and the application process for crab QS or PQS are specified at [§ 680.40](#).

Time Bound Regulations:

Part 679

[§ 679.4\(l\)\(1\)\(ii\)\(A\)](#) - The expiration date of interim AFA permits has passed and can be removed.

[§ 679.5\(e\)\(10\)\(iii\)\(N\)](#) - This includes the beginning date for reporting ADF&G statistical area. The beginning date can be removed.

[§ 679.27\(b\)\(3\)](#) - The phrase “beginning January 1, 2003” can be removed.

[§ 679.21\(d\)\(2\)\(iv\)\(A\)-\(B\)](#) - These regulations reduced the other hook-and-line fishery annual PSC limit reductions from 2014 through 2016. These regulations could be simplified by removing the stepwise reductions that have expired to only reflect the PSC limit percentage that applies each year.

[§ 679.21\(d\)\(3\)\(i\)](#) - Similarly, these regulations reduced the trawl gear annual halibut PSC limit from 2014 through 2016. These regulations could be simplified by removing the stepwise reductions that have expired to only reflect the PSC limit percentage that applies each year.

[§ 679.55\(f\)](#) - The phrase “The observer fee percentage is 1.25 percent through December 31, 2020.” can be removed.

[§ 679.65\(b\)\(4\)](#) - The phrase “beginning in 2013, and each year thereafter,” can be removed.

[§ 679.131\(c\)\(1\)\(iii\)](#) - Specifies halibut PSC reductions to be implemented in the first two years of program. These regulations could be simplified by removing the stepwise reductions that have expired to only reflect the PSC limit percentage that applies each year.

Part 680

[§ 680.22\(e\)\(1\)\(ii\)\(A\)](#) and [\(B\)](#) - Regulations specify a one-time opportunity to submit a one-time Request to Extinguish Pacific Cod Sideboard Limits for Hook-and-Line C/Ps in the Western or Central GOA. This request was due on or before May 18, 2016, and these regulations can be removed.

[§ 680.40\(m\)\(6\)](#) - Regulations specified a one-time opportunity to apply for reissuance of revoked catcher vessel crew QS or CPC QS from May 31, 2024 through June 15, 2025. This application period has passed and this regulation can be removed.

Regulations with Errors:

[§ 679.26 Effective Date Note](#): “At 67 FR 4158, Jan. 28, 2002, § 679.26 was amended in paragraph (c)(3) by removing the words until 1 year after and inserting in its place until 3 years after. The amendment contains information collection and recordkeeping requirements and will not become effective until approval has been given by the Office of Management and Budget.”

The final rule cited in the effective date note states that this amendment won't be effective until approved by OMB and that a document will be published in the FR announcing OMB approval and the effective date. The final rule does not specify an OMB collection number; however, the proposed rule lists requirements similar to these under 0648-0316 and states that collection was already approved.

In 2002, a notice was published announcing that the OMB approved the information collection and the effective date. But a notice cannot affect regulations and did not remove the effective date footnote. The note gives the impression that some of our PSD program information collection requirements aren't effective yet. The OFR has requested that the editorial note be removed. The action to remove this effective date note would need to be linked back to the original rule (0648-AO20, [67 FR 4100, January 28, 2002](#)).

Table 5 footnotes: [Table 5](#) to [50 CFR part 679](#) was revised in 2014 under the Steller Sea Lion Protection Measures for the BSAI Groundfish Fisheries Off Alaska ([79 FR 70286](#), November 25, 2014). Some sites should not have footnote 11 on them because footnote 11 refers to the GOA

and the following sites listed in column number 1 of [Table 5](#) to [50 CFR part 679](#) are not in the GOA:

- Attu I./Cape Wrangell
- Agattu I./Gillon Pt.
- Attu I./Chirikof Pt.
- Agattu I./Cape Sabak
- Alaid I.
- Shemya I.
- Buildir I.

Halibut PSC limits: On November 24, 2023, NMFS published a final rule to implement Amendment 123 to the BSAI FMP (88 FR 82740). The included amendatory instruction inadvertently retained the introductory text at [50 CFR 679.21\(b\)\(1\)\(i\)](#), which contains the previous PSC limit that the final rule implementing Amendment 123 replaced by adding subparagraphs (A) through (C). The old text and the new subparagraphs conflict. Accordingly, the introductory text at [§ 679.21\(b\)\(1\)\(i\)](#) is unnecessary, in conflict with, and superseded by the final rule published on November 24, 2023 ([88 FR 82740](#)). Because the text in question is superseded and ineffectual, the introductory text at [§ 679.21\(b\)\(1\)\(i\)](#) should be removed and the heading “Amendment 80 sector” should be retained.

Section [679.23\(i\)](#) table: On January 25, 2020, NMFS published a final rule to implement amendment 109 to the GOA FMP ([85 FR 38093](#)). This amendment included regulations to change the Western and Central GOA seasons for pollock from four seasons to two seasons. The Amendment combined the dates from the A and B seasons and redefined them as the A season and combined the dates from the C and D seasons and redefined them as the B season. The table in [§ 679.23\(i\)](#) specifies conditions that must be met for catcher vessels directed fishing for pollock to move between the GOA and BSAI. The table references the GOA pollock seasons, including the C and D season. However, there is no longer a C or D season for GOA pollock. The A and B season were combined to create the current A season, and the C and D season were combined to create the current B season. This table should be updated to reflect the current Western and Central GOA pollock seasons.

GOA Pacific cod jig allocations: On December 1, 2011, NMFS published a final rule to implement Amendment 83 to the GOA FMP ([76 FR 74670](#)) which apportioned Pacific cod in the Western and Central GOA to different sectors, including jig gear. Final regulations at [§ 679.20\(a\)\(12\)\(i\)\(A\)](#) and [\(B\)](#) state that the jig sector Pacific cod TAC is allocated to jig vessels with an FFP in the Western and Central GOA. However, a jig vessel can participate in parallel waters during the Federal fishery without an FFP and any harvest of Pacific cod by that vessel accrues towards the Federal TAC. Because a vessel can participate without an FFP in parallel waters, the regulations should be modified to remove “with an FFP”. This is consistent with how NMFS Alaska Region manages other Federal fisheries.

5.1.9 Initial Administrative Determinations (IADs)

Background: As specified at [15 CFR 906.2](#), an IAD means a determination made by an official of NMFS that directly and adversely affects a person’s ability to hold, acquire, use, or be issued a

limited access privilege. The term also includes determinations issued pursuant to other Federal law for which review has been assigned to the National Appeals Office by the Secretary.

Prior to 2014, the procedure for an IAD was to submit the appeal directly to NMFS's Alaska Office of Administrative Appeals. That process was originally described at [§ 679.43](#). In 2014, NMFS centralized the process for handling appeals at NMFS headquarters, implemented National appeals procedures, and established the National Appeals Office under regulations at [15 CFR Part 906](#) ([79 FR 7056](#), February 6, 2014). The appeals process at [§ 679.43](#) is duplicative and may not be needed given these regulatory changes ([85 FR 8477](#), February 14, 2020).

There are multiple instances where some or all of the IAD process is described in the 50 CFR parts [679](#) and [680](#) regulations. Potential changes described in Section 5.1.8 of this document could result in the removal of some IAD regulations. Table 5 below indicates which instances would be impacted by the potential implementation of the changes described at 5.1.8.

Issue: Currently, there are 43 regulatory paragraphs that contain information for IADs with much of the language being duplicative. Over time, the language in regulations pertaining to the IAD process has evolved, with the description varying from rule to rule. This inconsistency has the potential to create confusion and differences in the administrative processes across fishery programs.

