NMFS Update on Council Recommended

E.O. 14276 Actions to Reduce Regulatory Burdens for Monitoring, Recordkeeping, and Reporting

May 27, 2026

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1 Introduction

This document focuses on the actions recommended by the North Pacific Fishery Management Council (Council) for the National Marine Fisheries Service (NMFS) to advance under Magnuson-Stevens Fishery Management and Conservation Act (Magnuson-Stevens Act) Section 305(d) rulemaking authority. This document provides an update to the Council and additional information on the actions that NMFS continues to evaluate, identifies new issues that have been added to this evaluation, and notifies the Council of the actions that are no longer included in this evaluation. As described in more detail in Section 1.1, the Council has considered two previous discussion papers (June 2025 and October 2025) that provided information prepared by the NMFS Alaska Regional Office (AKR) in considering deregulatory actions in response to Executive Order (E.O.) 14192 and E.O. 14276. The Council submitted a revised work plan to NMFS and initiated a number of independent actions that the Council intends to consider at regularly scheduled meetings.

The scope of actions included in this paper is described in the October 2, 2025 Council motion and other closely related regulatory changes identified by NMFS[1]:

1. Use Secretarial Authority. Include in the workplan an omnibus package on recordkeeping and reporting, monitoring, and correcting and streamlining of regulations developed and implemented by NMFS acting on behalf of the Secretary of Commerce under Magnuson Stevens Act 305(d) authority. These actions are listed in Table 3, Section 5.1 of the [October 2025] discussion paper and should include the following additions if possible: 1) the item to remove unnecessary reporting requirements for active/inactive periods for [catcher/processors] CPs should include removing requirements for [catcher vessels] CVs to submit the daily fishing logbook during periods of fishing inactivity or closed seasons, and 2) clarify or correct regulations to reflect past guidance for [prohibited species catch] PSC disposal at meal plants.

The specific actions in this paper include the list of actions identified in Section 5.1 of the October 2025 discussion paper, the new items added in the October 2, 2025 Council motion, and additional items identified by NMFS through the continued review. NMFS has grouped these actions into three potential rulemaking actions[2]: 1) Monitoring; 2) Recordkeeping and Reporting; and 3) Housekeeping. The decision whether to promulgate rulemaking under Section 305(d) of

[1] Full text of the Council's October 2, 2025 EO 14276 motion is available under the B1 agenda item on the October eAgenda at: https://meetings.npfmc.org/Meeting/Details/3095.

[2] The NMFS Alaska Region Office has made the preliminary determination that the proposed actions are within the category of actions identified in Appendix E of NOAA's Companion Manual for NAO 216-6A as Categorical Exclusion A1 - Trust Resource Management Actions--a category of actions that normally does not have a significant effect on the human environment--because it is not anticipated to result in substantial modifications of fishing location, timing, effort, authorized gear types, or harvest levels relative to the status quo relative to what was analyzed in previous approved actions. The proposed actions are not connected to a larger action and does not appear to involve extraordinary circumstances precluding use of a categorical exclusion. As such, NMFS Alaska Region Office foresees that this proposed action would qualify for a categorical exclusion from further review under NEPA. This preliminary determination is subject to further review after public comment on the proposed rule. If this determination is confirmed when a final rule is prepared, the proposed action will be categorically excluded from further review under NEPA.

the Magnuson-Stevens Act 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 a Fishery Management Plan (FMP) amendment. The actions considered in this document are not expected to impact fishing effort, fishing locations, fishing allocations, or any other fishing behavior.

1.1 Council Consideration of E.O. 14276 actions

On April 17, 2025, the President signed E.O. 14276 Restoring American Seafood Competitiveness.[3] In addition to E.O. 14276, the President also signed E.O. 14192 Unleashing Prosperity Through Deregulation.[4] 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 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.[5] 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.

In a letter dated May 6, 2025, NMFS requested information from the Council to comply with E.O. 14276 and requested that the Council submit recommendations and commit to a workplan and a schedule for implementation of such recommendation by September 1, 2025.[6]

On June 5, 2025, the Council received a discussion paper prepared by NMFS titled "Review of Regulations under Executive Order 14276 Restoring American Seafood Competitiveness" in an effort to assist the Council with conducting such a review.[7] That document served as a broad regulatory review and provided suggestions that were intended to improve domestic fishing operations for fisheries in the Exclusive Economic Zone (EEZ) off Alaska under the authority of the Council. This review built upon previous efforts and outlined possible changes to reduce regulatory burdens and optimize seafood production while continuing to promote sustainability. The report identified ongoing initiatives, such as modifications to Maximum Retainable Amount regulations and expansions in electronic monitoring, provided recommendations from NMFS such as modernizing recordkeeping and reporting regulations, and described other possible

[3] E.O. 14276, 90 FR 16993 (2025). Available from: https://www.federalregister.gov/d/2025-07062

[4] E.O. 14192, 90 FR 9065 (2025). Available from: https://www.federalregister.gov/d/2025-02345

[5] 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/

[6] NMFS letter on Seafood Competitiveness EO is available under Agenda item B1 on the June 2025 eAgenda at: https://meetings.npfmc.org/Meeting/Details/3087.

[7] B2 NMFS Regulatory Review EO 14276 is available under Agenda item B2 on the June 2025 eAgenda at: https://meetings.npfmc.org/Meeting/Details/3087.

actions the Council could consider for recommendation to NMFS to implement. On June 10, 2025, the Council requested Council and NMFS staff sort the reporting and streamlining actions under Section 5 of the June 2025 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 Secretary Of Commerce can use 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 that motion, the Council also provided direction on further development of the Council's workplan and identified additional changes for inclusion in the October discussion paper.

On August 27, 2025, NMFS published a notice requesting public comment from interested parties on suggestions to improve fisheries management and science within the requirements of applicable laws, as required in the E.O. (90 FR 41818). In addition, NMFS announced that it would host a listening session to receive additional public comment. The intent of these public engagements was for NMFS to obtain input on fishery-related regulatory barriers, fisheries management, science, and other priority needs identified in the E.O. designed to strengthen the Nation's seafood supply and competitiveness. Comments were invited through October 14, 2025. On December 1, 2025, NMFS reopened the comment period for an additional 15 days, inviting additional comments through December 15, 2025 (90 FR 55089).

In a letter dated September 16, 2025, the Council submitted its list of recommended actions in its workplan.[8]

On October 2, 2025, the Council considered an Expanded Discussion Paper prepared by NMFS titled, "Review of Regulations under Executive Order 14276 Restoring American Seafood Competitiveness: Council Workplan Development".[9] That document outlined ongoing Council actions responsive to E.O. 14276, summarized responsive actions that were, at the time, in the NMFS rulemaking process, and proposed new actions to reduce regulatory burden, categorized by their implementation vehicle (*e.g.*, those using Magnuson-Stevens Act Section 305(d) authority or requiring the Council process). The document also conveyed the Council's interest in pursuing process improvements. The discussion paper also provided considerations for prioritizing these recommendations, including analytical and implementation complexity. On October 2, 2025, the Council affirmed its June 2025 motion and its previous direction on the development of a workplan, provided direction on the following: 1) topics for NMFS to address using Secretarial rulemaking authority; 2) added additional items to the workplan that were initiated through the normal Council process during staff tasking; and 3) recommended process improvement for Agency consideration. The revised workplan was submitted accordingly.[10]

In January 2026, NMFS provided the Council an opportunity to review topics raised in comments submitted to the agency during an extended public comment period, and the Council

[8] B1 NPFMC letter to NMFS with EO 14276 workplan is available under Agenda item B1 on the October 2025 eAgenda at: https://meetings.npfmc.org/Meeting/Details/3095.

[9] B1 EO 14276 NMFS Regulatory Review Discussion Paper is available under Agenda item B1 on the October 2025 eAgenda at: https://meetings.npfmc.org/Meeting/Details/3095.

[10] https://files.npfmc.org/CM/2025/10032025_NPFMC_Response_EO_14276.pdf

considered those comments at the February Council meeting. The Council affirmed its October 2025 version of the workplan with no revisions.[11]

1.2 Context relative to other ongoing actions

A comprehensive list of the Council's recommended actions under E.O. 14276 is available in the workplan posted on the June 2026 meeting agenda under item B1.[12] This section of the document summarizes the topics included in this paper and where to find information on the topics not addressed.

1.2.1 Status of topics under review by NMFS

To be able to cross reference the list of topics that the Council recommended NMFS review and modify using Secretarial rulemaking authority under Magnuson-Stevens Act Section 305(d), the following table lists the topics identified in Section 5.1 of the October 2025 Expanded discussion paper, as well as two topics the Council recommended adding, and additional topics that NMFS has identified during the review process. This table allows the reader to understand the current status of the topics included in the October 2025 expanded discussion paper, the current status of NMFS's review, and where to find information about those topics in this document.

Table 1 Summary table identifying topics previously identified in the October 2025 discussion paper and Council motion, new topics added by NMFS since October 2025, topics removed from further consideration, and topics considered separately.

Topic	Current location in this document
Topics Identified in October 2025 Review draft and October 2025 Council motion	
Modify Trawl EM Recording Requirements when Transiting	This action was identified in Section 5.1.16 of the October 2025 discussion paper and has been updated, see section 2.2.
Remove Rockfish Program CMCP Specialist Notification Requirement	This action was identified in Section 5.1.13 of the October 2025 discussion paper and has been updated, see section 2.3.
Remove Kodiak as a valid inspection location	This action was identified in Section 5.1.5 of the October 2025 discussion paper and has been updated, see section 2.4.
Allow shoreside and Stationary Floating Processors (SFP) to supply non-State certified observer scales	This action was identified in Section 5.1.6 of the October 2025 discussion paper and has been updated, see section 2.5.
Remove requirement to track observer scale serial numbers for shoreside and SFPs	This action was identified in Section 5.1.7 of the October 2025 discussion paper and has been updated, see section 2.6.
Remove regulations for Exempted Fishing Permits in the North Pacific (rely on nationwide regulations instead)	This action was identified in Section 5.1.10 of the October 2025 discussion paper and has been updated, see section 2.9.
Remove shoreside processor check in / check out reports	This action was identified in Section 5.1.2 of the October 2025 discussion paper and has been updated, see section 3.1.
Remove requirement to print documents	This action was identified in Section 5.1.3 of the October 2025 discussion paper and has been updated, see section 3.2.
Update the Daily Cumulative Production Logbook regulations	This action was identified in Section 5.1.4 of the October 2025 discussion paper and has been updated, see section 3.3.
Modernize electronic logbook regulations	This action was identified in Section 5.1.4 of the October 2025 discussion paper and has been updated, see section 3.4.

[11] https://files.npfmc.org/CM/2026/03312026_EO14276_Letter_to_NMFS.pdf
[12] https://meetings.npfmc.org/Meeting/Details/5131.

Topic	Current location in this document
• Housekeeping: • Update references to NMFS Alaska Region Website • Remove expired or erroneous regulations • Streamline and consolidate sections pertaining to IADs • Remove reference to fax machines • Remove references to non-specified species	• These housekeeping topics were identified in sections 5.1.1, 5.1.8, 5.1.9, 5.1.12, 5.1.15 of the October 2025 discussion paper and are described in Section 4 and Appendix 1 of this paper.
New topics added by NMFS between October 2025 and June 2026	
Allow PSC delivered under the Trawl EM Category to be processed into fishmeal	As recommended by the Council in the October 2025 motion, this action has been added, see Section 2.1.
Modify Minimum Observer Qualification Requirements	See Section 2.7.
Observer Provider Reporting Requirements	See Section 2.8.
Update the VMS Type Approval Process	See Section 2.10.
Topics addressed separately	
Remove the specific time for closing groundfish fisheries by inseason action	This topic, as described in section 5.1.14 of the October 2025 discussion paper is being combined with changes to the Sablefish season start time recommended by the Council in April 2025* and is being analyzed as a stand-alone regulatory package.
Topics removed from further review at this time (see section 5)	
• Remove logbook active/inactive periods for Catcher/Processor (C/P) vessels • Removing initial allocation regulations • Consolidate References to eLandings	These topics were described in sections 5.1.4, 5.1.8, 5.1.11 in the October 2025 discussion paper and upon further review, NMFS recommends removing these from further consideration at this time.

* In April, 2025, the Council requested NMFS review and revise as necessary the regulations at 50 CFR 679.23 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 Halibut commercial fishery consistent with 50 CFR 679.23(f) and section 3.5.1 of the BSAI and GOA FMPs. The Council motion is available under Agenda Item E1 at: https://meetings.npfmc.org/Meeting/Details/3080.

1.2.2 Council FMP Omnibus

In addition to the monitoring, recordkeeping, and reporting changes included in this discussion paper, the Council has initiated an omnibus FMP recordkeeping and reporting package that includes the following topics from the October 2025 discussion paper[13]:

- Reduce regulatory burden on vessels that catch small amounts of groundfish (described in Section 5.2.1)
- Remove weekly production reports (described in Section 5.2.2)
- Remove shortraker/rougheye species group (described in Section 5.2.3)
- Add a framework mechanism in the FMPs to establish when NMFS should use the Magnuson-Stevens Act Section 305(d) authority to take future actions (described in Section 6.1)

[13] The October 2025 discussion paper is available on the October 2025 eAgenda under item B1 EO 14276 NMFS Regulatory Review Discussion Paper at: https://meetings.npfmc.org/Meeting/Details/3095.

- Housekeeping changes to remove obsolete or duplicative FMP language or to simplify the FMP so that modernization in recordkeeping and reporting could more easily occur under Magnuson-Stevens Act Section 305(d) authority in future

1.3 Considerations for the Secretary of Commerce to 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.[14] 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

[14] 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.

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 Endangered Species Act, Halibut Act, or Marine Mammal Protection Act-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.

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 2 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
Allow PSC delivered under the Trawl EM Category to be Processed into Fish Meal	Framework Streamline procedures and requirements	Decrease burden on fishery participants.	Low – add clarity to 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.
Modify Rockfish Program Notification of Landing 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 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.
Modify Minimum Observer Qualification Requirements	Administrative action Remove obsolete requirements	Reduce regulatory burden on fishery participants and provide additional flexibility for Observer Providers to select qualified observer candidates.	Low – revise regulations.
Observer Provider Reporting Requirements	Administrative change Streamline procedures and reporting requirements	Provide additional flexibility by reducing the specificity of reporting requirements and removing unnecessary information collection requirements.	Low – Regulation removal. PRA.