Potential Solution: A technical change to consolidate IAD regulations to reduce duplication, and update cross references from [§ 679.43](#) to reference the National Appeals Office Rules of Procedure at [15 CFR Part 906](#). Additionally, [§ 679.43](#) could be removed as it became obsolete on February 6, 2014 ([79 FR 7056](#)). Improving consistency and reducing the variation across paragraphs that reference the same process could improve readability, ensure consistency with the National Appeals Office regulations, and streamline the regulations in [50 CFR part 679](#) while allowing industry participants to more easily understand and comply with the procedures.

Table 5 List of Sections containing IAD language, their purpose, and whether the IAD is related to an expired regulation discussed in Section 5.1.8 of this document.

Section	Citation	Purpose	Expired Regulation (covered under 5.1.8)
§ 679.4 Permits	§ 679.4(g)(4)(viii)	Application for scallop license.	X
	§ 679.4(k)(4)(x)(E)	Trawl gear recent participation official record.	X
	§ 679.4(k)(6)(viii)	Application for a groundfish or crab species license.	
	§ 679.4(k)(10)(v)(F)	Non-trawl gear recent participation official record.	
	§ 679.4(k)(10)(viii)(F)	Catcher/processor participation in the Western and Central GOA official record.	
	§ 679.4(k)(14)(vi)(E)	Process for issuing BSAI trawl limited access sector yellowfin sole endorsements.	
	§ 679.4(k)(15)(v)(D)	Process for issuing BSAI Pacific cod trawl mothership endorsements.	
	§ 679.4(l)(8)(iii)	AFA application.	
	§ 679.4(m)(4)(ii)	Participation in the AI directed pollock fishery.	
	§ 679.4(o)(5)(iii)	Amendment 80 application.	
§ 679.21 Prohibited species bycatch management.	§ 679.21(f)(12)(v)(D)(2)	NMFS review of proposed IPA.	

Section	Citation	Purpose	Expired Regulation (covered under 5.1.8)
§ 679.32 Groundfish and halibut CDQ catch monitoring.	§ 679.32(e)(3)(v)	Initial allocation of groundfish QS for non-CDQ fisheries.	
§ 679.41 Transfer of quota shares and IFQ	§ 679.41(m)(5)(ii)	Temporary military transfers of QS for IFQ fisheries.	
§ 679.42 Limitations on use of QS and IFQ	§ 679.42(d)(2)(v)(B)	Medical transfer evaluation and appeals for the requirement to be aboard the vessel in the IFQ halibut or sablefish fisheries.	
	§ 679.42(i)(1)(iv)(B)	Hired master eligibility.	
§ 679.45 IFQ cost recovery program	§ 679.45(e)(1)(i)	Non-payment of the IFQ Permit Holder Fee.	
	§ 679.45(f)(2)	Underpayment of IFQ fee.	
§ 679.51 Observer and Electronic Monitoring System requirements for vessels and plants	§ 679.51(a)(3)(vi)	Catcher/processor placement in the partial observer coverage category for a year.	
	§ 679.51(a)(4)(v)	BSAI trawl catcher vessel placement in the full observer coverage category for one year.	
	§ 679.51(f)(1)(vi)	Vessel placement in the nontrawl EM selection pool.	
	§ 679.51(f)(4)(iv)	Disapproval of nontrawl Vessel Monitoring Plan	
	§ 679.51(g)(1)(vi)	Vessel placement in the trawl EM category.	

Section	Citation	Purpose	Expired Regulation (covered under 5.1.8)
	§ 679.51(g)(2)(iv)	Disapproval of trawl Vessel Monitoring Plan.	
§ 679.52 Observer provider permitting and responsibilities	§ 679.52(a)(7)(ii)	Expiration of observer provider permit.	
	§ 679.52(d)(7)(ii)	Expiration of EM hardware service provider permit.	
§ 679.53 Observer certification and responsibilities	§ 679.53(c)(3)	Suspension or decertification of an observer.	
§ 679.55 Observer fees	§ 679.55(j)	Nonpayment of observer fees.	
§ 679.57 Trawl EM incentive plan agreements	§ 679.57(d)(4)	NMFS review of a proposed Trawl EM IPA	
§ 679.66 AFA cost recovery	§ 679.66(d)(4)	AFA cost recovery	
§ 679.67 Aleutian Islands pollock cost recovery	§ 679.67(d)(2)	AI pollock cost recovery.	
§ 679.80 Allocation and transfer of rockfish QS	§ 679.80(d)(5)	Allocation or transfer of rockfish QS.	X
§ 679.82 Rockfish Program use caps and sideboard limits	§ 679.82(c)(3)	Appealing sideboard limitations.	X
§ 679.85 Cost recovery	§ 679.85(d)(2)(i)	Underpayment of Rockfish fee percentage	
§ 679.90 Allocation, use, and transfer of Amendment 80 QS	§ 679.90(b)(6)	Application for Amendment 80 QS	X

Section	Citation	Purpose	Expired Regulation (covered under 5.1.8)
permits			
§ 679.95 Amendment 80 Program cost recovery	§ 679.95(d)(2)(i)	Underpayment of Amendment 80 fee percentage.	
§ 679.130 Allocation, use, and transfer of PCTC Program QS permits	§ 679.130(h)(4)	Application for PCTC Program QS.	X
§ 679.135 PCTC Program cost recovery	§ 679.135(d)(2)(i)	Underpayment of PCTC Program fee percentage.	
§ 680.4 Permits	§ 680.4(q)	Permits for various shellfish permits.	
§ 680.21 Crab harvesting cooperatives	§ 680.21(b)(4)	Issuance of crab harvesting cooperative IFQ permits.	
§ 680.40 Crab Quota Share (QS), Processor QS (PQS), Individual Fishing Quota (IFQ), and Individual Processor Quota (IPQ) Issuance	§ 680.40(f)(5)	Application for crab QS or PQS.	X
	§ 680.40(g)(3)(ii)	Withholding of CVC IFQ or CPC IFQ.	
§ 680.43 Revocation of CVC and CPC QS	§ 680.43(c)	Revocation of CVC and CPC QS	
§ 680.44 Cost recovery	§ 680.44(f)	Cost recovery.	

5.1.10 Remove Alaska-specific Exempted Fishing Permit (EFPs) regulations

Background: In addition to the national EFP regulations at [§ 600.745](#), fishery participants are also subject to Alaska-specific regulations as specified at [§ 679.6](#) while operating in the EEZ off Alaska. Both sets of EFP regulations apply to fishing of species managed under an FMP, for limited experimental purposes, that would otherwise be prohibited. The Alaska-specific EFP regulations are largely consistent with the national procedures, but are more restrictive. In general, the national regulations provide less specificity and more flexibility to fishery participants. The Alaska EFP process is also outlined on the [NMFS Alaska Region website](#).

Additionally, as part of a broader national initiative under Section 4(c) of [E.O. 14276](#), NMFS is seeking ways to expand the use of EFPs to promote fishing opportunities, support innovation, and accelerate access to pilot projects.

Issue: Alaska-specific EFP regulations at [§ 679.6](#) somewhat duplicative and more restrictive than the national EFP procedures specified at [§ 600.745](#).

Potential solution: Regulatory change under the FMP Framework in Sections 3.3.2 of the BSAI and GOA FMPs to remove the Alaska-specific regulations at [§ 679.6](#) and use the national EFP regulations at [§ 600.745](#). This change could improve National consistency, reduce duplication, and potentially provide greater opportunity and flexibility for industry and researchers to use EFPs in fisheries off Alaska.

The BSAI and GOA FMPs provide the framework for the exempted fishing permit program in Section 3.3.2 and explain that specific requirements are found in regulations. The existing FMP language is shown below. Note that certain provisions included in the BSAI and GOA FMPs are not requirements specified in the National EFP regulations at [§ 600.745](#) such as 1) the requirement for the Regional Administrator to consult with the Council, 2) the specific information that must be submitted in an EFP application package, and 3) the reasons the Regional Administrator may deny an exempted fishing permit. This FMP language would still provide guidance to NMFS Alaska Region and EFP applicants if the Alaska-specific regulations were removed. However, the Council could also amend this FMP language to reflect the national EFP regulations. The Alaska-specific regulations could be removed through a regulatory Amendment and the Council could consider if changes should be made to either the BSAI or GOA FMPs at any time.

Text in box language from the FMPs for reference:

BSAI and GOA FMP

3.3.2 Exempted Permits

The Regional Administrator, after consulting with the Director of the Alaska Fisheries Science Center and with the Council, may authorize for limited experimental purposes, the target or incidental harvest of groundfish that would otherwise be prohibited. Exempted fishing permits might be issued for fishing in areas closed to directed fishing, for continued fishing with gear otherwise prohibited, or for continued fishing for species for which the quota has been reached. Exempted fishing permits will be issued by means of procedures contained in regulations.

As well as other information required by regulations, each application for an exempted fishing permit must provide the following information: 1) experimental design (e.g., staffing and sampling procedures, the data and samples to be collected, and analysis of the data and samples), 2) provision for public release of all obtained information, and 3) submission of interim and final reports.

The Regional Administrator may deny an exempted fishing permit for reasons contained in regulations, including a finding that:

- a. according to the best scientific information available, the harvest to be conducted under the permit would detrimentally affect living marine resources, including marine mammals and birds, and their habitat in a significant way;
- b. issuance of the exempted fishing permit would inequitably allocate fishing privileges among domestic fishermen or would have economic allocation as its sole purpose;
- c. activities to be conducted under the exempted fishing permit would be inconsistent with the intent of the management objectives of the FMP;
- d. the applicant has failed to demonstrate a valid justification for the permit;
- e. the activity proposed under the exempted fishing permit could create a significant enforcement problem; or
- f. the applicant failed to make available to the public information that had been obtained under a previously issued exempted fishing permit.

5.1.11 Consolidate References to eLandings

Background: eLandings is the internet data entry system or desktop client components of the Interagency Electronic Reporting System for reporting commercial fishery landings and production from waters off Alaska ([§ 679.5\(e\)](#)).

Issue: Each program has a section that lists all fields, which are auto-completed by eLandings. This results in large amounts of regulatory text instructing users to comply with recordkeeping tasks that fishery participants no longer need to complete manually.

Potential Solution: Technical change to consolidate eLandings sections by only regulating recordkeeping tasks that are not automatically completed by eLandings. This would result in increased readability of the regulations, allowing industry participants to more easily understand and comply with the requirements.

5.1.12 Remove References to Fax Machines.

Background: Previously, facsimile or faxed communications were more widely utilized. Technological advancements have resulted in expedited or more convenient forms of communication, such as email and digital messaging.

Issue: Facsimile or faxed communications are no longer in popular use.

Potential Solution: Administrative action to remove references to obsolete communication methods such as facsimile or faxed communication requirements throughout 50 CFR parts [679](#) and [680](#).

5.1.13 Remove Rockfish Program CMCP Specialist Notification Requirement

Background: The Rockfish Program CMCP Specialist position in Kodiak, AK supported the Rockfish Program in a variety of ways, including offload verification.

Issue: The Rockfish Program CMCP Specialist position in Kodiak, AK is vacant and there are currently no plans to backfill. As such, the regulations requiring the landing notifications for the CMCP Specialist found at § [679.28\(g\)\(7\)\(viii\)](#) and [\(8\)](#) are no longer necessary.

Potential Solution: Administrative action to remove regulations requiring processing plants to provide notification and reasonable assistance to the Rockfish Program CMCP Specialist at § [679.28\(g\)\(7\)\(viii\)](#) and [\(8\)](#).

5.1.14 Remove the Specific Time for Closing Groundfish Fisheries

Background: Regulations at § [679.23\(b\)](#) currently specify the time of all groundfish fishery closures. Removal of the closure time when made through an inseason action would reduce the probability of greatly exceeding or falling short of the TAC. The timing of closures that occur by regulation (*e.g.*, A season closures) would need to remain in regulation in order to close automatically instead of by an inseason action. In addition, changes could be considered in conjunction with the Council's request at the April 2025 meeting for NMFS to review and revise the regulations governing the time of day of openings and closures for directed fishing for sablefish using fixed gear to allow NMFS to annually set the opening and closing time in alignment with the fishing period set for the halibut commercial fishery.

Issue: Regulations at § [679.23\(b\)](#) currently specify the time of all openings and closures.

Potential Solution: Regulatory change under the FMP Framework in Sections 3.5.1 of the BSAI and GOA FMPs to remove regulations at § [679.23\(b\)](#) that currently specify the time of closures made through an inseason action could be removed to allow inseason managers to close fisheries at any time of day, which would enable more precise limitation of harvest. Any fishery that closes by regulation would continue to close at noon. In addition, the time of the opening for sablefish could be altered to match the opening time for halibut. Opening times for other fisheries would not change.

Text in the box is language from the FMPs for reference.

BSAI FMP

Section 3.5.1 Fishing Seasons

Fishing seasons are defined as periods when harvesting groundfish is permitted. Fishing seasons will normally be within a calendar year, if possible, for statistical purposes, but could span two calendar years if necessary. In consultation with the Council, the Secretary will establish all fishing seasons by regulations that implement the FMP, to accomplish the goals and objectives of the FMP, the Magnuson-Stevens Act, and other applicable law. Season

openings will remain in effect unless amended by regulations implementing the FMP.

Section 3.6.2.2.3 Herring Savings Area

If the Regional Administrator determines that the PSC limit of herring is attained, the herring savings areas may be closed for the remainder of the year or season. The herring savings areas are any of the three areas described in Appendix B and Figure 3-20. Summer Herring Savings Area 1 applies from June 15 through July 1 of a fishing year. Summer Herring Savings Area 2 applies July 1 through August 15 of a fishing year. Winter Herring Savings Area applies from September 1 through March 1 of the succeeding fishing year. Openings and closures begin and end at noon local time.

GOA FMP

Section 3.5.1 Fishing Seasons

The fishing year is defined as January 1 through December 31. Fishing seasons are defined as periods when harvesting groundfish is permitted. Fishing seasons will normally be within a calendar year, if possible, for statistical purposes, but could span two calendar years if necessary. Changes to fishing seasons can be recommended by the Council at any time. In consultation with the Council, the Secretary will establish all fishing seasons by regulations that implement the FMP, to accomplish the goals and objectives of the FMP, the Magnuson-Stevens Act, and other applicable law. Season openings will remain in effect unless amended by regulations implementing the FMP.

5.1.15 Remove Regulatory References to Non-specified Species

Background: Nonspecified species are fish species, other than prohibited species, for which Total Allowable Catch has not been specified. These previously included species such as prowfish and lingcod, but this category is no longer included in the groundfish FMPs.

Issue: Regulations at [50 CFR Part 679](#) reference non-specified species, which is a category of FMP species that are no longer included in the groundfish FMPs.

Potential Solution: Administrative action to remove all references to nonspecified species in regulations for consistency with the BSAI FMP and GOA FMP species categories. These changes would not impact the current groundfish harvest specifications process.

Text in the box is language from the FMPs for reference. Note that the Council could decide to recommend removing the parenthetical “plus the actual amount of the nonspecified species category that is taken incidentally to the harvest of target species” from the BSAI FMP language in section 3.2.2.2 as a housekeeping action.

BSAI FMP

Section 3.2.2.2 Optimum Yield

The optimum yield of the groundfish complex is specified as 85 percent of the historical estimate of the MSY range for the target species (1.4 to 2.0 million mt), to the extent this can

be harvested consistently with the management measures specified in this FMP, plus the actual amount of the nonspecified species category that is taken incidentally to the harvest of target species. This deviation from the historical estimate of MSY reflects the combined influence of ecological, social, and economic factors. The important ecological factors may be summarized as follows:

.....