Action	Section 305(d) Situation and deregulatory subcategory	Potential Impact	Implementation Complexity
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.
VMS	Framework Streamline procedures and requirements	Streamline duplicative, more restrictive Alaska-specific VMS regulations. Could reduce confusion and improve clarity for fishery participants.	Low - Regulation removal. PRA.
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.
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.
Change Species Code 167 from Blue Rockfish to Deacon Rockfish	Technical change	Improve reporting consistency between ADF&G and NMFS.	Low – simple regulatory change, some programming to update NMFS databases.
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.

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”
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 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.
Technical Corrections	Administrative action Remove or correct regulatory language	Would improve clarity and consistency and align with current practice and BSAI FMP and GOA FMP	Low – correct regulations.
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.

1.4 Next Steps

If the Council agrees with these potential regulatory changes to streamline regulations and reduce regulatory burdens, NMFS could proceed with the rulemaking process. NMFS would continue to consult with the Council if there are substantial changes to what is proposed in this document. Alternatively, the Council could identify specific actions for which the Council wishes to further develop through the Council process.

2 Monitoring Actions

This section describes a number of regulatory changes that would streamline monitoring requirements and reduce regulatory burdens. As discussed in the previous discussion papers, the Council requested NMFS pursue implementing these changes under Section 305(d) of the Magnuson-Stevens Act. Each recommendation would need to be analyzed and follow the rulemaking process, including requests for public comment, to be implemented, consistent with the Magnuson-Stevens Act and other applicable law. Under each topic below, NMFS provides draft regulatory changes to illustrate the types the changes being considered and which

regulations may be impacted. Through the Council and rulemaking process, NMFS will refine the regulation changes and publish proposed regulations in the **Federal Register** for public comment.

Table 3 Summary of monitoring and related actions.

Section	Action	Potential Impact
3.1	NEW* Allow PSC delivered under the Trawl EM Category to be processed into fishmeal	Increased efficiency by processing plants to dispose of PSC required to be retained. Reduce waste and increased utilization of harvested fish.
3.2	Modify Trawl EM Category Recording Requirements when Transiting	Increases flexibility and efficiency of the trawl EM program while reducing regulatory burden on fishery participants.
3.3	Modify Rockfish Program Notification of Landing	Decrease burden on fishery participants by clarifying the recipient of the notification.
3.4	Remove Kodiak as an inspection location	This would reduce Agency costs billed to cost recovery by removing an infrequently used inspection location.
3.5	Allow Shoreside Processors and Stationary Floating Processors (SFPs) to Supply Observer Scales that have not been Approved by the State of Alaska (State)	Increases flexibility for fishery participants; Allows more options for valid observer scales.
3.6	Remove Requirements to Track Serial Numbers for Shoreside Processors or SFP Observer Scales	Reduce regulatory burden on fishery participants; Scale changes would not require updates to the catch monitoring control plan (CMCP).
3.9	NEW* Modify Minimum Observer Qualification Requirements	Increased flexibility for observer providers to hire highly qualified observers.
3.10	NEW* Observer Provider Reporting Requirements	Reduced regulatory burden on observer providers.
3.11	Remove Regulations for Exempted Fishing Permits (EFPs) in the North Pacific (rely on nationwide regulations instead)	Remove the Alaska-specific regulations at § 679.6 and use the national EFP regulations at § 600.745. Streamline duplicative, more restrictive Alaska-specific EFP regulations. Could increase opportunity and flexibility for fishery participants.
3.12	NEW* Update the VMS Type Approval Process	Modify the VMS type approval process at § 679.28(f)(2) to cross reference the National regulations at § 600.1501.

2.1 NEW***Allow PSC delivered under the Trawl EM Category to be processed into fishmeal

2.1.1 Background

Regulations implementing the trawl EM category at § 679.7(j)(2)(ii)(F) specify that any prohibited species catch (PSC) harvested or delivered by a vessel in the trawl EM category cannot be sold, purchased, bartered, or traded (89 FR 60796, July 29, 2024). PSC species are defined at § 679.2 and listed in Table 2b to part 679. PSC species include crab, halibut, herring, salmon, and steelhead trout. PSC regulations are designed to remove financial incentives to harvest high value prohibited species. Vessels in the trawl EM category must minimize discards to the greatest extent possible, including PSC species. This means, at sea, PSC species must be retained and accounted for at the shoreside processor.

The development of the trawl EM category evolved through pilot projects in 2018 and 2019 and under EFP 2019-03 from 2020 through 2024. Each phase of program development benefitted from a collaborative process and open communication between project partners, which included

NMFS, EFP holders, EM service providers, video reviewers, and observer providers. Lessons learned through this process were incorporated into the development of the regulations implementing the trawl EM category (89 FR 7660, February 5, 2024). Under EFP 2019-03, the sale of PSC processed into fish meal was explicitly allowed.

2.1.2 Issue

Recently, there has been increased attention to the PSC discard requirements and that has resulted in uncertainty. As noted above, vessel operators participating in the trawl EM category are required to retain all species, including PSC, until it is offloaded to a shoreside processor. This requirement is intended to maintain high quality fisheries data and allow opportunity for those species to be precisely counted, verified, and sampled by shoreside observers. PSC that is delivered to a shoreside processor must be discarded or donated under the Prohibited Species Donation (PSD) program. In the BSAI, § 679.21(f)(15)(iv) requires all salmon that are not donated through the PSD program to be discarded by returning the salmon to the sea as soon as is practicable after observer sampling at a shoreside processor. In the GOA, § 679.21(h)(7) requires all salmon that are not donated under the PSD program to be discarded after sampling. Regulations at § 679.2 and § 600.10 define "discard" as "to release or return fish to the sea, whether or not such fish are brought fully on board a fishing vessel." In addition, as noted above, regulations implementing the trawl EM category at § 679.7(j)(2)(ii)(F) prohibit PSC retained by trawl EM vessels operators from being sold, purchased, bartered, or traded, which includes PSC processed into fish meal. The regulations provide no exception to that prohibition.

NMFS's stated policy preference is to allow the trawl EM category to operate as it did under the EFP by now authorizing PSC to be processed and sold as fish meal, fish oil, or bone meal. On March 13, 2026, the Regional Administrator provided the Council a letter stating NMFS did not want to prohibit GOA shoreside processors from disposing of PSC by processing it into fish meal, fish oil, or bone meal.

2.1.3 Affected Entities

Catcher vessel operators participating in the trawl EM category in the BSAI and GOA and shoreside processors processing pollock caught by those vessels are affected. The sole authorized distributor of salmon and halibut taken incidentally in the groundfish trawl fisheries off Alaska and donated through the PSD program – SeaShare, a tax-exempt organization founded to help the seafood industry donate to U.S. hunger relief efforts – may also be affected.

2.1.4 Status Quo Effects

Under the status quo, confusion and economic inefficiencies for industry participants would continue. Current regulations require shoreside processor managers to discard PSC not retained under the PSD program. However, in the GOA, shoreside processors have commonly sent PSC not donated under the PSD program to a centralized fishmeal plant. In the BSAI, processors more commonly place PSC back aboard a catcher vessel for discard at sea. This method of discard at-sea creates costs for both the vessel operator and shoreside processor.

The status quo has also created confusion at GOA processors accepting trawl EM category deliveries. Prior to the regulations implementing the trawl EM category going into effect in 2025, GOA and BSAI pollock processing plants had different levels of observer coverage. GOA processors were in the partial coverage category and typically only had an observer present when

an observer was onboard a delivering vessel. In the BSAI, all AFA inshore processors were and continue to be in the full coverage category and must provide an observer for each 12-consecutive-hour period of each calendar day during which the processor takes delivery of, or processes groundfish harvested by, a vessel engaged in a directed pollock fishery in the BS.

Now that the trawl EM regulations are in effect, all processors receiving deliveries from catcher vessels or tender vessels in the trawl EM category must have a NMFS-approved CMCP (§ 679.28(g)). In the ADP, NMFS defines the criteria for determining the necessary number of observers at shoreside processors and stationary floating processors. In 2026, the ADP specifies dockside monitoring data collection objectives as: 1) enumerate salmon bycatch from EM deliveries and deliveries that were observed at sea; 2) enumerate halibut bycatch from EM deliveries; 3) collect salmon genetic information to determine salmon bycatch area of origin; and 4) collect biological samples from non-salmon species from EM deliveries. Observers are stationed at shoreside processors in the GOA solely to complete these dockside monitoring tasks in the trawl EM category. In the BS, shoreside processors must supply observers to complete the monitoring tasks outlined in their CMCP.

GOA and BSAI CMCPs all include the same requirements for participation in the trawl EM category and BSAI CMCPs also include AFA and CDQ pollock requirements specified at § 679.28(g)(10). The details are customized for each processor based on their individual operations, and the monitoring objectives specified in the ADP. BSAI pollock processors have been required to comply with CMCPs, including salmon handling and strict observer sampling requirements since the implementation of Amendments 91 in 2011 and Amendment 110 in 2016. In contrast, 2025 was the first year CMCPs were implemented for GOA pollock processors (*i.e.*, when the trawl EM category regulations became effective). Likely because CMCP requirements are still relatively new in the GOA, PSC staged at a processor for at-sea discard has, when the storage totes are not labeled clearly, created confusion for observers collecting data at shoreside processors. In those situations, PSC that was intended to be loaded onto a catcher vessel for discard was misidentified as an uncounted PSC. This misidentification caused observers and the agency additional work to verify PSC estimation. NMFS resolved this issue and ensured full accounting of PSC. Requiring PSC to be returned to the sea also potentially increases overall fish waste and may have additional environmental impacts.

2.1.5 Solution(s)

Revise the regulations to allow PSC from the trawl EM category to be sold, bartered, or traded as fish meal, fish oil, or bone meal. This proposed change would clearly allow processing plants participating in the trawl EM category to dispose of PSC by processing it into fish meal, fish oil, or bone meal. PSC could continue to be donated through the PSD Program or discarded at sea after shoreside observer sampling.

Specifically, revise regulations at § 679.7(j)(2)(ii)(F) and § 679.21(h)(7) to allow PSC from the trawl EM category to be sold, bartered, or traded as fish meal, fish oil, or bone meal. For example, draft regulations are shown as follows (revisions are shown using ~~strikethrough~~ (deletions) and underline (additions):

§ 679.7(j)(2)(ii) ***Shoreside processors and stationary floating processors.***

* * *

(F) Allow any PSC harvested or delivered by a vessel in the trawl EM category to be sold, purchased, bartered, or traded, except as fish meal, fish oil, or bone meal.

* * * * *

§ 679.21(h)(7) ***Salmon discard.*** Except for salmon under the PSD program defined in § 679.26, all salmon must be discarded or processed into fish meal, fish oil, or bone meal after the requirements at paragraph (h)(6)(ii) or (h)(6)(iii) of this section have been met.

* * * * *

2.1.6 Impacts to Fishery Participants

Regulatory changes would allow PSC required to be retained under the trawl EM program in the GOA and BSAI to be processed into fish meal, fish oil, or bone meal, and would allow those products to be sold, purchased, bartered, or traded.

Allowing salmon PSC in the GOA to be processed into fish meal, fish oil, or bone meal (by modifying § 679.21(h)(7)) is expected to reduce costs by providing an alternative disposition for PSC that is not suitable for donation. Vessel operators would continue to be subject to regulatory PSC limits and would continue to be prohibited from selling PSC to processors, even when PSC is processed into fish meal, fish oil, or bone meal.

By modifying the prohibition at § 679.7(j)(2)(ii), GOA processors would be allowed to send PSC to a fish meal plant without creating a financial incentive for vessel operators to target PSC. Further, there is no conservation benefit to restricting processors from doing so, as requiring the fish to be returned to the sea would entail transporting the fish offshore. Allowing processors to sell fish meal, fish oil, and bone meal created from PSC would increase the likelihood that the PSC would be utilized rather than wasted without creating any additional incentive for vessels to target PSC.

These regulatory changes could increase overall efficiency and reduce waste within the Federal pollock fishery in the GOA. This could increase operational efficiency by reducing costs for PSC discard. Catcher vessel operators would no longer need to transport PSC out to sea to discard it, increasing operational efficiency for catcher vessels.

To the extent PSC in the BSAI or GOA is allowed to be processed into fish meal, fish oil, or bone meal, those products could be sold. Under these changes, NMFS intends to allow salmon PSC in the GOA to be processed into fish meal, fish oil, or bone meal.

2.1.7 Impacts to NMFS

PSC monitoring and accounting would not change. PSC would still be accounted for and deducted from PSC limits based on monitoring occurring at the shoreside processor. This action would provide an explicit allowance for shoreside processing plants to dispose of PSC by processing it into fish meal, fish oil, or bone meal. There is no conservation benefit to restricting

processors from disposing of PSC at a fishmeal plant, which otherwise would need to be transported offshore before it could be discarded.

2.1.8 Cost and Benefits

Modifying the regulations to clearly allow shoreside processors to dispose of PSC from EM landings by processing it into fish meal, fish oil, or bone meal would be consistent with operations under the EFP, minimize waste, and reduce overall environmental and economic impacts by providing a way to handle PSC that cannot be marketed or for which donation is not feasible and would otherwise go to waste. This change is not expected to increase costs to fishery participants. Additional analysis would be necessary to further describe the expected costs and benefits of this action.

2.2 Modify Trawl EM Category Recording Requirements when Transiting

2.2.1 Background

Regulations implementing the trawl EM category at § 679.51(g)(3)(v)(B) require that the vessel owner and operator maintain uninterrupted power to their EM system for the duration of a trawl EM category fishing trip (89 FR 60796, July 29, 2024). With respect to subpart E of part 679 (North Pacific Observer Program), a fishing trip for a vessel in any EM category, is the period of time that begins when the vessel with an empty hold departs a port or tender vessel until the vessel returns to a port or tender vessel and offloads or delivers all fish (see paragraph (3)(iv) of the definition of "Fishing trip" at § 679.2). The intent of requiring continuous uninterrupted power is to ensure all fishing activity is captured and provide an unbroken chain of custody from the time catch is brought aboard the vessel until it can be sampled by an observer stationed at the shoreside processor.