A programmatic supplemental environmental impact statement (PSEIS) was completed in June, 2004. The preferred alternative identified in the PSEIS retained the existing OY range. In addition to impacts on the stocks and stock complexes in the “target species” category, the PSEIS analyzed impacts on prohibited species, forage fish, non-specified species, habitat, seabirds, and marine mammals.

GOA FMP

Section 3.2.2.2 Optimum Yield

A programmatic supplemental environmental impact statement (PSEIS) was completed in June, 2004. The preferred alternative identified in the PSEIS retained the existing OY range. In addition to impacts on the stocks and stock complexes in the “target species” category the PSEIS analyzed impacts on prohibited species, forage fish, non-specified species, habitat, seabirds, and marine mammals.

5.1.16 Modify Trawl EM Recording Requirements when Transiting

Background: Regulations implementing the Trawl EM Program at [§ 679.51\(g\)\(3\)\(v\)\(B\)](#) requires that vessels maintain uninterrupted power to their EM system for the duration of a fishing trip from the time they leave the dock through completion of the offload ([89 FR 60796, July 29, 2024](#)). The intent of this regulation is to ensure that all fishing activities for a given fishing trip is recorded, ensuring no impacts to the chain of custody for PSC.

Issue: This requirement at [§ 679.51\(g\)\(3\)\(v\)\(B\)](#) also applies to instances where a catcher vessel may be transiting directly to the Alaskan fishing grounds from a non-Alaskan port (*e.g.* Anacortes, WA) or other areas and do not intend to stop at an Alaskan port prior to deploying pelagic trawl gear to harvest pollock in a BSAI or GOA management area. In these instances, catcher vessels are required to turn their EM system on prior to departure from a port, leaving it on through all fishing activities and the offload. This results in long periods (multiple days to a week) of non-fishing activities being recorded by the system. The data collected on non-fishing activity uses limited hard drive space and potentially increases the cost of review.

The intent of the requiring continuous uninterrupted power is to ensure all fishing activity is captured. Throughout the development of the EM program during the EFP testing phase, vessel operators were only required to provide power to the EM system two hours prior to fishing activity. The following situations are examples of when an EM system is required to be supplied power under existing regulations: 1) when a vessel leaves a non-Alaskan port to transit to Alaska for fishing activity; 2) a vessel operating as a tender in the Bristol bay salmon fishery and transits to the GOA for groundfish fishing and does not enter a port prior to beginning fishing activity; and 3) a vessel that changes in their planned fishing activity during transit (*e.g.*, a vessel departs

port intending to fish Prince William Sound pollock and changes their plan to operating in the trawl EM program to harvest BS or GOA pollock).

Potential Solution: There are several solutions that could be considered. Regulations could be modified to be more similar to the requirements included in the EFP during the development phase of the EM program. During development, catcher vessels were required to activate their EM systems at least 2 hours prior to the start of fishing activities (*e.g.*, first deployment of fishing gear), maintaining power to the system through the completion of the offload. Altering the requirement at [§ 679.51\(g\)\(3\)\(v\)\(B\)](#) to state that the system must be activated a specified amount of time prior to first deployment of gear on a given fishing trip could alleviate these situations. Alternatively, this requirement could be modified to only apply when operating in a BSAI or GOA management area where they harvest pollock and thereby not require the EM system be powered until the vessel enters the management area off Alaska where they will harvest pollock.

5.2 Recordkeeping and Reporting, Monitoring, or Streamlining Regulations that must go through the Council Process due to FMP Language

There are a number of instances where the FMP language is out of date with current monitoring practices. Amending Section 3.9 the BSAI and GOA FMPs to reflect all of the modernization in recordkeeping and reporting would simplify the FMP and could provide additional clarity for NMFS's use of Section 305(d) to modernize regulations in the future. The actions outlined in Table 6 would require both an FMP amendment and a regulatory amendment. These actions could be considered collectively or separately as recommended by the Council.

Table 6 Assessment of FMP sections, possible benefits, category, and complexity of proposed regulations that must go through the Council Process.

Action	FMP Section	Possible benefit and Deregulatory Subcategory	Analytical Complexity	Implementation Complexity
Reduce regulatory burden on vessels that catch small amounts of groundfish	Section 3.9.1.2 of the BSAI FMP	Increases flexibility	Moderate	Low - This would likely be an exemption or the creation of a new class of C/P vessel.
Remove weekly production reports	Section 3.9.1.2 of the BSAI FMP	Would align with current practice; Reduces burden	Low	Low - Remove regulations; PRA
Remove shortraker/Rough eye species group	Section 4.1.2.6 of the BSAI FMP	Would align with current practice; Removes obsolete regulations.	Low	Low - Remove regulations

5.2.1 Reduce Regulatory Burden on Vessels that Catch and Process Small Amounts of Groundfish

Background: Some vessels participate in Federal fisheries where management has been delegated to the State. This can result in situations where additional Federal regulations may apply to the participant. Vessels operating in any fishery in which the State is exercising management authority in federal waters are required to be designated on a federal fisheries permit (FFP) to retain groundfish in federal waters, which includes incidental catch of groundfish (§ 679.4(b)(1)). These vessels do not typically target Federally managed groundfish species, only retaining the incidental harvest. Vessels participating in the salmon troll or other State fisheries are not subject to observer coverage requirements as specified under [50 CFR 679 subpart E](#), however, Federally permitted vessels retaining groundfish are.

Section 3.9.1.2 of the BSAI FMP specifies the recordkeeping and reporting requirements for C/Ps harvesting groundfish. This section could be updated to reflect current recordkeeping and reporting requirements. For example, both the GOA and BSAI FMP list check-in and check-out requirements that were removed in 2009 for groundfish C/Ps utilizing VMS.

Issue: Vessels operating in any fishery in which the State is exercising management authority in federal waters are required to be designated on a FFP to retain groundfish in federal waters, which includes incidental catch of groundfish (§ 679.4(b)(1)). As a result, some vessels retain small amounts of groundfish bycatch and freeze it, which classifies these vessels as C/Ps. A C/P is defined at § 679.2 as a vessel that is used for catching fish and processing that fish. The definition of “processing” at § 679.2 is broad and includes “freezing”. Therefore, vessels that retain and freeze groundfish bycatch are subject to the recordkeeping, reporting, and monitoring requirements for groundfish C/Ps for the remainder of the fishing year (§ 679.51(a)(2)(iv)).

Monitoring requirements for full coverage groundfish C/Ps are listed at § 679.51(a)(2). The full coverage category requirements specify that the vessel must have at least one observer at all times and must comply with all additional observer requirements listed at § 679.51(a)(2)(vi). If a groundfish C/P processes, on average, less than 79,000 pounds (lb) (35.8 metric tons (mt)) per week, they may annually request to be placed in the partial observer coverage sector as described at § 679.51(a)(3). Historically, observers have not been placed aboard these vessels to monitor the fishery, and this fishery is not listed in the partial coverage observer deployment strata.

In addition to the monitoring requirements, unintended recordkeeping and reporting burdens may also be imposed by Federal regulations. When classified as a groundfish C/P, these vessels may be required to complete Daily Cumulative Production Logs (§ 679.5(c)(3)), production reports (§ 679.5(e)(10)), or product transfer reports (§ 679.5(g)). These regulations and associated FMP text were developed with a common understanding that groundfish C/Ps are larger vessels that freeze fish for extended periods of time without landing the fish. The capability for smaller vessels to freeze catch was developed recently, and its utilization has increased. Fishing trips for vessels in these fisheries tend to last three to five days.