2.2.2 Issue

The requirement to ensure power is maintained to the EM system for the duration of a trip (§ 679.51(g)(3)(v)(B)) applies to all instances when a catcher vessel operator departs a port or a tender vessel with an empty hold, and does not return to a different port before beginning fishing activities in the trawl EM category. The following situations are examples of when an EM system is required to be supplied power under existing regulations: 1) when a vessel operator leaves a non-Alaskan port to transit to Alaska for fishing activity; and 2) from the time that a vessel operator departs port, delivers unsorted codends to a mothership, and then harvests fish in the trawl EM category and then subsequently delivers catch to a shoreside processor or stationary floating processor.

Many vessels use non-Alaskan ports as either their homeport or shipyard location. As such, it is not uncommon for a vessel to depart from a non-Alaskan port (*e.g.*, Anacortes, WA) or other areas and not stop at an Alaskan port prior to deploying pelagic trawl gear to harvest pollock in BSAI or GOA management areas (*i.e.*, prior to engaging in a trawl EM fishing trip). In these instances, catcher vessel operators are required to turn their EM system on prior to departure from a non-Alaskan port, maintaining power through all transiting activities and fishing activities and the offload. This results in long periods (multiple days to a week) of non-fishing activities being recorded by the system.

Additionally, catcher vessel operators delivering unsorted codends to a mothership vessel must have their EM system active from the time they depart the mothership, throughout fishing activities, and through the offload at a shoreside processor or stationary floating processor. Under this requirement, catcher vessels delivering unsorted codends to motherships that are also approved to participate in the trawl EM category have to return to a port before bringing pollock onboard their vessel to deliver catch to a shoreside processor or stationary floating processor. NMFS provides guidance in this regard in a common questions[15] document that is also provided alongside a vessel operator's Vessel Monitoring Plan (VMP) for vessel operators participating in the trawl EM category.

Motherships are not considered to be ports under the definition of a "Fishing Trip" for vessels operating in the trawl EM category, VMP requirements, or for the requirement to maintain power for the duration of a trawl EM category fishing trip at § 679.51(g)(3)(v)(B).

2.2.3 Affected Entities

Catcher vessel and tender vessel operators participating in the trawl EM category in the BSAI and GOA management areas are impacted by the current requirement to ensure power is maintained to the EM system for the duration of a trip (§ 679.51(g)(3)(v)(B)). This includes catcher vessels transiting to Alaska from non-Alaskan ports and catcher vessels that finish delivering unsorted codends to motherships that intend to continue fishing activities under the trawl EM category without first returning to port. Tender vessels are also affected, albeit less frequently.

2.2.4 Status Quo Effects

Catcher vessel owners and operators are required by existing regulations to have their EM systems powered and recording, sometimes for days or weeks prior to fishing activities beginning, when heading directly to the fishing grounds from a non-Alaskan port. This also impacts operators of catcher vessels delivering unsorted codends to motherships that intend to continue fishing activities under the trawl EM category without first returning to port, as their system would need to be powered from the time they leave port prior to mothership deliveries, or return to port after mothership activity and before bringing pollock onboard the boat. The data collected on non-fishing activity (multiple days to a week for transit times from, for example, WA) uses limited hard drive space and potentially increases the cost of review. If a vessel fails to power their EM system during transit, or during mothership activity that precedes bringing fish onboard the vessel, the catcher vessels are noncompliant or, alternatively, could incur additional costs to transit to a port before beginning fishing operations in the trawl EM category. Depending upon the location of the vessel's fishing grounds relative to an available port, it could be costly for a vessel to transit to a port to begin a new fishing trip to be in compliance with the video recording requirements.

2.2.5 Solution(s)

The definition of "fishing trip" could be revised to separate trawl EM category vessels and nontrawl EM vessels. The definition of a fishing trip under paragraph (3)(iv) could specify

[15] The "Common Questions: Trawl Electronic Monitoring (EM) Category" can be found on the NMFS Alaska Region website at: https://www.fisheries.noaa.gov/s3//2025-01/Common-Questions-Trawl-Electronic-Monitoring-EM-Category.pdf.

"vessel in the nontrawl EM category", which would not result in any changes to current operations for nontrawl EM vessels. A new paragraph could be added to maintain current requirements at (3)(iv) and specify that trawl EM category vessels must power their EM system prior to entering the EEZ off Alaska. This new paragraph also could be revised to include "mothership: as a valid trip start location for the trawl EM category. This would reduce regulatory friction by addressing these two types of situations and clearly specifying the video recording requirements.

For example, draft regulations are shown as follows (revisions are shown using ~~strikethrough~~ (deletions) and underline (additions):

679.2 "Fishing Trip"

(3) North Pacific Observer Program. With respect to subpart E of this part, one of the following periods:

* * *

(iv) For a vessel in the nontrawl selection pool ~~any EM category~~, the period of time that begins when the vessel with an empty hold departs a port or tender vessel, until the vessel returns to a port or tender vessel and offloads or delivers all fish.

(v) For a vessel in the trawl EM category, the period of time that begins when the vessel with an empty hold departs a port in Alaska, any mothership, any tender vessel, or enters the Exclusive Economic Zone off Alaska, until the vessel returns to any port, or tender vessel and offloads or delivers all fish.

* * *

2.2.6 Impacts to Fishery Participants

Catcher vessel operators in the trawl EM category could reduce overall amount of video data and associated costs for review time. Physical data storage is increasingly costly, and may impact hard drive availability in the future. Vessel operators would need to ensure their system is fully functional prior to departure, as they may need to return to port prior to fishing if they are unable to verify functionality. Fishery participants would gain additional flexibility in trip planning, and would ensure that vessel operators are held to the same EM system requirements regardless of mothership activities. This change would not impact trip-logging for the Observer Declare and Deploy System or the definition of a "Fishing Trip" for trawl EM vessels.

2.2.7 Impacts to NMFS

NMFS would be able to allocate EM review resources more efficiently. There would be no new risk of impacts to data quality. Other tools, such as the Vessel Monitoring System (VMS), can be utilized to help verify that no fishing activity occurred prior to activation of the EM system. Focusing EM review on fishing activities and ensuring the chain of custody for PSC species, such as salmon, or halibut, would create resource efficiencies for NMFS, as less time would be spent monitoring vessel operators that are outside of Alaskan waters or delivering unsorted codends to a mothership. This change would have no impact on monitoring the PSC chain of custody, and would not reduce salmon or halibut accounting in the BSAI or GOA.

2.2.8 Cost and Benefits

There are no costs to either NMFS or to vessel operators participating in the trawl EM category. This change would be beneficial, as it would grant additional flexibility in trip planning and would clarify that the purpose of the EM system is to capture all fishing activity.

Additionally, a significant cost of the trawl EM program is related to overall review time. Reviewers must review footage from multiple cameras to monitor discards. This proposed change would also allow vessel operators to potentially use their hard drive for an additional trip or two, as video footage of transiting to Alaska may fill up a significant portion of the hard drive storage. Lastly, this change could reduce the compliance burden on trawl EM category vessel operators, as they would be allowed to transit directly from a non-Alaskan port or a mothership to the fishing grounds, rather than having to stop in an Alaskan port prior to beginning fishing activities.

2.2.9 Management, Monitoring, Enforcement

This would increase the overall efficiency of management, monitoring, and enforcement by limiting EM footage to fishing activities. This change would remove inconsistencies between fishing practices and regulations, thereby reducing noncompliance and therein saving enforcement resources. By reducing unnecessary burden on fishery participants, NMFS's management, monitoring, and enforcement efforts could be focused on fishing activities along with ensuring the unbroken chain of custody for PSC species such as salmon or halibut. There are no anticipated risks to data quality or NMFS's ability to monitor fishing activity by vessels in the trawl EM program, as the EM system would be powered during all fishing activity.

2.3 Modify the Rockfish Program Notification of Landing

2.3.1 Background

With the implementation of the Central Gulf of Alaska (GOA) Rockfish Program (Rockfish Program), NMFS created a position in Kodiak, Alaska to assist processors in developing catch monitoring and control plans (CMCPs) and serve as the Rockfish CMCP specialist. Regulations at § 679.28(g)(8)(i) specify requirements for the Rockfish CMCP Specialist notification. All shoreside processors or stationary floating processors receiving deliveries of groundfish harvested under the authority of a rockfish cooperative quota (CQ) permit must describe in their CMCP how the Rockfish CMCP specialist will be notified of deliveries of groundfish harvested under the authority of a rockfish CQ permit. This provision was developed and implemented through Amendment 88 to the GOA FMP in 2011. Amendment 88 allocated exclusive harvest privileges for GOA rockfish species to specific trawl license holders who participated during qualifying years (77 FR 28013, June 26, 2012, and 86 FR 11895, March 1, 2021). The Rockfish CMCP specialist supported the Rockfish Program by providing training and offload verification to improve data used for fishery management. Fifteen years after implementation, the combination of successful training, advances in recordkeeping and reporting, changes to the observer program, and staffing constraints has resulted in the agency re-evaluating the role of the Rockfish CMCP specialist and the regulations that were implemented to support that position.

Prior to Amendment 88 and the start of the current Rockfish Program, observers performed these shoreside monitoring tasks and collected biological data at shoreside processors. Shoreside observers are no longer deployed at processing plants for this fishery. The Rockfish Program is

now fully monitored by observers assigned to fishing vessels for every Rockfish Program trip. Under the current program, the vessel observer verifies landings and documents delivery details, including offloading and weighing methods, and how information was derived. Observers are asked to confirm the accuracy of the Landing Report by checking species, delivery weights, the correct Product Recovery Ratio (PRR) for processed fish, and accurate reporting of fish condition (*e.g.*, bled fish).

In the October 2025 expanded discussion paper, this issue was presented to the Council in section 5.1.5 and was described as a recommendation to remove this notification requirement. NMFS recommends retaining this requirement, because the need to verify sorting of rockfish at shoreside processors remains. NMFS staff periodically travel to Kodiak to provide training and offload verification and need to be notified of Rockfish Program landings to complete these tasks. Modifying the notification to remove the phrase "Rockfish CMCP Specialist" would allow NMFS to maintain the reporting requirement without having staff positioned in Kodiak.

2.3.2 Issue

The Rockfish CMCP specialist position in Kodiak, AK is currently vacant, and the duties of that position have been redistributed to other monitoring branch staff to ensure compliance with rockfish landing requirements, reporting, and verification by shoreside processor managers. This includes maintaining oversight of rockfish landings, confirming the accurate species identification of rockfish, training relevant plant personnel, and ensuring adherence to requirements for sorting rockfish and associated bycatch. This notification requirement at § 679.28(g)(8) was intended to inform the specialist on when to go to processing plants to observe Rockfish Program offloads to meet the monitoring goals that were intended at the implementation of the rockfish program.

Currently, landing notifications are sent to the monitoring branch group, which includes the current CMCP specialist, and the Rockfish Program Coordinator. The lead CMCP specialist in the monitoring branch approves all shoreside monitoring plans, including Rockfish Program CMCPs, within the Alaska Region annually.

2.3.3 Affected Entities

This action would affect shoreside processors participating in the Rockfish Program. Participants in the Rockfish program are further described in **Table 4** and **Table 5** below.

Table 4 The number of catcher vessels, shoreside processors, and landings in the Central Gulf of Alaska Rockfish Program, by year.

Year	Catcher Vessels	Shoreside Processors	Number of Landings	Groundfish Catch (mt)
2011	25	8	153	9,189
2012	28	7	208	12,360
2013	29	7	189	11,061
2014	28	7	188	12,963
2015	28	7	208	13,090
2016	27	7	212	14,723
2017	25	6	182	10,705
2018	26	5	211	14,042
2019	29	5	221	14,100
2020	27	4	212	15,112
2021	26	4	232	18,246
2022	23	4	202	15,201
2023	22	4	185	15,360
2024	18	4	144	13,332
2025	21	5	165	15,272

Source: NMFS Alaska Regional Office Catch Accounting System

Table 5 The number of catcher vessels, shoreside processors, and landings in the Central Gulf of Alaska Entry Level Fishery, by year.

Year	Catcher Vessels	Shoreside Processors	Number of Landings	Groundfish Catch (mt)
2011	27	12	77	1.2
2012	71	11	321	2.6
2013	64	11	313	10.7
2014	59	9	320	2.5
2015	67	12	481	10.7
2016	66	12	366	37.0
2017	55	15	363	11.4
2018	18	11	66	5.4
2019	35	8	116	7.3
2020	**	**	**	**
2021	36	9	119	2.3
2022	16	6	40	1.5
2023	19	8	48	0.2
2024	16	6	62	0.6
2025	26	5	89	1.1

Source: NMFS Alaska Regional Office Catch Accounting System
** Data are confidential when fewer than 3 vessels or shoreside processors are reflected in the summary.

2.3.4 Status Quo Effects

Under the status quo, managers of shoreside processors are subject to ongoing reporting requirements and shoreside processors would continue to be required to specify procedures in their CMCP to notify the CMCP Specialist (despite the position being vacant). NMFS would continue to collect notifications and maintain the systems that allow processors to notify the agency of a pending offload of rockfish, however the regulations would continue to not match the day-to-day operations practice of notifying the appropriate AKR staff person as necessary for the notification to be received. The landing notification requirement remains an important provision of the Rockfish Program to ensure compliance with rockfish landing requirements, reporting, and verification by shoreside processor managers.

2.3.5 Solution(s)

The name of the notification could be modified in regulations to be less specific about the individual person who must be notified.

For example, draft regulations are shown as follows (revisions are shown using strikethrough (deletions) and underline (additions):

§ 679.28(g)(8) *Rockfish Program* *Notification of Landing*. In addition to compliance with requirements set forth at paragraph (g)(7) of this section, all shoreside processors or stationary floating processors receiving deliveries of groundfish harvested under the authority of a rockfish CQ permit must:

> ~~(i) *Rockfish CMCP specialist* . D~~ describe how the shoreside processor ~~Rockfish CMCP specialist~~ will notify NMFS ~~be notified~~ of all deliveries of groundfish harvested under the authority of a rockfish CQ permit.

2.3.6 Impacts to Fishery Participants

Under the proposed change, shoreside processors would continue to submit notification of GOA rockfish landings, however the regulations would more clearly reflect the operational need, which is that NMFS must be notified, rather than specifying a specific person or position in the regulations. The modification to the regulation would remove the specificity of who receives the notice of landing enabling more flexibility for the notice of landing to be received by a group of agency staff tasked with monitoring GOA rockfish landings. All other regulations related to maintaining and following an approved CMCP would remain in effect.

Modifying the CMCP specialist notification requirement to a general notification of landing would add no additional burden on the industry participants. Shoreside processors would continue to supply a notice of rockfish landings, and the appropriate agency personnel would still receive notification and be able to monitor rockfish landings. This change will not impose any additional burden on shoreside processors or other industry partners.

2.3.7 Impacts to NMFS

Modifying the § 679.28(g)(8) would clarify the recipient of the rockfish landing notifications and would improve flexibility for agency operations to continue to adapt processes appropriately to staffing levels. The agency would continue to receive notifications for GOA rockfish landings. Following the vacancy of the Rockfish CMCP specialist position in Kodiak, duties have been

reassigned to other NMFS staff and with revisions to the regulations, this would allow continued flexibility in the future without the need for further revisions to the regulations to adapt to any potential future organizational changes. NMFS staff would continue to conduct shoreside processor spot checks in Kodiak to ensure the proper sorting, reporting, and weighing of landings.

Should issues with species identification or compliance with CMCPs arise at shoreside processing plants, the Observer Program and other agency partners could reassess. This could involve assessing current observer tasking to determine ways to improve the ground truthing of fish tickets and ensure proper species identification, either through data comparison or revisions to observer sampling protocols.

2.3.8 Cost and Benefits

Modifying this notification requirement would not increase reporting burden for directly regulated entities. Processors would continue to be required to notify NMFS of every Rockfish landings as currently described in the OMB approved collection-of-information requirements approved under control number 0648-0330 - NMFS-AKR At-sea scale and catch weighing requirements.

This change would clarify the regulations and allow future flexibility for the identification of the proper agency staff person to be noted in the annually approved CMCP. This action is intended to streamline and simplify recordkeeping and reporting requirements for vessels and processors participating in the Rockfish Program while preserving the core regulatory objective of ensuring compliance of an approved CMCP.

Importantly, this regulatory adjustment would not eliminate the requirement for shoreside processor managers to maintain and adhere to an approved CMCP. All other existing regulations and obligations related to the development, approval, implementation, and compliance with the CMCP would remain. The proposed amendment would remove specificity on an individual to which the notification would be submitted, and may reduce burden on the managing federal agency and the regulated industry.

The change would reduce the administrative overhead associated with managing a specific CMCP specialist position resulting in cost savings for NMFS. Shoreside processor managers would benefit from a simplified reporting structure, potentially easing administrative effort and associated costs by eliminating one distinct point of contact and specific set of reporting procedures.

2.3.9 Management, Monitoring, Enforcement

The clarification of § 679.28(g)(8) Rockfish Notification of Landing has limited impacts on maintaining the integrity and accuracy of fisheries data. This position was needed at the start of the Rockfish Program to help train shoreside processor managers to accurately speciate rockfish species. There are resources available to both agency and industry personnel (*i.e.*, rockfish guides and posters) to continue training of new processing plant staff at shoreside facilities. The monitoring to ensure detailed speciation of rockfish catch, would be shifted to other agency personnel.

Presently no fishery observers are stationed at the shoreside processing facility for the Rockfish Program. Without dedicated agency personnel in Kodiak, observers could serve as the primary mechanism for verifying the reported catch if this becomes an agency priority.

To mitigate the risks associated with this change, the agency has already implemented a new strategy to monitor compliance and ensure high quality data. One of the actions that has already been implemented is intermittent monitoring through unscheduled spot checks performed by existing agency staff. These checks were put in place to help ensure the proper catch handling procedures are maintained, and the accuracy of the reported landings data, especially regarding the speciation of the landed rockfish.

2.4 Remove Kodiak as an Inspection Location

2.4.1 Background

Scales used to weigh catch at-sea and the associated video recording systems must be inspected annually to determine if the scale meets all of the applicable performance and technical requirements at §§ 679.28(b)(2), (e)(4), and Appendix A to Part 679. Regulations at §§ 679.28(b)(2)(v) and (e)(4) specify the locations where scale and video system inspections are conducted including in Kodiak; Dutch Harbor, Alaska; and in the Puget Sound area of Washington State. Historically, vessel operators infrequently request inspections in Kodiak, usually only once every few years. The Kodiak based Rockfish CMCP specialist previously conducted these inspections in Kodiak, but this position is currently vacant.

On February 4, 1998, NMFS published a final rule that authorized inspection locations to the Puget Sound area of Washington State and Dutch Harbor (63 FR 5836, February 4, 1998). This restriction was primarily implemented as a measure to maintain the program within its defined budgetary constraints.

Through the implementation of Amendment 68, which established the Central GOA Rockfish Program, Kodiak was added as a third valid inspection location (71 FR 67210, December 20, 2006). The addition of this inspection location was in response to the creation of a position for a NMFS staff member in Kodiak. The additional tasking for the Kodiak-based NMFS personnel was in direct response to the operational needs of the catcher/processor fleet and aimed to improve logistical efficiency and compliance for these specific vessel operators. Despite the regulatory requirement to offer inspections in Kodiak, historical data indicates that vessel operators have infrequently requested inspections in this location, typically only once every few years.

2.4.2 Issue

Scale inspection requirements have consistently been met in Dutch Harbor, Kodiak, and the greater Puget Sound area. In 2021, NMFS personnel were hired in the greater Puget Sound area, specifically Seattle. This staffing change ensures a year-round availability for scale inspections. NMFS also maintains trained personnel in Dutch Harbor, as the fleet has consistently requested a higher volume of inspections in this established fishing port.

As discussed in section 3.1, the Kodiak-based Rockfish CMCP specialist position is currently vacant, and the associated duties have been redistributed to other monitoring branch staff. With

the Rockfish CMCP specialist position vacant, inspections in Kodiak require NMFS staff to travel to Kodiak from other NMFS duty stations. The regulation at § 679.28(b)(2)(iv) specifies that the vessel operator must submit a request for a scale inspection at least 10 working days in advance of the requested date of inspection by filing a request. NMFS personnel strive to schedule and conduct an inspection within 10 days of notice. This potentially creates a situation where NMFS may not be able to schedule an inspection in the requested time period due to the time and effort associated with transporting personnel and necessary equipment to Kodiak. Without a Rockfish CMCP specialist, NMFS concurs with its original assessment made during the development of the initial at-sea scale final rule: the cost associated with transporting personnel and equipment to a remote island location like Kodiak is prohibitively high and is not sustainable within the current budgetary framework and restrictions imposed on the program (63 FR 5836, February 4, 1998).

2.4.3 Affected Entities and impacts to fisheries participants/agency

Historically, 76 vessels with at-sea scales required an inspection. Currently there are 54 vessels with approved scales, 48 of which were active in 2025. Of these 48 vessels, 36 identify their homeport as part of the Puget Sound area of Washington State and 4 as Kodiak. The remaining 8 vessels have other homeports in Alaska or Maine. **Table 6** lists the number of active vessels with at-sea scales by each homeport city and state.

Table 6 The number of active vessels with at-sea scales by their homeport city and state.

Homeport City	Homeport State	Number of Vessels
Dutch Harbor	Alaska	2
Kodiak	Alaska	4
Newtok	Alaska	1
Petersburg	Alaska	1
Scammon Bay	Alaska	1
Rockland	Maine	3
Puget Sound area*	Washington	36

Source: NMFS Alaska Region vessel data
* For this analysis, the Puget Sound area of Washington state includes Seattle, Anacortes, and Everett, Washington.

Between 2013 and 2025 an average of 12 out of the 76 vessels that have at-sea scales fished near Kodiak. For this analysis, “near Kodiak” refers to the Central GOA (CGOA, NMFS reporting areas 620 and 630). Table 4 shows the area or areas where vessels with at-sea scales fished during the year.

Prior to having a NMFS inspector located in Washington state, inspection periods were more irregular. In 2021, inspection seasons stabilized due to the hiring of NMFS personnel in the greater Puget Sound area and the implementation of a revised inspection request program. This inspection request platform provided vessel owners and operators the ability to view available inspection times by day and port. The trawl fleet, and a portion of the fixed gear fleet, are generally inspected in the greater Seattle area from November through January. The majority of the fixed gear fleet is inspected in Dutch Harbor during late May and early June. This coincides with the annual visit of the lead CMCP inspector. NMFS staff stationed in Dutch Harbor are

available on a limited basis to conduct inspections, necessitating advance coordination between the fleets and NMFS inspectors.

Figure 1 illustrates the distribution of the trawl and fixed gear vessels with at-sea scales fishing in the CGOA during a calendar year by week. The stabilized inspection seasons are also included in Figure 1 for 2021 onward. In recent years, very few vessel operators fished near Kodiak during time-periods not already associated with the inspections taking place in the greater Seattle area or Dutch Harbor.

Regulatory changes to the At-Sea Scale Program would affect the Observer Program Inspectors, as both programs share inspection regulations. To ensure consistency in the ports of inspection, the agency must review and address the four regulations that designate Kodiak as an inspection port. There are four inspection types, At-Sea Scales, Video Monitoring, Bin Monitoring, and Observer Sampling Station, that are in §§ 679.28(b)(2)(v), (d)(10)(ii), (e)(4), and (i)(4), all of which would need to be reviewed.

Table 7 The number of vessels with at-sea scales by fishing location, by year.

Year	Bering Sea	Aleutian Islands	Western GOA	Central GOA	Eastern GOA	All Areas
2013	67	18	17	13	4	68
2014	67	14	15	12	4	67
2015	67	13	14	13	4	67
2016	69	13	20	13	4	69
2017	66	18	14	13	4	66
2018	65	16	13	10	4	65
2019	64	17	11	11	4	64
2020	60	20	9	10	3	60
2021	57	20	9	10	4	57
2022	59	21	16	14	2	59
2023	57	17	13	11	2	58
2024	51	15	10	12	2	51
2025	47	12	10	10	2	48

Source: NMFS Alaska Region Catch Accounting System

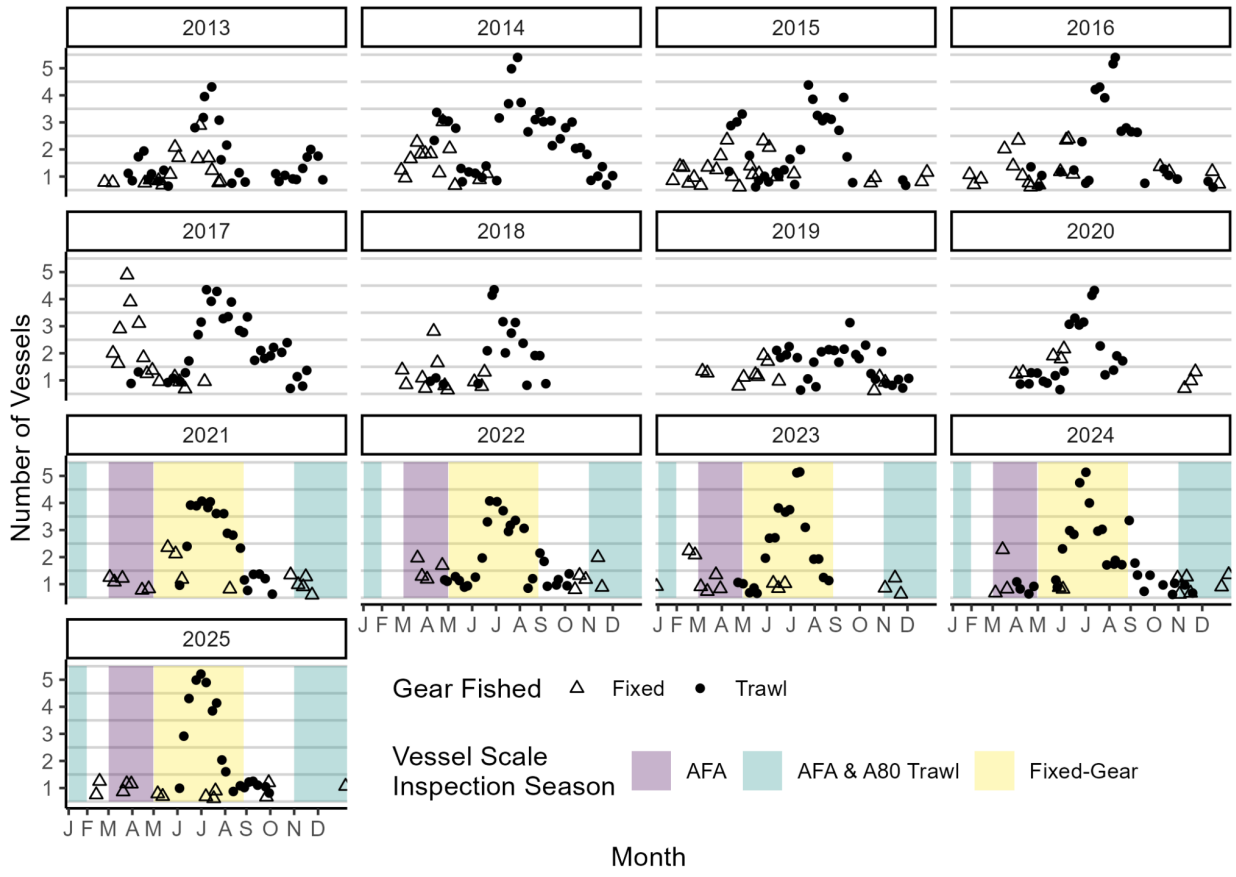

Figure 1 Number of vessels with at-sea scales fishing with trawl or fixed-gear in the CGOA each week, compared to AKR scale inspection seasons, by year. Source: NMFS Alaska Region Catch Accounting System.