Potential Solution: The Council could consider whether certain C/P vessels should have different monitoring, recordkeeping, and reporting requirements specific to these new small operators. One potential option for this category could be adding an exception for vessels less than 55 feet (ft) (16.8 meters (m)) in length overall. Another option is to exempt vessels participating in a

fishery in which the State is exercising management authority in federal waters and process less than 10 mt (22,046 lb) a week. This would require modifications to the GOA and BSAI FMPs, as well as regulations, but could provide an opportunity to reduce the regulatory burden while also providing a cost savings to these small vessel operators.

Text in the box is language from the FMPs that may need to be amended in part.

BSAI FMP

Section 3.9.1.2: Reporting requirements

Vessels that catch and process groundfish at sea (catcher/processors) and vessels that receive catch from other vessels for processing (mothership/processors) have the ability to operate for extended periods without landing. To avoid delay in monitoring catches, catcher/processors and mothership/processors are required to report to the NMFS Regional Administrator at regular intervals as specified in the regulations.

Check-in and check-out report

Catcher/processors are required to check in and check out of any fishing area for which TAC is established within a time period prescribed by regulation. This report may be by radio through the U.S. Coast Guard to the Regional Administrator of NMFS. The Council intends that this requirement enhance the ability of NMFS to monitor the timeliness of the written catch reports and to assess the total harvest capacity in a fishing area for purposes of projecting dates when a TAC, or apportionment of TAC, will be reached.

Catch/receipt and product transfer report

Operators of catcher/processor and mothership/processor vessels must submit a weekly catch/receipt and product transfer report. This report will be required after notification of starting fishing by a vessel and continuing until that vessel's entire catch or cargo of fish has been off-loaded for each weekly period, Sunday through Saturday, or for each portion of such a period. This report must be sent to the Regional Administrator within one week of the end of the reporting period through such means as the Regional Administrator will prescribe by regulations and must contain the following information:

- a. name and radio call sign of the vessel;
- b. Federal permit number for the BSAI groundfish fisheries;
- c. month and days fished or during which fish were received at sea;
- d. the estimated round weight of all fish caught or received at sea by that vessel during the reporting period by species or species group, rounded to the nearest one-tenth of a metric ton (0.1 mt), whether retained, discarded, or off-loaded;
- e. the number of cartons of product and the unit net weight, in kilograms or pounds, of each carton of processed fish by species or species group produced by that vessel during the reporting period;
- f. the area in which each species or species group was caught;
- g. if any species or species groups were caught in more than one area during a reporting period, the estimated round weight of each, rounded to the nearest 0.1 mt by area; and

- h. the product weight, rounded to the nearest 0.1 mt, and the number of cartons transferred or offloaded by product type and by species or species group.

Cargo transfer/off-loading log

Operators of catcher/processor and mothership/processor vessels must record certain information in a separate transfer log. He or she must record the following information, within a time specified by regulations, for each transfer or off-loading of any fishery product in the EEZ, as well as quantities transferred or off-loaded outside the EEZ, within any state's territorial waters, or within the internal waters of any state:

- a. the time and date (GMT) and location (in geographic coordinates or if within a port, the name of the port) the transfer began and was completed;
- b. the product weight and product type, by species or species group, of all fish products transferred or off-loaded rounded to the nearest tenth of a metric ton (0.1 mt);
- c. the name and permit number of the vessel off-loading to or, if to a shoreside facility, the name of the commercial facility receiving the product; and
- d. the intended port of destination of the receiving vessel if off-loaded to another vessel.

5.2.2 Remove Weekly Production Reports

Background: Regulations at [§ 679.5\(i\)](#) state that these reports are removed from use and indicate that eLandings should be utilized instead. eLandings regulations require daily production reports be submitted by C/Ps, motherships, and shoreside processors (§§ [679.5\(e\)\(9\)\(ii\)](#) and [679.5\(e\)\(10\)\(iv\)](#)).

Issue: Weekly production reports have been replaced by daily production reports submitted via eLandings making language that refers to weekly production reports in the FMP and regulations obsolete.

Potential Solution: Remove [§ 679.5\(i\)](#) and amend Section 3.9.1.2 of the BSAI FMP to remove references to weekly production reports for at-sea processor vessels.

Text in the box is language from the BSAI FMP, which would need to be revised or removed as recommended by the Council.

BSAI FMP

Section 3.9.1.2 At-Sea Processor Vessels

3. Catch/receipt and product transfer report

Operators of catcher/processor and mothership/processor vessels must submit a weekly catch/receipt and product transfer report. This report will be required after notification of starting fishing by a vessel and continuing until that vessel's entire catch or cargo of fish has been off-loaded for each weekly period, Sunday through Saturday, or for each portion of such a period. This report must be sent to the Regional Administrator within one week of the end of the reporting period through such means as the Regional Administrator will prescribe by regulations and must contain the following information:

- a. name and radio call sign of the vessel;
- b. Federal permit number for the BSAI groundfish fisheries;
- c. month and days fished or during which fish were received at sea;
- d. the estimated round weight of all fish caught or received at sea by that vessel during the reporting period by species or species group, rounded to the nearest one-tenth of a metric ton (0.1 mt), whether retained, discarded, or off-loaded;
- e. the number of cartons of product and the unit net weight, in kilograms or pounds, of each carton of processed fish by species or species group produced by that vessel during the reporting period;
- f. the area in which each species or species group was caught;
- g. if any species or species groups were caught in more than one area during a reporting period, the estimated round weight of each, rounded to the nearest 0.1 mt by area; and
- h. the product weight, rounded to the nearest 0.1 mt, and the number of cartons transferred or offloaded by product type and by species or species group.

5.2.3 Remove the Shortraker / Rougheye Species Group.

Background: Regulations at [§ 679.20\(a\)\(9\)](#) describe the allocation between vessels using trawl gear and vessels using non-trawl gear for Shortraker rockfish and Rougheye rockfish, which has not existed since 2004. These species have been consistently closed to directed fishing at the start of the fishing year such that gear allocations in regulations may no longer be necessary.

Issue: Shortraker and Rougheye have not been a species group since 2004, making this allocation obsolete.

Potential Solution: Remove [§ 679.20\(a\)\(9\)](#) and amend Table ES-2 and Section 4.1.2.6 of the BSAI FMP.

Text in the box is language from the BSAI FMP that would need to be amended in part.

BSAI FMP

Table ES-2 - Summary of Management Measures for the BSAI Groundfish Fishery - Apportionment of TAC

Section 4.1.2.6 Other Rockfish

Rockfish other than Pacific ocean perch were divided into two complexes, the other red rockfish complex and the other rockfish complex, through 2000. Since 2001, northern, shortraker and rougheye rockfish have been managed as separate species in order to manage them more consistently.

In the early 2000s, approximately 90 percent of northern rockfish were harvested in the Atka mackerel bottom trawl fishery, mainly in the Western Aleutian Islands district. Compared to northern rockfish, shortraker rockfish, and rougheye rockfish are a relatively high valued species, and consequently are less frequently discarded.

Since 1998, the Aleutian Islands TAC for shortraker/ rougheye rockfish has been allocated between trawl and fixed gear fisheries. Since 2001, shortraker and rougheye rockfish have

been allocated separate TACs. Thirty percent of the TAC is allocated to fixed gear and 70 percent to vessels using trawl gear.

The “other rockfish” category contains seven rockfish species; the two most abundant members are shortspine thornyhead and dusky rockfish. Shortspine thornyheads are a higher priced species, and are caught mainly by fixed gear rather than trawl fisheries. The ABCs for the complex are listed in the box above.

5.3 Additional Proposed Changes from the Council June 2025 Motion

The Council’s June 2025 motion identified the following additional proposed changes and requested NMFS identify the appropriate vehicle for implementation summarized in Table 7, below.

Table 7 Assessment of Additional proposed changes included in the June 2025 Council motion including if it would require an FMP amendment, the possible benefits, and analytical and implementation complexity.