2.4.4 Status Quo Effects

If Kodiak remains a designated port of inspection, costs to the agency may increase, potentially also increasing the cost recovery fee for some catch share fisheries with inspections in Kodiak. This is necessary because trained agency staff to conduct inspections are no longer stationed in the port of Kodiak.

2.4.5 Solution(s)

Remove Kodiak as a listed inspection location in regulations at §§ 679.28(b)(2)(v), (d)(10)(ii), (e)(4), and (i)(4), and allow inspections to be conducted at other locations upon request. These changes would align the location for At-Sea Scale, Observer Sampling Station, Bin Monitoring, and Video Monitoring inspections. For example, draft regulations are shown as follows (revisions are shown using ~~strikethrough~~ (deletions) and underline (additions):

§ 679.28(b)(2)(v) ***Where will scale inspections be conducted?*** Scales inspections by inspectors paid by NMFS will be conducted on vessels tied up at docks in ~~Kodiak, Alaska;~~ Dutch Harbor, Alaska~~;~~ and in the Puget Sound area of Washington State. Inspections may be scheduled in other ports at NMFS' discretion and upon request.

§ 679.28(d)(10)(ii) Where will Observer sampling station inspections be conducted? Inspections will be conducted on vessels tied up at docks in ~~Kodiak, Alaska~~, Dutch Harbor, Alaska~~,~~ and in the Puget Sound area of Washington State. Inspections may be scheduled in other ports at NMFS' discretion and upon request.

§ 679.28(e)(4) ***Where will NMFS conduct video monitoring and bin monitoring system inspections?*** Inspections will be conducted on vessels tied to docks at Dutch Harbor, Alaska~~;~~ ~~Kodiak, Alaska;~~ and in the Puget Sound area of Washington State. Inspections may be scheduled in other ports at NMFS' discretion and upon request.

§ 679.28(i)(4)***Where will bin monitoring option inspections be conducted?*** Inspections will be conducted on vessels tied to docks at Dutch Harbor, Alaska~~, Kodiak, Alaska,~~ and in the Puget Sound area of Washington State. Inspections may be scheduled in other ports at NMFS' discretion and upon request.

2.4.6 Cost and Benefits

Retaining Kodiak as a valid inspection port may lead to increased costs for both industry and the agency due to the lack of a local inspector. If a vessel operator chooses to have equipment serviced before inspection, associated costs may be incurred, though this is not a change from the current status. Potential costs for maintaining Kodiak in the regulations include, but are not limited to, air travel and lodging for trained Agency staff, and vendor expenses. Removing Kodiak from the regulation could reduce costs, as trained agency staff and vendor networks are present in the greater Puget Sound area and Dutch Harbor.

Removing the port of Kodiak as an approved inspection location could reduce costs by shifting the few inspections that have historically occurred in Kodiak to other locations. If this results in less travel, recoverable costs billed to industry through the annual cost recovery process could also be reduced. Additionally, by removing Kodiak as an inspection location, this could potentially reduce costs associated with shipping the weights off the island for the biennial (every 2 years) calibration at a certified facility. Instead, the test weights could be re-located to a different storage location with easier access to the appropriate calibration offices.

This would result in fewer listed inspection locations available to fishery participants. The costs associated with transporting required equipment to and from Kodiak could be reduced if storage space can be secured from a local agency.

2.4.7 Management, Monitoring, Enforcement

The proposed elimination of Kodiak as an authorized inspection port is anticipated to have a negligible impact on both existing fisheries management protocols and overall enforcement efficacy. The primary logistical consequence is that a small fraction of the affected fleet would be required to reroute or schedule their mandatory inspections at alternative, designated locations. Specifically, vessel operators previously using Kodiak would now need to schedule and undergo inspections at either Dutch Harbor or in the greater Puget Sound region. Removing Kodiak as a port of inspection from regulations would not prevent a vessel from requesting that inspection port. However, the agency would have the discretion to deny the request and conduct the inspection at an authorized port if inspections in Kodiak were not cost-effective.

Analysis of historical inspection data strongly suggests that this modification would not impose a significant burden on the majority of the fishing fleet. Over the last decade, Kodiak has been exceptionally underused as an inspection port for either the At-Sea Scale Program or the Observer Program. Since 2016 just one vessel inspection, which occurred in 2023, was recorded in Kodiak. Historical usage indicates that the fleet's reliance on the Kodiak inspection site is minimal, suggesting that transitioning to reliance on other, established ports would be a manageable adjustment for the few vessel operators affected.

The removal of Kodiak as a port of inspection is not expected to affect the Paperwork Reduction Act (PRA) requirements. Vessels would still undergo the required inspection, and the location change would not alter the PRA burden (NMFS-AKR At-sea scale and catch weighing requirements-OMB 0648-0330).

2.5 Allow Shoreside Processors and Stationary Floating Processors (SFPs) to Supply Observer Scales that have not been Approved by the State of Alaska (State)

2.5.1 Background

Regulations specifying the operational requirements for scales, observer sampling stations, vessel monitoring system hardware, CMCPs, catcher vessel Electronic Logbook (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(g)(7)(ix)(F). The observer sampling station must include a platform scale as described at § 679.28(c)(4), and must meet the requirements specified at § 679.28(c)(3)(v) of this section when tested by the observer. Observer scales are meant for the exclusive use of observers to weigh samples of catch. The observers test these scales daily with approved test weights to ensure the scales are accurate. If the scale fails the observer test, the observer notifies the shoreside processor, or SFP, manager who is then responsible for either replacing or fixing the scale. Regulations at § 679.28(c) specify additional requirements for scales approved by the State. Section 679.28(c)(1) requires the display of a valid State sticker indicating that the scale was inspected and approved within the previous 12 months. Further, regulations at § 679.28(c)(4)(v) (another subparagraph of § 679.28(c) titled "Scales approved by the State of Alaska") specifies test weights required for observer sampling scales and states that platform scales used as observer sampling scales must: (A) Have a capacity of no less than 50 kg; (B) Have a division size of no less than 5 g; (C) Indicate weight in kilograms and decimal subdivisions; and (D) Be accurate within plus or minus 0.5 percent when tested at 10 kg, 25 kg, and 50 kg by NMFS staff or an observer.

Alaska Division of Measurement Standards require State approval for any scales used for commerce. Shoreside processor, or SFP, managers are currently required to provide observers with State approved platform scales, though these scales are not used for commerce. As a result, the State does not, nor is it required to, approve scales used solely for data collection making it difficult for processors to secure approved observer platform scales.

During the review of regulations at § 679.28, NMFS noted that an incorrect cross reference to § 679.28(c)(3)(v) is present at § 679.28(g)(9)(iv), which should reference § 679.28(c)(4)(v) instead.

2.5.2 Issue

Observer sampling scale test requirements located at § 679.28(c)(4)(v) are situated under the parent paragraph of § 679.28(c) titled "Scales approved by the State of Alaska". This placement implies that the State inspects and approves observer sampling scales, which they do not. Observers test these scales daily with test weights calibrated by the National Institute of Standards and Technology (NIST) approved metrology laboratory, which are recalibrated every two years (§ 679.28(c)(4)(iii)). The observer determines if the scales are in good working order through their daily tests using these weights, which makes the State approval unnecessary. Under current regulation, § 679.28(g)(7)(ix)(F) the criteria for the scale for observer use is directed to § 679.28(c)(4) which is under the series of regulations that outline the requirements for scales approved by the State. This regulation implies that the observer scale(s) should be approved by the State. As a result, if the scale fails the observer test, the shoreside processor, or SFP, manager must find another State approved scale to replace it. However, the shoreside processor, or SFP, manager may not have another State approved scale readily available at the plant resulting in the observer being without a legal scale. It may be difficult for a shoreside processor, or SFP, manager to find another State approved scale, despite having extra platform scales available without State approval. Allowing the use of scales without State approval would still mean the observer would verify the scale is in working order (*i.e.*, by performing a scale test with test weights that have been calibrated by an approved metrology laboratory) before using the scale for sampling.

2.5.3 Affected Entities

This action affects shoreside processor, or SFP, managers who receive landings from American Fisheries Act (AFA), Aleutian Island pollock, and trawl electronic monitoring (EM).

2.5.4 Status Quo Effects

Affected entities are complying with duplicative inspection requirements for observer sampling scales. Shoreside processors are maintaining approval documents from the State showing that observer scales are approved at the time of the CMCP approvals. If the observer scale fails and is replaced, the processors are amending their CMCP to include the documentation for the replacement scale. This is creating additional and duplicative documentation that is not necessary to ensure the accurate and appropriate function of observer sampling scales.

If a shoreside processor, or SFP, manager has only one State approved scale available for use by observers and it malfunctions and stops working, then it would have to be replaced immediately. Current practice is for the manager to then notify NMFS of the scale change and update the CMCP. Many shoreside processor, or SFP, managers are not located in areas with an Alaska Division of Measurement Standards office, and the State must send an inspector from another community to inspect and approve scales. If no other State approved scales are available, the processor may not be able to get State approval of a scale in time for the observer's next sampling. This would result in non-compliance with regulations, disruptions in essential observer data collection, and additional costs for the shoreside processor, or SFP, manager.

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 State of Alaska DOT&PF/MSCVC Measurement Standards (State) 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.

2.5.5 Solution(s)

Observer sampling scale test requirements located at § 679.28(c)(4)(v) would be moved to § 679.28(g)(7)(ix)(F). This would provide shoreside processors, or SFP, managers with greater flexibility and reduce costs for industry to comply with observer sampling scale requirements. This would not change how the State currently approves land scales, nor would it excuse a shoreside processor, or SFP, manager from complying with State scale inspection requirements for the applicable scales per § 679.28(c). The observer would continue to verify that any observer platform scale provided by the shoreside processor, or SFP, manager was in working order before using it for sampling by performing daily scale tests with weights calibrated every two years by an approved metrology laboratory. As such, data collected by observers on a non-State approved scale would still be accurate. A non-State approved scale used for observer sampling would also still need to meet other standards described in regulation, §§ 679.28(c)(3)(ii) and (c)(4), to ensure management needs are met.

The CMCP would continue to require that NMFS is notified of any scale changes in order to verify the scale meets the regulatory requirements outlined in § 679.28(c)(4)(v) and ensure data accuracy for observers. For example, draft regulations are shown as follows (revisions are shown using ~~strikethrough~~ (deletions) and underline (additions):

Remove § 679.28(c)(4)(v) and revise § 679.28(g)(7)(ix)(F) and § 679.28(g)(9)(iv) as follows:

§ 679.28(c)(4) ***Inseason scale testing.*** * * *

~~(v) ***Observer sampling scales.*** Platform scales used as observer sampling scales must:~~

~~(A) Have a capacity of no less than 50 kg;~~

~~(B) Have a division size of no less than 5 g;~~

~~(C) Indicate weight in kilograms and decimal subdivisions; and~~

~~(D) Be accurate within plus or minus 0.5 percent when tested at 10 kg, 25 kg, and 50 kg by NMFS staff or an observer.~~

§ 679.28(g)(7)(ix)(F) ***Observer platform scale.*** The observer sampling station must include a platform scale ~~as described in paragraph (c)(4) of this section, and must meet the requirements specified in paragraph (c)(3)(v) of this section when tested by the observer~~. The platform scale must be located within 1 meter of the observer sampling table~~.~~ and must;

(1) Have a capacity of no less than 50 kg;

(2) Have a division size of no less than 5 g;

(3) Indicate weight in kilograms and decimal subdivisions; and

(4) Be accurate within plus or minus 0.5 percent when tested at 10 kg, 25 kg, and 50 kg by NMFS staff or an observer.

Revise § 679.28(g)(9)(iv) by replacing the incorrect citation.

(iv) Observer sampling scales and test weights.

(A) Identify by serial number each observer sampling scale in the CMCP;

(B) Provide observer sampling scales that are accurate and within the limits specified in paragraph ~~(c)(4)(v)~~(g)(7)(ix)(F) of this section;

(C) Test weights must be made available for the observer(s) use, be kept in good condition, be made of stainless steel or other corrosion-resistant material, and must meet requirements specified in paragraph (c)(4)(iii) of this section;

(D) List the serial numbers of the test weights to be used to test the observer sampling scale in the CMCP; and

(E) The CMCP must identify where the test weights will be stored. Test weights must be stored within the observer sampling station or reasonable assistance must be provided upon observer(s) request to move the weights from the storage location to the observer sampling scale.

2.5.6 Impacts to Fishery Participants

State authorities typically decline to approve observer scales because the data is used for scientific, not commercial, purposes. Historically, shoreside processor, or SFP, managers have sought State approval for observer scales, and have been unable to obtain State approval, as observer scales are not used for commerce. This has resulted in shoreside processors, or SFP, managers being unable to obtain State approved scales for observer use, making it impossible for them to comply with the current regulatory requirements.

Removing the requirement for the State-approved observer scale would reduce the regulatory burden on the shoreside processor, and the observers would continue to collect necessary scientific data using NIST calibrated scale weights. The shoreside processor, or SFP, manager would not have to update the CMCP everytime the scale has to be changed.

2.5.7 Impacts to NMFS

Currently, when a State-approved observer scale fails, an amendment to the CMCP is necessary for its replacement. This administrative burden, and the potential for data loss, could be reduced by amending federal regulations to allow shoreside processors to use any functional scale that meets regulatory requirements, regardless of State approval. This change would benefit the agency by improving data quality by reducing data loss, and increasing overall efficiency of management resources by eliminating the need to track multiple scales and their associated State documents, which often is a time intensive process.

2.5.8 Cost and Benefits

Allowing the use of functional scales that meet minimum requirements outlined in § 679.28(c)(4)(v), and passing daily tests, without mandating State approval, would offer multiple cost savings to the industry such as reduced costs for inspection and shipping, and increased flexibility.

Currently, the shoreside processor, or SFP, managers incur costs when arranging and paying for inspectors to travel to remote ports, or for the shipping of platform scales off island to State inspection locations, which may be located outside Alaska. Specifying criteria and removing the State approval requirement for observer scales could result in cost savings while allowing shoreside processor, or SFP, managers to more easily comply with regulations. The industry would save shipping or travel expenses, while data integrity would be maintained through daily observer tests on scales that meet preexisting regulatory criteria.

The proposed regulatory adjustment would benefit the agency by reducing the effort required to track and verify these scales. Data quality would not be impacted, as the scales are tested on a daily basis by observers using NIST-verified weights, which are calibrated by NIST laboratories. State approval is unnecessary, as the observer scale is used for biological samples, and is not used for commerce. Furthermore, reporting requirements under PRA. NMFS-AKR Scale and Catch Weighing Requirements (OMB 0648-0330) would be reduced by minimizing the hours spent tracking and amending scale documentation and the CMCP.

2.5.9 Management, Monitoring, Enforcement

The agency is recommending removing the State-approved scale requirement for observer sampling primarily because the State does not currently approve scales for data collection purposes. The State only approves scales used in commercial transactions. Since observer platform scales are utilized for stock assessment and scientific data collection, they are not obligated to have State approvals.

If the observer uses a platform scale that is also used to weigh material used for daily flowscale testing, then the scale is used for commerce and would be subject to State approval. As long as the platform scale used by the observer to collect data meets the requirements outlined in § 679.28(c)(4)(v) (which would be relocated to § 679.28(g)(7)(ix)(F) as noted above), and passes the observer's daily test with valid calibrated test weights then the scale could be used to collect observer data and would not require State approval, unless it is also used to weight flow scale test material.

2.6 Remove Requirements to Track Serial Numbers of Shoreside Processors or SFP Observer Scales

2.6.1 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(c)(4)(v) (which would be relocated to § 679.28(g)(7)(ix)(F) as noted above)minimum weighing requirements and pass daily observer tests. Serial numbers for scales used at shoreside processors and SFPs for catch weighing are currently 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(g)(7)(ix)(F) and are currently subject to State annual approvals (although these proposed changes could still be implemented if the requirement to be approved by the State were removed (as discussed above)).

2.6.2 Issue

Observer scales are often replaced by the shoreside processor, or SFP, manager during the season. Tracking these serial numbers and updating CMCPs and CMPs is time consuming and provides no tangible benefit to monitoring.

2.6.3 Affected Entities

Shoreside processor, or SFP, managers who take landings from AFA, Aleutian Island pollock, and the trawl EM category are impacted as they are required to have approval documents from the State to submit at the time of CMCP approval process. Additionally, the NMFS CMCP reviewers are impacted as the CMCP must be amended every time there is a new scale brought online or replaced.

2.6.4 Status Quo Effects

Shoreside processor, and SFP, managers currently list the serial numbers for the platform scales assigned to a shoreside observer in the CMCP. This is solely for tracking scale failures in observer data, and observers also record the scale's serial number in their logbooks.

If a scale fails, it must be replaced immediately to ensure there is no impact to the observer data. If a shoreside processor, or SFP, manager has used all scales listed in their CMCP, they must amend the CMCP before issuing a replacement scale to the observer. Failure to do so results in noncompliance. A common difficulty is that a replacement scale may not be readily available and may lack State approval (this issue is addressed above in section 3.3).

2.6.5 Solution(s)

For example, draft regulations are shown as follows (revisions are shown using ~~strikethrough~~ (deletions) and underline (additions):

Remove the requirement to list serial numbers for scales at § 679.28(g)(9)(iv)(A).

§ 679.28(g)(9) ***Processors receiving AFA pollock, CDQ pollock, and trawl EM category deliveries.*** In addition to compliance with requirements set forth at paragraph (g)(7) of this section, all shoreside processors and stationary floating processors receiving deliveries from the fisheries described in paragraphs (g)(2)(i),(ii), and (iv) of this section, must comply with the following:

* * * * *

(iv) Observer sampling scales and test weights.

(A) ~~Identify by serial number each observer sampling scale in the CMCP;~~ [Reserved]

(B) Provide observer sampling scales that are accurate and within the limits specified in paragraph (c)(4)(v)[16] of this section;

(C) Test weights must be made available for the observer(s) use, be kept in good condition, be made of stainless steel or other corrosion-resistant material, and must meet requirements specified in paragraph (c)(4)(iii) of this section;

(D) List the serial numbers of the test weights to be used to test the observer sampling scale in the CMCP; and

(E) The CMCP must identify where the test weights will be stored. Test weights must be stored within the observer sampling station or reasonable assistance must be provided upon observer(s) request to move the weights from the storage location to the observer sampling scale.

2.6.6 Impacts to Fishery Participants and NMFS

Shoreside processor, SFP, managers who take landings from AFA, Aleutian Island pollock, and the trawl EM category are impacted as they are required to have approval documents from the State to submit at the time of CMCP approval process. Additionally, the NMFS CMCP reviewers are impacted as the CMCP must be amended every time there is a new scale brought online or replaced. By updating the regulation to no longer require tracking observer scales by serial number, the CMCPs gain the intended flexibility without compromising data accuracy. This change has no effect on the current management of the fisheries.

2.6.7 Cost and Benefits

Eliminating the requirement to track observer scales by serial number would offer a significant reduction in administrative effort for both the agency and shoreside processor, or SFP, managers. This benefit would be amplified if the mandate for State approval is concurrently removed (see section 3.3.9). Crucially, this change would not compromise data integrity. Observer scales are rigorously tested daily using NIST-verified weights, which are calibrated by NIST laboratories, and all approved weights are clearly documented within the approved CMCP, and NIST certifications are also submitted by the shoreside processor, or SFP, manager.

If federal regulations outline specific, required scale attributes, and State approval is no longer necessary, the serial number tracking requirement would become obsolete. Furthermore, minimizing the time spent tracking, documenting, and amending scale information within the CMCP would reduce the reporting burden hours approved by OMB under the PRA in the NMFS-AKR Scale and Catch Weighing Requirements (OMB 0648-0330).

2.6.8 Management, Monitoring, Enforcement

If the shoreside observer scales are no longer required to be approved by the State (section 3.3 of this document), tracking their serial numbers in the CMCP would become an unnecessary requirement. At the same time, observers would continue to document the serial number of the scale they use and report any issues as they arise. However, incorporating this serial number

[16] Because of the potential changes identified in Section 3.5, this cross reference to § 679.28(c)(4)(v) would be updated to reference the new location, currently identified as § 679.28(g)(7)(ix)(F).

tracking into the CMCP has proven overly time consuming for both the agency and industry, yielding minimal benefit. For instance, in the first year of the trawl EM implemented program, one CMCP required five updates due to a scale serial number change. Following discussions and reviewing the scale tracking efforts with the NOAA Office of Law Enforcement (OLE), it was determined that tracking these serial numbers posed an undue burden on all parties, particularly given that no agency staff inspects shoreside observer scales. As long as the platform scale used by the observer to collect data meets the requirements outlined in § 679.28(c)(4)(v) (which would be relocated to § 679.28(g)(7)(ix)(F) as noted above in section 3.3.5), and passes a daily test with valid calibrated test weights then any scale could be used to collect observer data.

2.7 NEW***Modify Minimum Observer Qualification Requirements.

2.7.1 Background

In Federal regulations for observer qualification at § 679.52(b)(1)(i)(B), a qualified observer candidate must have successfully completed a minimum of 30 semester hours or equivalent in applicable biological sciences with extensive use of dichotomous keys in at least one course. Based on feedback from observer providers, the term "extensive" may be too restrictive and excludes otherwise valuable and qualified observer candidates from meeting the regulatory requirements to be considered for training.

2.7.2 Issue

The observer providers have voiced concerns to the Observer Program, to the Council's Fishery Monitoring Advisory Committee, and to the Council indicating that they have faced challenges with observer availability in recent years. Observer providers have noted that many qualified applicants struggle to acquire supplemental official documentation from their college/university for courses that may not be indicative of dichotomous key usage in the course title or description. Historically, a strict adherence to educational coursework, specifically the lack of course descriptions including training with dichotomous keys, led to the denial of many observer candidates. Furthermore, the term "extensive" is subjective and is not defined in regulations leading to ambiguity in evaluating observer candidate qualifications.

Additionally, the Observer Program recognizes that practical field experience with dichotomous keys is often just as, if not more, valuable than formal classroom instruction. Therefore, the NMFS believes that individuals with relevant, documented field experience should be considered for observer training.

2.7.3 Affected Entities

This would directly affect Observer Providers and potential observer candidates.

2.7.4 Status Quo Effects

Observers candidates are currently reviewed to ensure they meet the minimum qualifications as specified in regulations including submission of documentation that the applicant successfully completed a course with extensive use of dichotomous keys. The following are examples of acceptable documentation:

- An official letter from a professor detailing the applicant's dichotomous key experience;
- Course title on their transcripts that clearly indicates use of dichotomous key;

- A description, in their own words, of the elements of a dichotomous key and how it differs from other tools used for organism identification, including:
    - The name/title of the dichotomous key used, with a copy or link provided if available.
    - A description of the exact process used to identify organisms with the referenced key.
    - A description of the characteristics compared and differentiated when using the dichotomous key, including the taxonomic level to which organisms were identified (*e.g.*, Species, Genus, Family, *etc.*).

If the educational course work did not include the use of the dichotomous keys, then the individual has been denied selection to train as an observer by either the observer provider or the Observer Program.

2.7.5 Solution(s)

Recognizing nationwide challenges to observer recruitment and retention, the Observer Program feels a change to the regulations could broaden the applicant pool for consideration. The agency proposes a modification to the regulatory language in § 679.52(b)(1)(i)(B). This change would involve removing the word "extensive" and adding a provision to accept prior, well-documented field experience with dichotomous keys as a substitute for relevant coursework. In order for the Observer Program to consider field experience in lieu of coursework, an individual must submit a description of their experience according to the Observer Program's requirements. The Observer Program recognizes that individuals with relevant field experience in using dichotomous keys may lack formal documentation of coursework. For example, draft regulations are shown as follows (revisions are shown using ~~strikethrough~~ (deletions) and underline (additions):

> ***§ 679.52(b) Responsibilities of observer providers.*** An observer provider that supplies observers for operations requiring full observer coverage per § 679.51(a)(2) and (b)(2) must:
>
> (1) ***Provide qualified candidates to serve as observers.***
>
> (i) To be a qualified candidate an individual must have:
>
> (A) A Bachelor's degree or higher from an accredited college or university with a major in one of the natural sciences;
>
> (B) Successfully completed a minimum of 30 semester hours or equivalent in applicable biological sciences with ~~extensive~~ use of dichotomous keys in at least one course or documented field work experience that includes using dichotomous keys;
>
> * * *

2.7.6 Impacts to Fishery Participants and NMFS

The proposed change to the language clarifying training or experience with dichotomous keys when reviewing potential observer candidates would directly affect providers deploying observers in Alaska groundfish fisheries, potential future observers, and the Observer Program

itself. This change could open up the pool of candidates for potential observers and possibly provide highly qualified candidates, which may otherwise not be considered.

Making a change to this regulation would open up the observer applicant pool for the observer providers to register observer candidates that may otherwise not be selected under the current regulations.

The Observer Program has been trying to address the challenges with observer availability over the past several years. With the changing monitoring requirements in fisheries and the changing education system in Universities and Colleges throughout the United States it is relevant to review the observer requirements. Oftentimes, observer candidates may not have course work specific to dichotomous keys, but they have field experience with using the dichotomous keys. With work experience being just as valuable if not more the agency believes that individuals with field experience should be considered.

2.7.7 Cost and Benefits

Allowing observer providers to consider a wider range of applicants, who have documented field experience, would expand the pool of qualified candidates and potentially improve the number of available observers for deployment in Alaskan fisheries. This regulatory change would help address the Observer availability concerns raised by providers. This change would not result in changes to currently approved collection-of-information requirements approved under OMB control number 0648-0318 North Pacific Observer Program.

2.7.8 Management, Monitoring, Enforcement

With this change, NMFS expects that observers would continue to collect high quality data for use in management. All existing observer training and debriefing processes would remain in place to provide observer candidates with necessary training to successfully collect data at sea and maintain inseason review of observer performance.

2.8 NEW***Observer Provider Reporting Requirements

2.8.1 Background

Federal regulations at§ 679.52(b)(11)(ii) require observer providers to submit a statement of projected observer assignments. This statement is mandatory before the observer completes the required training or briefing session. The required statement of projected observer assignments must include the observer's name, the assignment details (specifying whether it is a vessel, shoreside processor, or stationary floating processor) and the corresponding vessel/processor code, the gear type, the port of embarkation, the target species, and the area of fishing. The Observer Program uses this report during the observer’s trainings and briefing periods to provide specific deployment guidance in preparation for the observer’s upcoming deployment. Instructions include information on the relevant sampling equipment, vessel operations, and other information that is helpful to ensuring data quality both in-season, and post deployment.

2.8.2 Issue

While observer providers find it challenging to accurately predict and submit observer assignments due to frequent changes between submission and deployment, this information is nonetheless vital for the Observer Program. The data is essential for developing observer-

specific deployment guidance during training and briefings, as well as for preparing necessary sampling equipment.

Providers are often only able to supply the observer's name and the general fishery deployment, which makes meeting the current regulatory requirements difficult. The Observer Program faces challenges in preparing necessary training and deployment resources for observers when the required information is not supplied, and providers may also receive a monetary penalty and/or a written warning for noncompliance.

2.8.3 Affected Entities

This change would directly affect observer providers deploying observers in Alaska groundfish fisheries.

2.8.4 Status Quo Effects

The current state is that observer providers submit information to the Observer Program with irregular content and frequency.

This inconsistency impedes the preparation of necessary sampling gear, training curriculum, and deployment guidance. Consequently, this can negatively affect in-season data management and increase the workload for Observer Program staff. When observer providers comply with regulations and provide the required information, the observers receive the proper tools, guidance, and gear needed for successful deployments and near real time fisheries management.