Action	Requires an FMP Amendment?	Possible benefit	Analytical Complexity	Implementation Complexity
Lead level 2 (LL2) certification changes	No	May increase the number of LL2 available observers for trawl and fixed gear vessels, thereby providing more operational flexibility for the fleet.	Low; evaluate potential administrative impacts on the North Pacific Observer Program and data quality.	Low for most measures except potentially moderate if new performance criteria are developed, and/or west Coast hake measures adopted due to tracking of LL2 experience across regions.
Eliminate the weight deduction for bled sablefish at time of delivery	No	IFQ and CDQ participants who deliver bled sablefish could potentially harvest more sablefish.	Moderate due to the need to coordinate with partner agencies and to develop methods that ensure this change only affected IFQ/CDQ sablefish.	High due to programmatic changes needed in multiple databases, complexity of changing one species for one management program only, and coordination needed with partner agencies

5.3.1 Lead Level 2 Certification Changes

The June 2025 Council motion identified several potential modifications to the North Pacific Groundfish Observer Program regulations at 50 CFR [679.53](#). These could be considered in a stand-alone regulatory action due to the need to evaluate potential administrative impacts on the North Pacific Observer Program and data quality. The Council identified three potential regulatory amendments, each with varying regulatory implementation complexity, as discussed below:

Modify the endorsement criteria at [§ 679.53\(a\)\(5\)\(iv\)](#) to allow hauls sampled in the At-Sea Hake Observer Program and/or shoreside plant offloads in Alaska to count towards the minimum sampled haul requirement of a Lead Level 2 (LL2) endorsement in Alaska: This would require changes to existing regulations so that at-sea experience gained in the U.S. West Coast hake fishery aboard catcher processors (C/Ps) in the Alaska trawl fisheries could both be used to qualify for an LL2 endorsement in the Observer Program. Regulations would also limit the qualifying hake experience to C/P vessels that participate in both the Alaska and West Coast hake fisheries. This change is unlikely to result in a substantial increase in the number of available LL2-endorsed observers (estimated at up to five additional observers for the 2023/2024 seasons), but would require additional administrative resources (e.g., database modifications and tracking) for the observer program to ensure proper verification of experience. Tracking and verification would fall on providers to document observer experience in the hake fishery due to lack of a comprehensive tracking system across the regions.

Modify the endorsement criteria at [§ 679.53\(a\)\(5\)\(iv\)](#) to allow hauls sampled at shoreside plant offloads in Alaska to count towards the minimum sampled haul requirement of a Lead Level 2 (LL2) certification in Alaska: The regulations could be changed to allow shoreside sampling experience to count towards the LL2 endorsement. A LL2 observer on a C/P using trawl gear or a mothership must have completed two observer cruises (contracts) and sampled at least 100 hauls on a C/P using trawl gear or on a mothership. A LL2 observer on a vessel using nontrawl gear must have completed two observer cruises (contracts) of at least 10 days each, successfully completed training or briefing as prescribed by the Observer Program, and either sampled at least 30 sets on a vessel using nontrawl gear or sampled at least 100 hauls on a C/P using trawl gear or on a mothership. In evaluating this action, the agency would consider both trawl and longline gear qualification criteria for the LL2 endorsements. Regulations could be adjusted to include shoreside experience in addition to the current regulations that indicate experience must be obtained on a C/P, mothership, or catcher vessel. This change could increase the pool of potential LL2 qualifying observers given recent increases in shoreside sampling due to the trawl EM program. The administrative burden on the Observer Program associated with implementing this change is likely low, as it involves only adjusting the endorsement criteria in regulations and the Observer Program already tracks shoreside deployments. From a data collection standpoint, species composition sampling concepts are similar for shoreside and at-sea. Thus, the shoreside experience may be appropriate for LL2 endorsement for deliveries/offloads (rather than hauls as indicated in the Council motion) that are also sampled for species composition.

Modify the minimum sampled haul requirement to obtain LL2 certification on trawl vessels to 60 sampled hauls rather than 100 sampled hauls. Changing this requirement would require a regulatory change at [§ 679.53\(a\)\(5\)\(v\)\(A\)](#) such that an observer would have completed at least

two contracts and 60 hauls, rather than the currently required 100 hauls. This requirement attempts to ensure observers have adequate sampling collection experience because they are required to lead sample collections and ensure a high level of data quality and respond to challenging on-deck sampling situations. The administrative burden to implement this change is anticipated to be low. Potential impacts are related to changes in data quality given observers with less experience would be placed as leads on vessels. The degree to which data quality might be impacted and potential consequences, such as data deletions, would need to be evaluated in the analysis.

Observer program training and data collection requirements have changed substantially since the 100-haul criteria was implemented (going back to at-least the 1990s). While a simple change to the haul threshold could make it easier to obtain an LL2 endorsement and potentially increase the pool of available observers, it may not be the most effective way to balance the need for skilled lead observers onboard vessels with overall observer availability and the collection of high quality information. **Therefore, should the Council move forward with modification of the LL2 endorsement criteria, the agency recommends also evaluating performance-based criteria that could replace or augment the minimum haul requirements for the LL2 endorsement.** For example, high performing observers may be capable of being a LL2 observer sooner than what would otherwise occur under a minimum haul and contract thresholds. NMFS could develop and include in the analysis potential options for new LL2 endorsement criteria for the Council to consider. Moving away from a simple threshold (*e.g.*, 100 haul criteria) to a performance-based approach may modernize the observer regulations to better reflect current program administration while also addressing concerns about LL2 shortages.

Grant the Observer Program the authority to waive fixed gear LL2 requirements when no fixed gear LL2 observers are reasonably available:

Regulations that define the criteria for the LL2 endorsement establish an expectation that observers possess a certain level of experience necessary to ensure data quality. Granting waivers to LL2 requirements would conflict with these regulatory standards and could compromise data quality. Given the broad discretion afforded to NMFS in the motion, additional development of specific criteria would be necessary to implement a formal waiver policy, which may include additional regulations. From a logistical perspective, NMFS is typically not involved in the procurement of observers for full coverage vessels; that responsibility lies with the vessel/operator and the observer provider. If a waiver process and criteria were developed and implemented, it may be necessary for NMFS to develop new inseason procedures and allocate staff to track LL2 availability and deployment schedules, ensure waivers are applied only in legitimate circumstances, develop an administrative process with observer providers, and resolve disputes over waiver eligibility.

5.3.2 Eliminate the Weight Deduction for Bled Sablefish at the Time of Delivery

The Council motion identified eliminating the IFQ weight deduction for bled sablefish (*Anoplopoma fimbria*) at the time of delivery as a proposed change. This proposed change was identified by some stakeholders due to the bled weight deduction disincentivizing vessels from bleeding sablefish at sea and having a negative impact on product quality. However, in order to be consistent with Federal regulations, the harvest allocations under the CDQ program for fisheries with individual quotas or fishing cooperatives shall be regulated by the Secretary in a

manner no more restrictive than for other participants in the applicable sector (Magnuson-Stevens Act Section 305(i)(1)(B)(iv)). As a result, if this change were made for IFQ the corresponding change would also need to be made for CDQ deliveries.

Accommodating bled weights of sablefish into the IFQ system would necessitate programming changes to the catch accounting and database systems during a time of limited programmer availability. The interagency electronic reporting system, eLandings, is critical for accurate catch reporting, tracking landings, and applying necessary product recovery rates (PRRs) to appropriate converted landed weight of a fish to whole weight. Modifying or eliminating the PRR would necessitate updates to multiple systems within NMFS infrastructure, including ALDERS, eFISH, the CAS, and related databases. Since each agency (NMFS, ADF&G, and International Pacific Halibut Commission (IPHC)) relies on this complex integrated system, a change modifying or eliminating a PRR would have far-reaching downstream impacts and would require considerable staff resources to implement. Modifying the PRR for purposes of Federal reporting only would require complicated changes that may also impact State management given the shared platforms.