2.8.5 Solution(s)

The regulatory language in § 679.52(b)(11)(ii), should be modified to initially require general deployment information, but grant the Observer Program the authority to request more details later. Deployment assignment information must be as specific as possible, including at a minimum observer name, and fishery-specific details provided before the observer completes a training or briefing. Upon request, the observer provider may be asked to supply additional assignment details such as vessel/processor assignment and code, gear type, port of embarkation, target species. Making this change would allow providers to meet minimum requirements that meet federal regulation and Observer Program needs. For example, draft regulations are shown as follows (revisions are shown using ~~strikethrough~~ (deletions) and underline (additions):

§ 679.52(b)(11)(ii) ***Statement of projected observer assignments.*** Prior to the observer or observer candidate's completion of the training or briefing session, the observer provider must submit to the Observer Program a statement of projected observer assignments that includes at minimum the observer's name; vessel, shoreside, or stationary floating processor, fishery type, and if requested the ~~shoreside processor, or stationary floating processor assignment,~~ gear type, ~~and vessel/processor~~ trip code; port of embarkation; target species; and area of fishing.

2.8.6 Impacts to Observer Providers

Observer providers would be granted additional flexibility when planning fishing trips and would no longer be required to report unnecessary information. Reducing the specificity of required information would allow fishery participants to more easily comply with regulations while still ensuring the Observer Program has the information necessary to adequately prepare observers to meet management needs.

2.8.7 Impacts to NMFS

This action is expected to also result in positive impacts for the Observer Program and the observers themselves. Training can be better tailored to the anticipated observer deployment assignments potentially leading to improved data quality; gear inventory could be more efficiently managed; and in-season data management and data quality could be improved. The Observer Program can better tailor training and briefings to the observer audience. If observers have a more fishery specific training then they would be better prepared, potentially lessening some of the data errors, which in turn would assist in overall higher quality data for in-season fisheries management and potentially expedite debriefing.

2.8.8 Cost and Benefits

Adequate fishery and gear type information aids in preparing observer curriculum for training classes and briefings, facilitates proper observer sampling gear preparation, and supports inventory management across all program offices. Providing observers with deployment-specific information allows them to prepare adequately, which in turn is anticipated to have positive impacts on overall data quality.

This change would modify collection-of-information requirements currently approved under OMB control number 0648-0318 North Pacific Observer Program. This action is expected to reduce the reporting burden on observer providers.

2.8.9 Management, Monitoring, Enforcement

Updating these regulations offers several benefits. By allowing observer providers to submit more general information, the change is expected to reduce potential observer provider violations for not supplying required information to the NMFS. This would also give the Observer Program the flexibility to request more specific information as needed.

2.9 Remove Regulations for Exempted Fishing Permits (EFPs) in the North Pacific

2.9.1 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.

2.9.2 Issue

Alaska-specific EFP regulations at § 679.6 are somewhat duplicative and more restrictive than the national EFP procedures specified at § 600.745.

2.9.3 Affected Entities

Removing duplicative regulations may provide greater incentives for industry and industry partners across all sectors to envision changes in gear and technology as improvements become available. This may lead to greater participation by industry from multiple sectors. Examples of past participation include halibut deck sorting in the Amendment 80 fleet and salmon excluders in the pollock directed fishery.

2.9.4 Status Quo Effects

At present, any applicant for an EFP within the fishery off of Alaska must ensure that their application is in compliance with both the Alaska specific regulations and the national regulations. The Alaska regulations are structurally different from the National regulations; however, the National level regulations include many similar provisions but add more formal data management and reporting requirements.

2.9.5 Solution(s)

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. 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. This action would remove Alaska-specific EFP regulations at § 679.6 and refer instead to the national EFP regulations at § 600.745.

2.9.6 Impacts to Fishery Participants

Removing duplicative regulations would reduce the compliance burden for applicants of ensuring they have met the requirements of two sets of regulations. This could translate into a greater willingness to apply for an EFP which may enhance gear modifications and other production processes that may be created in the future.

2.9.7 Impacts to NMFS

The primary impact to NMFS is that Region staff that review EFP applications will only have to review the application for compliance with the National level regulations. At present, a second review of the application for compliance with the Alaska EFP regulations is conducted and this adds administrative costs of staff time and resources.

2.9.8 Cost and Benefits

This action has the potential to reduce administrative cost to NMFS by eliminating the need to review the EFP application for compliance with the National regulations and then a second time for compliance with the Alaska regulations. These additional costs of having two regulations is wasteful and unnecessary. Also, having greater clarity in a single set of regulations may reduce the cost of hired consultants or staff who prepare the application for the permit. The primary benefit of this action is a simplified process that may encourage future innovations in bycatch reduction, habitat conservation, Prohibited Species protections, and fishery performance via experimentation with gear and/or techniques not presently available under the current fishing regulations.

2.9.9 Management, Monitoring, Enforcement

This action removes duplicate regulations and clarifies the process of applying for an EFP. This action would not change any fishery management measures presently in place, it does not change any fishery monitoring. The action has the potential to increase enforcement needs if more EFP applications are successful and new activities are permitted under the EFP.

2.10 NEW***Update the VMS Type Approval Process

2.10.1 Background

Regulations at § 679.28(f) specifying vessel monitoring system (VMS) requirements were implemented in 2000 (65 FR 61264, October 17, 2000). In 2020, NMFS revised the Nationally applicable type-approval regulations at 50 CFR Part 600.1501 clarifying the requirements to type-approve Enhanced Mobile Transceiver Units (EMTUs) and adding cellular-based EMTUs (EMTU-Cs) type-approval application and testing procedures; compliance and revocation processes; and technical, service, and performance standards (85 FR 40915, July 8, 2020). That rule modified regulations at 50 CFR part 600 Subpart Q.

2.10.2 Affected Entities

All vessels required to comply with VMS requirements off Alaska.

2.10.3 Status quo effects

The changes to the National regulations as described in the background section above mean that NMFS no longer publishes the list of type-approvals or technical requirements in the Federal Register as described at § 679.28(f). Instead, that type-approval list is now published to an Enforcement website, NOAA Fisheries Type-Approved VMS Units at https://www.fisheries.noaa.gov/national/enforcement/noaa-fisheries-type-approved-vms-units. That list is kept current. The process for obtaining type-approval is described at 50 CFR Part 600.1501, and the technical specifications that must be met to obtain that approval are described in 50 CFR Part 600.1502 through 50 CFR Part 600.1509. This change made the 679 regulations obsolete and incorrect, providing companies seeking to type-approve new EMTUs with inaccurate guidance.

2.10.4 Issue

NMFS recommends striking the language in § 679.28(f) at (i), (ii), and (iii), simply replacing them with a reference to 600.1501 (which points to the technical specifications from 600.1502 through 600.1509). Regulations at § 679.28(f)(2) specify outdated and incorrect VMS approval

processes for Alaska VMS units, and these regulations are inconsistent with the national regulations at § 600.1501.

2.10.5 Solution

Modify regulations at § 679.28(f)(2) by removing subparagraphs (i), (ii), and (iii) and adding a cross reference to the National regulations at at § 600.1501,

The type-approved units for each applicable Federal fishery or area are located at https://www.fisheries.noaa.gov/national/enforcement/noaa-fisheries-type-approved-vms-units.

This would ensure the Alaska specific regulations are consistent with the procedures set forth in the National regulations at 50 CFR 600.

For example, draft regulations are shown as follows (revisions are shown using ~~strikethrough~~ (deletions) and underline (additions):

(f) ***Vessel Monitoring System (VMS) Requirements*** —

(1) ***What is a VMS?*** A VMS consists of a NMFS-approved VMS transmitter that automatically determines the vessels position and transmits it to a NMFS-approved communications service provider. The communications service provider receives the transmission and relays it to NMFS.

(2) ***How are VMS transmitters and communications service providers approved by NMFS?*** (see § 600.1501)

~~(i) NMFS publishes type approval specifications for VMS components in the Federal Register.~~

~~(ii) Transmitter manufacturers or communication service providers may submit products or services to NMFS for evaluation based on the published specifications.~~

~~(iii) NMFS will publish a list of NMFS-approved transmitters and communication service providers in the Federal Register. As necessary, NMFS will publish amendments to the list of approved components in the Federal Register.~~

* * * * *

2.10.6 Impacts to Fishery Participants

This regulatory change would ensure that VMS companies, VMS vendors, and industry participants are aware of the correct regulations, and deployed VMS units conform to those standards. Fishery participants who are currently required to maintain operable VMS must already abide by type-approval requirements for each region. Therefore, no negative impacts to participants are expected. Albeit small and inconsequential, making this correction to bring 679 regulations into conformance with 600 will add clarity for those seeking compliance with the existing standards and/or seeking to type-approve new units.

2.10.7 Impacts to NMFS

NMFS already operates consistent with the standards set forth in 50 CFR Part 600.1501. Striking the obsolete language at § 679.28(f) and referencing 600.1501 will make educating stakeholders easier and reduce confusion to facilitate compliance.

3 Recordkeeping and Reporting

This section examines a number of regulatory changes that would streamline recordkeeping and reporting requirements and reduce regulatory burdens. As discussed in the previous discussion papers, the Council requested NMFS pursue implementing these changes under Section 305(d) of the Magnuson-Stevens Act. Each recommendation would need to be analyzed and follow the rulemaking process, including requests for public comment, to be implemented, consistent with the Magnuson-Stevens Act and other applicable law. Under each topic below, NMFS provides draft regulatory changes to illustrate the types the changes being considered and which regulations may be impacted. Through the Council and rulemaking process, NMFS will refine the regulation changes and publish proposed regulations in the **Federal Register** for public comment.

Table 8 Summary of Recordkeeping and Reporting Changes.

Section	Action	Potential Impact
4.1	Remove Shoreside Processor Check-in / Check-out Reports	Streamlines reporting for industry by removing a requirement that is no longer utilized for fishery management and the information is already collected by electronic reporting.
4.2	Increasing Flexibility to Meet Requirements to Print Documents	Modernizes regulations by accepting digital methods to fulfill recordkeeping and reporting requirements, in addition to status quo paper printing.
4.3	Daily cumulative production logbook (DCPL) adjustments for Motherships	Removes duplicative regulations for reporting systems that have been replaced by electronic reporting.
4.4	Modernize ELB regulations	Updates the technology requirements for NMFS approved logbooks and allows for additional electronic reporting options. This will make it easier for industry to understand the requirements for software development.
4.5	NEW* Rename Species Code 167	State of Alaska Board of Fisheries replaced blue rockfish (*Sebastes mystinus*) with deacon rockfish (*Sebastes diaconus*); this change would update Federal regulations in Table 2A to part 679 to improve reporting accuracy and consistency with State regulations.

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

3.1.1 Background

Check-in/check-out reports were implemented in 1989 to notify NMFS when a processor began or ceased participation in a groundfish fishery (54 FR 50386, December 6, 1989). At the time, NMFS inseason managers relied on processor-submitted weekly reports to monitor fishing activity, track participating processors, and identify instances where weekly reports were not received. Check-in/check-out reports provided an administrative mechanism to identify active processors and support fishery monitoring efforts.

In 2008, NMFS exempted catcher/processors (C/Ps) and motherships equipped with an operational vessel monitoring system (VMS) transmitter from submitting check-in/check-out reports (§ 679.5(h)(2)) (73 FR 53390, September 16, 2008). Because all motherships and C/Ps

are required to operate VMS, these vessels are effectively exempt from the reporting requirement. At that time, NMFS did not extend the exemption to shoreside processors and stationary floating processors (SFPs) because the reports collected information not otherwise available, including fish and fish product inventories that could be used to support compliance and enforcement activities.

Effective January 14, 2009, NMFS implemented the Interagency Electronic Reporting System (eLandings) and associated electronic reporting requirements (73 FR 76136, December 15, 2008). Regulations at § 679.5(e)(9) require managers of shoreside processors and SFPs that are required to hold a Federal Processor Permit (FPP) under § 679.4(f) to submit daily production reports through eLandings or other NMFS-approved software. These reports provide detailed information on groundfish production, product disposition, and processing activity. In addition, regulations at § 679.5(g) require processors to document transfers of fish and fish products through Product Transfer Reports (PTRs), providing NMFS with information on products leaving a facility. Together, these reporting systems provide substantially more timely, detailed, and comprehensive information than was available through the historical weekly reporting framework that supported the original check-in/check-out requirements.

In 2018, NMFS identified Shoreside Processor Check-in/Check-out Reports for further review to determine whether the reporting requirement should be revised or removed. Since that time, eLandings has become the primary mechanism for collecting processor production and disposition data. Daily production reports allow NMFS to identify active processors, monitor production and product disposition, and reconcile production information with reported landings. Compared to the historical weekly reporting system, eLandings provides more frequent reporting, greater data granularity, and improved data quality.

For SFPs, however, check-in/check-out reports continue to serve an additional purpose by documenting the latitude and longitude of processing operations. This information supports NMFS verification of compliance with the single geographic location requirements at § 679.4(l)(5)(iii)(B) and § 679.7(k)(3)(iv)(B). Because this information is not otherwise collected through existing reporting systems, NMFS is limiting this action to shoreside processors and is not proposing changes to check-in/check-out requirements for SFPs.

3.1.2 Issue

With the implementation of eLandings, check-in/check-out reports are longer necessary due to improvements in the granularity of daily production data now received for shoreside processors. Landings are reported daily to document catch and the eLandings system captures daily production data to document processing information. PTRs provide information about products transferred out of the facility and can be used to verify production and transfer information for auditing purposes.

3.1.3 Affected Entities

The entities affected are shoreside processors purchasing groundfish from federally managed fisheries. Shoreside processor operations vary in size from large corporations that may own multiple shoreside processing plants to direct marketers who only process fish they caught themselves.

3.1.4 Status Quo Effects

If no action is taken, shoreside processors will continue to provide check-in/check-out reports as required under § 679.5(h). Recordkeeping and reporting requirements for shoreside processors are complex and this may disincentivize small operations from marketing their own catch or purchasing federally managed groundfish due to the complexity. Under status quo, a processing operation must submit the check-in report, complete their landing report, and complete daily production reports until they submit a check-out report. This is especially challenging for fishermen who may not have internet access at sea. Today, shoreside processor check-in/check-out reports are neither needed nor used for inseason management, however they are still used by OLE for certain enforcement purposes.