Implementation of this action would require modifying regulatory definitions of IFQ-equivalent pounds and CDQ-equivalent pounds (50 CFR [679.2](#)) from round weight to bled weight when determining the weight associated with a sablefish IFQ or CDQ landing. Additionally, the definition of CDQ-equivalent pounds would need to clarify that bled weight only applies to hook-and-line and pot gear (fixed gear) to be in alignment with changes made to IFQ-equivalent pounds and does not impact other fisheries and gear types. Logbooks for IFQ would need to be modified under PRA requirements to include “bled weight” as currently IFQ sablefish logbooks require the estimated total round weight and if the product condition is either Western cut, Eastern cut, or round weight (50 CFR [679.5\(c\)\(3\)\(vi\)\(K\)](#)). This requirement is exclusive to IFQ sablefish and does not extend to other sablefish fisheries.

Modifying regulatory weight definitions for the IFQ/CDQ sablefish fisheries would require the species PRR table found in [Table 3 to 50 CFR part 679](#) be modified to accommodate changes to bled weight. Because not all IFQ and CDQ sablefish are delivered bled, any changes in the delivery PRR would also likely require an analysis to determine if additional modifications should be made for sablefish that are landed as unbled (*e.g.*, whole or live). Ability to implement this action would also require programming changes across multiple systems (*e.g.*, CAS, eFISH, eLandings, AKFISH database, Webservices) and agencies (NMFS, ADF&G, IPHC) that utilize PRRs. These systems would need to be programmed so that only IFQ debiting of sablefish and fixed gear CDQ sablefish were affected. Furthermore, issuance and debiting of IFQ permits and CDQ allocations would need to be changed and the IFQ and CDQ cost recovery programs would need to be modified to reflect any change to the PRR. Given very limited programming resources, these changes would need to be carefully considered against other regulatory and maintenance priorities.

NMFS maintains that no regulatory action is needed at this time, as the current PRR for bled sablefish is accurate and supported by the best available scientific information, as required under

Magnuson-Stevens Act National Standard 2, ensuring accurate catch accounting. Should this change be made for purposes of IFQ and CDQ deduction only, NMFS would continue to account for the round weight of sablefish against the overall sablefish TAC, consistent with how other species are accounted for, which may result in less sablefish TAC being available in the IFQ and CDQ fisheries. NMFS would also continue to use round weight when reporting catch for stock assessments and for status determination as this is the best scientific information available to set and manage annual catch limits.

6 Process Improvements to Reduce Regulatory Burden

The Council's June 2025 motion identified three types of process improvements to reduce regulatory burdens. This section discussed each process improvement.

6.1 Clarify when Section 305(d) Rulemaking Authority is Preferred

As discussed in Section 5.1, a primary situation for NMFS to use the Section 305(d) authority is when the Council establishes a framework mechanism in an FMP for NMFS to take future actions.

For example, the BSAI FMP and GOA FMP include the following frameworks:

BSAI FMP

Section 3.2.3.1.3 Process and Timeline of Council Recommendations, Public Review, and Secretarial Decision

In consultation with the Council, the Secretary will establish harvest specifications, including TACs and apportionments thereof, and reserves for each target species category, by January 1 of the new fishing year, or as soon as practicable thereafter, by means of regulations published in the Federal Register.

Section 3.2.3.4.3 Process and Timeline of Council Recommendations, Public Review, and Secretarial Decision

The Regional Administrator, in consultation with the Council, may limit the amount of pollock that may be taken with trawls other than pelagic trawls.

The Regional Administrator, in consultation with the Council, will annually allocate up to 2 percent of the TAC specified for Atka mackerel in the eastern Aleutian Islands District/Bering Sea subarea to vessels using jig gear in these areas.

Section 3.5.1 Fishing Seasons

In consultation with the Council, the Secretary will establish all fishing seasons by regulations that implement the FMP, to accomplish the goals and objectives of the FMP, the Magnuson-Stevens Act, and other applicable law.

Section 3.5.2.1.3 Red King Crab Savings Area

The Red King Crab Savings Area is closed to non-pelagic trawling year round, except that when the Regional Administrator of NMFS, in consultation with the Council, determines that a

guideline harvest level for Bristol Bay red king crab has been established, he or she may open a subarea of the Red King Crab Savings Area to non-pelagic trawling.

Section 3.7.3 Aleutian Islands Directed Pollock Fishery

NMFS, in consultation with the Council, will manage the Aleutian Islands directed pollock fishery to ensure compliance with the implementing statute (Pub. L. 108-199) and with the annual harvest specifications.

Section 3.9.1 Recordkeeping and Reporting

[...] The Secretary, [...] will require segments of the fishing industry to keep and report certain records as necessary to provide the Council and NMFS with the needed information to accomplish these goals and objectives. The Secretary may implement and amend regulations at times to carry out these requirements after receiving Council recommendations to do so, or at other times as necessary to accomplish these goals and objectives.

Information on catch and production, effort, and price:

In consultation with the Council, the Secretary may require recordkeeping that is necessary and appropriate to determine catch, production, effort, price, and other information necessary for conservation and management of the fisheries. Such requirements may include the use of catch and/or product logs, product transfer logs, effort logs, or other records. The Secretary may require the industry to submit periodic reports or surveys of catch and fishery performance information derived from the logs or other recordkeeping requirements.

Section 3.9.2 Observer Program

Provisions of the North Pacific Observer Program are developed in consultation with the Council and established in regulations.

GOA FMP

Section 3.2.3.1.2 Stock Assessment and Fishery Evaluation Report

Process and Timeline of Council Recommendations, Public Review, and Secretarial Decision
The Council will develop its harvest specifications recommendations for Secretarial consideration using the following: 1) recommendations of the Groundfish Plan Team and SSC and information presented by the Plan Team and SSC in support of these recommendations; 2) information presented by the Advisory Panel and the public; and 3) other relevant information.

In consultation with the Council, the Secretary will establish harvest specifications, including TACs and apportionments thereof, and reserves for each target species category, by January 1 of the new fishing year, or as soon as practicable thereafter, by means of regulations published in the Federal Register. Harvest specifications may be effective for up to two fishing years. Final harvest specifications are implemented by mid-February each year to replace those already in effect for that year, based on new information contained in the latest SAFE report.

Section 3.5.1 Fishing Seasons

Fishing seasons are defined as periods when harvesting groundfish is permitted. Fishing seasons will normally be within a calendar year, if possible, for statistical purposes, but could

span two calendar years if necessary. Changes to fishing seasons can be recommended by the Council at any time. In consultation with the Council, the Secretary will establish all fishing seasons by regulations that implement the FMP, to accomplish the goals and objectives of the FMP, the Magnuson-Stevens Act, and other applicable law. Season openings will remain in effect unless amended by regulations implementing the FMP.

Section 3.6.2.1 Pacific Halibut

Annual GOA-wide Pacific halibut PSC limits for trawl and non-trawl gear fisheries will be established in regulations and may be amended by regulatory amendment. When initiating a regulatory amendment to change a halibut PSC limit, the Secretary, after consultation with the Council, will consider information that includes. . .

Section 3.6.4.1 Prohibited Species Catch

The Secretary of Commerce, after consultation with the Council, may implement by regulation measures that provide incentives to individual vessels to reduce bycatch rates of prohibited species for which PSC limits are established under Section 3.6.2. The intended effect of such measures is to increase the opportunity to harvest groundfish TACs before established PSC limits are reached by encouraging individual vessels to maintain average bycatch rates within acceptable performance standards and discourage fishing practices that result in excessively high bycatch rates.

Section 3.8.2.3 Vessel Safety

The Council will consider, and may provide for, temporary adjustments regarding access to the fishery for vessels otherwise prevented from harvesting because of weather or other ocean conditions affecting the safety of the vessels, after consultation with the U.S. Coast Guard and persons utilizing the fishery.

Section 3.9.1 Recordkeeping and Reporting

[...] The Secretary, therefore, will require segments of the fishing industry to keep and report certain records as necessary to provide the Council and NMFS with the needed information to accomplish these goals and objectives. The Secretary may implement and amend regulations at times to carry out these requirements after receiving Council recommendations to do so, or at other times as necessary to accomplish these goals and objectives.

Section 3.9.1.1 Information on Catch and Production, Effort, and Price

In consultation with the Council, the Secretary may require recordkeeping that is necessary and appropriate to determine catch, production, effort, price, and other information necessary for conservation and management of the fisheries. Such requirements may include the use of catch and/or product logs, product transfer logs, effort logs, or other records. The Secretary may require the industry to submit periodic reports or surveys of catch and fishery performance information derived from the logs or other recordkeeping requirements.

Section 3.9.2 Observer Program

Provisions of the North Pacific Observer Program are developed in consultation with the Council and established in regulations.

The Council could revise their FMPs to clarify or expand the types of rulemaking actions that the Council would prefer NMFS to implement under Section 305(d) rulemaking authority, thereby streamlining the process for future changes and foregoing the need for the Council to develop formal recommendations to the Secretary.

Based on the discussion in Sections 5.2 and 5.3, if the Council amended the FMPs to remove specific requirements for recordkeeping and reporting and provided more framework language, NMFS could revise these regulations to better keep pace with improvements in technology. Sections 3.9.1 and 3.9.2 of the BSAI and GOA FMPs outline specific recordkeeping and reporting and monitoring requirements that the Secretary may develop in consultation with the Council. Section 3.9.1.1 states that processors shall submit reports as implemented in regulations. Presumably, if revisions were needed to processor reporting requirements, NMFS could develop those revised requirements, in consultation with the Council and then implement them under Section 305(d) rulemaking authority. In contrast, Section 3.9.1.2 lists out four specific reports that must be submitted by at-sea processor vessels. To remove or modify these reports, the FMP must be amended through the Council process. The Council may wish to consider if there are additional types of requirements (*e.g.*, at-sea processor reporting requirements) that should be specified through a simpler process. For example, the Council recently initiated an action to revise monitoring requirements to allow at-sea scales to be used to weigh sablefish onboard hook-and-line and pot C/Ps.

6.2 Catch Share Program Reviews

The Council currently conducts catch share program reviews and allocation reviews following NMFS guidance.

Catch Share Program Reviews

Background: The Magnuson-Stevens Act requires the regular review of Limited Access Privileges (Section 303A(c)(1)(G)). NOAA Procedure 01-121-01⁹ provides guidance for conducting LAPP reviews and on the general approach, scope of review, and use of standardized approaches. However, many decisions about the exact process for conducting reviews are left up to each Council. The Magnuson-Stevens Act states that reviews must be conducted five years after implementation and subsequent reviews must be conducted no less frequently than every seven years following the first review.

Issue: Since 2018, the Council has completed four allocation reviews and five LAPP Program reviews. There is significant time and analytical capacity dedicated to these comprehensive reviews.

Potential solution: There may be ways to streamline the Council's Program Review workload to reduce the amount of staff time and Council time necessary to comply with the mandate to review each program periodically. The Council could consider streamlining the production of the reviews by developing reproducible sections of the documents that are structured the same or similarly to past reviews, and/or refining the scope of the reviews.

⁹ <https://media.fisheries.noaa.gov/dam-migration/01-121-01.pdf>

Table 8 List of LAPP Program review schedules, gear type, and management area.

Program	Next review	Gear	Management Area
BSAI Pacific Cod Trawl Cooperative (PCTC)	2029	Trawl	BSAI
BSAI Crab Rationalization	2031	Fixed (pot)	BSAI
Halibut and Sablefish IFQ	2031	Fixed (pot and hook-and-line)	BSAI GOA
AFA	2032	Trawl	BSAI
Central GOA Rockfish	2032	Trawl	GOA
A80	2032	Trawl	BSAI
AI Pollock		Trawl	AI

Allocation Reviews

Background: Review of sector allocations is driven by NMFS Fisheries Allocation Review Policy 01-119 and is a discretionary task for the Councils to undertake. NMFS Policy 01-119 specifies the fishery allocation review policy¹⁰ and NMFS Procedure 01-119-02¹¹ provides recommended practices and factors to consider when reviewing and making allocation decisions. As described in the introduction to NMFS Policy 01-119, this policy was developed at the request of the Council Coordination Committee (CCC) in 2014.

Issue: The Council has identified five allocations for which reviews should be conducted at least once every 10 years, or if a trigger is met. Limited staff time and Council agenda time necessitates the need to reduce the workload and streamline the review process.

Potential solutions:

- **In June 2025, the Council recommended that NMFS remove Policy 01-119 specifying the need for regular allocation reviews as part of its response to the EO.**
- These allocation reviews are currently prepared as separate, stand-alone documents. If the Council continues to be required by NMFS policy to prepare allocation reviews, these reviews could be incorporated into other ongoing analytical work when the Council considers changes to these allocations or programs.

6.3 Charter Halibut Management Measures Timing

Background: The IPHC approves catch limits for Pacific halibut each year for Regulatory Areas in Alaska. In IPHC Regulatory Areas 2C and 3A, which roughly correspond with Southeast and

¹⁰ <https://media.fisheries.noaa.gov/dam-migration/01-119.pdf>

¹¹ <https://media.fisheries.noaa.gov/dam-migration/01-119-02.pdf>.

Southcentral Alaska, these catch limits are allocated between the commercial IFQ fishery and the sport charter fishery. The allocations are specified in the Council's Halibut Catch Sharing Plan (CSP) in regulations at [§ 300.65](#). The Council has established a Charter Halibut Management Committee that meets in October to make recommendations to ADF&G staff for the range of management measures (*e.g.*, size restriction, bag limits, day of the week closures, etc.) to analyze in preparation for the December Council meeting. The Charter Halibut Management Committee meets again in December to review the final analysis and make recommendations to the Council for the management measures that the Council then submits to the IPHC as a regulatory proposal for their consideration at the IPHC annual meeting each January. The IPHC Annual meeting is when the IPHC sets catch limits and adopts revised management measures for the Charter halibut fleet.

Issue: The current process timeline generates a bottleneck for affected stakeholders and decision-makers in December each year, providing ADF&G staff only a brief window to finalize the analysis, and subsequently a short opportunity for Charter Halibut Management Committee members to discuss management measures with other stakeholders prior to providing recommendations to the Advisory Panel and Council.

Potential solution: In December 2023, Council staff prepared a short memo on the persistent challenges with the charter halibut timeline.¹² The Council asked for expanded information about potential regulatory options to streamline the process for recommending charter halibut management measures each year. Adjusting the schedule could provide additional opportunities for stakeholder involvement and possibly provide charter halibut businesses with more time to efficiently plan their businesses if they know the regulations sooner. The two regulatory changes presented in this memo include a one-year lag in the management measures or setting measures for two years at a time. These options would both require regulatory action and coordination with other regulatory bodies (ADF&G and the IPHC). They would both restructure the management measure process and decrease the precision in estimates. A discussion paper is currently tasked to evaluate these options.

¹² Consideration of the Charter Halibut Management Timeline, October 2023. Available at <https://meetings.npfmc.org/CommentReview/DownloadFile?p=c0905a2e-e25f-4483-9450-28ca3810f6ab.pdf&fileName=C7%20Charter%20Halibut%20Management%20Timeline.pdf>