NOAA OLE uses check-in/check-out reports to conduct audits and ensure processors are completing daily production reports when required. OLE also occasionally uses the check-in/check-out report to inform operational enforcement activity by assessing whether the relative amount of processing activity warrants an on-site inspection. As we see an increase in the number of smaller scale direct marketing operations, we are also observing that there may be less time between submission of the check-in report and the processing activity. It can be difficult to determine where landings will occur in advance. Additionally, check-in/check-out reports are a tool to verify prior notice of landing reports (PNOLs) submitted by vessels harvesting IFQ halibut, CDQ halibut, IFQ sablefish, or crab IFQ under the Crab Rationalization program (see regulations at § 679.5(l)). Check-in/check-out reports are submitted on paper either by fax or mail and entered into a NMFS system manually. Small operations in particular are likely to have very little time between submitting the check-in report and landing their catch. The check-in form needs to be received by NMFS staff and entered into the tracking spreadsheet. There can be significant delays in this process, particularly if the check-in form is mailed.

3.1.5 Solution(s)

While the regulations requiring check-in/check-out reports were removed in 2008 for catcher processors and motherships with VMS requirements, Section 3.9.1.2 of the BSAI and GOA FMPs still indicates the requirement for catcher processors and motherships. The Council has identified this as a change that will be addressed in an upcoming FMP change in the omnibus FMP recordkeeping and reporting action (see Section 1.2.2 of this document).

This potential regulatory action is focused on check-in/check-out reports for shoreside processors and would remove the check-in/check-out requirements for shoreside processors at § 679.5(h).

3.1.6 Impacts to Fishery Participants

The entities affected are shoreside processors purchasing groundfish from federally managed fisheries. This includes large corporations and direct marketers only processing fish they caught themselves. The PRA estimate for shoreside processors check-in/check-out reports is 540 total burden hours with estimated total labor cost of $19,980.00. Whether a shoreside processor is active for a fishery is already collected through eLandings and therefore this action removes a duplicative requirement, thereby reducing the burden of 540 hours and $19,980.00 from fishery participants.

3.1.7 Impacts to NMFS

Current regulations tie the requirement to complete daily production reports to the processor being active, which the check-in/check-out reports can be used to determine. However, the information is also collected through eLandings.

This removal of the check-in/check-out reports will reduce the need to manually track whether a shoreside processor is active and shift the tracking into eLandings. This action would help modernize recordkeeping and reporting regulations by removing a duplicative and outdated data collection method that has limited value in the management of fisheries.

3.1.8 Cost and Benefits

This action removes the requirement for check-in/check-out reports and is not expected to result in additional costs to NMFS or industry, because the information is already collected through eLandings. This action could reduce staff time for industry and NMFS to send/receive check-in/check-out reports.

The information collected in check-in/check-out reports is already collected through eLandings. This action removes a duplicative requirement, thereby reducing the annual burden of 540 hours and an estimated $19,980 from fishery participants. In addition to reducing the burden on fishery participants, this action would reduce the burden on NMFS staff who have to receive and respond to the check-in/check-out reports, taking agency staff time from other tasks.

3.1.9 Management, Monitoring, Enforcement

Sometimes, the check-in/check-out report is used to establish when a shoreside processor is active, for the purposes of reporting requirements under the shoreside production report (50 C.F.R. 679.5(e)(9)). However, regulations for submittal time limits for shoreside production reports (50 C.F.R. 679.5(e)(9)(ii)(A)) refers to 50 C.F.R. 679.5(c)(5)(ii), which states that the information is "***Required information, if active.*** A shoreside processor is active when receiving or processing groundfish." Therefore, there already exists a way to identify when a shoreside processor is active, making it unnecessary to use the check-in/check-out report for that purpose.

3.2 Increasing Flexibility to Meet Requirements to Print Documents

3.2.1 Background

Federal requirements for printing documents are throughout 50 C.F.R. Part 679, such as: ELB logsheet regulations for printing at § 679.5(f)(3)(i) and signing at § 679.5(f)(4), and printed scale reports at §§ 679.28(b)(5) and 50 CFR 679.28(c)(3)(i). Historically, these documents have been provided for observers or enforcement agents to facilitate the transfer of information or ensure compliance with recordkeeping and reporting regulations.

Regulations at § 679.51(f)(5)(iii) require vessel owners and operators in the trawl EM category to maintain a copy of a NMFS-approved VMP aboard the vessel at all times when the vessel is directed fishing in a fishery subject to EM coverage. Regulations at § 679.51(g)(3)(iii) require vessel owners and operators in the trawl EM category to maintain a copy of a NMFS-approved VMP onboard the vessel at all times when the vessel is directed fishing in a fishery subject to EM coverage.

In the past several years, there has been increased interest in ELBs and smaller catcher vessels are using ELBs as specified at § 679.5(f). While not explicitly allowed in regulation at 679.5(f)(3)(i), NMFS has allowed the use of digital file formats in lieu of printed documents from a joint decision between NMFS and NOAA OLE to resolve a request from smaller vessels that did not have a printer aboard and incentivize development of ELBs by interested third parties. In these cases, a PDF copy of the ELBs is considered to be "printing".

3.2.2 Issue

Currently, several provisions require individuals to physically print and sign paper forms, such as logbooks, catch reports, permit applications, and scale reports. These steps can be burdensome, especially in remote or at-sea operations, and increase costs without improving data quality or regulatory compliance. This action would allow fishery participants to meet print requirements with a digital option, in addition to the currently required paper option. It will also permit more efficient processes for the agency to gather records when needed for fishery management or enforcement. Additionally it will incentivize the development and use of ELBs for vessel operators seeking to go paperless.

3.2.3 Affected Entities

This would affect any and all vessel operators participating in a federally managed fishery off Alaska.

3.2.4 Status Quo Effects

If no action is taken, R&R requirements in 50 CFR Part 679 will continue to use paper printing to meet Federal documentation requirements, unless specified. This could necessitate that smaller vessels maintain a printer onboard to meet recordkeeping and reporting requirements. The requirement to maintain printers onboard provides unique challenges to small vessel operators that have limited space. This will also reduce the viability of new ELB development that seeks to provide mobile friendly options on a smart phone or tablet with limited integrations with printers. Therefore this limits development and participation in ELB programs. While the current joint agreement with NOAA OLE and NMFS allows for the "print to pdf" option, this is not clearly articulated in regulations and could create confusion in the future if this tentative agreement was reconsidered.

3.2.5 Solution(s)

Under this action, Federal documentation requirements for printing documents within 50 C.F.R. Part 679 would continue to be the responsibility of fishery participants. However, documents would be allowed to be stored on digital media but must be readily viewable upon request by NMFS or partner agencies. This would benefit vessel owners and operators who would prefer to move to electronic recordkeeping and reporting. This would be a voluntary change, since physically printing and signing paper forms will remain a valid option.

Modernize all R&R regulations to allow for greater flexibility through "print to PDF" and electronic signatures, as well as paper printing, to satisfy the print requirements for R&R. This action would revise requirements to print and provide original signatures to allow for digital print options. Regardless of whether documents and signatures will be maintained electronically or on paper, fishery participants would continue to be required to provide required R&R records immediately upon request of an authorized officer.

For documents that currently must be printed, affected entities would be required to produce a legible, human-readable copy of information from an electronic or printed record in a format that can be viewed, stored, and reproduced. Required information may be generated on paper or as an electronic document, including but not limited to Portable Document Format (PDF) or other substantively equivalent formats, provided the output accurately reflects the original record and is accessible for inspection and retention requirements under this part.

Signatures would be accepted as a handwritten or electronic mark, symbol, or process executed or adopted by an individual with the intent to sign a record. An electronic signature must be attributable to the individual, timestamped, verifiable, and linked to the record in a manner that ensures the integrity of the signed information

This action would provide more flexibility to regulated entities to meet recordkeeping and reporting requirements by allowing for the use of digital signatures and the use of digital file formats, such as PDF. Under this action, fishery participants have the additional option to retain and submit documentation electronically, in addition to status quo paper printing. If fishery participants select digital printing options, this could reduce the need for physical storage and manual processing. This action would not eliminate any recordkeeping or reporting requirements but would provide an additional digital option to meet those requirements, preserving compliance while reducing cost. The result is a more modern and flexible regulatory approach that aligns with modern technology, improves efficiency, and fulfills the E.O. directive to remove outdated regulatory barriers that hinder innovation and competitiveness in U.S. fisheries.

3.2.6 Impacts to Fishery Participants

This is broadly applicable to most industry groups, but particularly highlighting vessels that are required to use a logbook, developers creating software to be used as ELBs and vessels required to use a scale. This action broadens the definition of printing to include digital, therefore giving more options to fishery participants to fulfill their R&R requirements. This change will provide clarity and allow for further development of ELBs.

3.2.7 Impacts to NMFS

Paper printed ELB and scale inspection forms are primarily used by OLE or other authorized boarding agents and on-board observers. Digital documents are required to be provided to the agency upon request. This is typically done by emailing the file to NMFS personnel or authorized agent thereby limiting the impact on current operations. Since 2024, multiple vessels have transitioned to ELBs and adopted the digital print allowance. This has had limited to no impact on agency operations and in some ways has increased efficiency.

3.2.8 Cost

This action allows fishery participants to use digital methods to meet federal documentation requirements for printing documents within 50 C.F.R. Part 679. This action is expected to reduce costs to NMFS and fishery participants. This action increases the options available to comply with Federal documentation requirements

3.2.9 Benefits

This action could result in benefits to industry because industry participants can choose the most efficient reporting to comply with regulatory requirements for their own business.

3.2.10 Management, Monitoring, Enforcement

Administrative change to allow digital signatures in addition to paper options could reduce the overall burden on fishery participants on landing reports and fish tickets. This change may allow the State of Alaska Department of Fish and Game (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.

Regulations need to ensure that boarding agents and observers can access necessary data while the vessel is at sea, even if a wireless or internet connection is unavailable.

3.3 Daily Cumulative Production Logbook (DCPL) Adjustments for Motherships

3.3.1 Background

Recordkeeping and reporting requirements such as logbooks are required of operators of catcher vessels, C/P vessels, mothership processor vessels, and by responsible officers of shoreside processor plants. For C/Ps, shoreside processors, and motherships, "logbook" means Daily Cumulative Production Logbook (DCPL) or Daily Fishing Logbook (DFL) (§ 679.2), as 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)).

The mothership DCPL is a logbook used by motherships to record and report daily processor identification information, delivery information, groundfish production data, and groundfish and prohibited species discard or disposition data. The operator or manager must enter into the DCPL any information for groundfish received from catcher vessels, groundfish received from processors for reprocessing or rehandling, and groundfish received from an associated tender vessel.

When eLandings was implemented in 2008, the implementing rule removed and replaced the use of the shoreside processor DCPL (73 FR 76136, December 15, 2008). At the time, eLandings collected information duplicative of shoreside processor DCPL. Since eLandings implementation, the program expanded to where now the required information collected by the mothership DCPL is also collected through eLandings. Therefore, this action would reduce the burden on motherships to fill out the DCPL when the information is already collected through eLandings.

3.3.2 Issue

The required information collected by the mothership DCPL is also collected through eLandings. The duplicative requirement for mothership DCPL regulations would be updated following the example of the shoreside processor regulations found at § 679.5(c)(5), where regulations specify the use of eLandings to satisfy the DCPL requirements. This action only affects DCPL for motherships, and does not affect DCPL for C/Ps or shoreside processors. This action would not change the information required to be reported by mothership vessels.

3.3.3 Affected Entities

This action applies to the two motherships that are currently operating in Alaska fisheries and any future mothership operations.

3.3.4 Status Quo Effects

If no action is taken, motherships will continue to report information through the DCPL, even though the same information is already collected through eLandings.

3.3.5 Solution(s)

Update the duplicative requirement for mothership DCPL regulations following the example of the shoreside processor regulations found at § 679.5(c)(5), where regulations specify the use of eLandings to satisfy the DCPL requirements. This action only affects DCPL for motherships and does not affect DCPL for C/Ps or shoreside processors. This action would not change the information required to be reported by mothership vessels. For example, draft regulations are shown as follows (revisions are shown using ~~strikethrough~~ (deletions) and underline (additions):

§ 679.5(c)(6) ***Mothership DCPL*** —

Replace entire section (6) with the following:
The Mothership DCPL has been replaced by eLandings and is no longer available (see paragraph (e)(6) of this section).

3.3.6 Impacts to Fishery Participants

Fishery participants are all motherships participating in federal groundfish fisheries in Alaska. This action removes duplicative regulations and reduces the time and cost burden for motherships to fill out DCPLs when the information is already collected through eLandings. Daily operations for these entities will be unchanged.

3.3.7 Impacts to NMFS

There are no anticipated impacts to NMFS. This action does not change the current reporting requirements, it merely removes the option to report via a paper DCPL. Since no vessels currently use paper DCPLs, there will not be any operational changes.

3.3.8 Cost and benefits

This action will not result in additional costs. It does not change current reporting methods, it simply removes the unused paper DCPL from regulations.

This action updates the mothership DCPL regulations to identify the use of eLandings satisfies the DCPL requirements. This action is not expected to result in additional costs to NMFS or industry, because the information is already collected through eLandings.

This action could reduce confusion from new industry participants who might believe they were required to complete a paper DCPL alongside the eLandings reporting.

3.3.9 Management, Monitoring, Enforcement

This action updates the mothership DCPL regulations to identify the use of eLandings satisfies the DCPL requirements. This action would not change the information required to be reported by

mothership vessels. This action is not expected to impact fishing behavior, fishing locations, fishing quota, or any other fishing behavior.

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.

3.4 Modernize ELB regulations

3.4.1 Background

ELB regulations at 50 C.F.R 679.5(f) and 50 C.F.R 679.28(h) were implemented in 2008 (73 FR 76136, December 15, 2008). While appropriate at the time of implementation, the processes and requirements established in 2008 no longer reflect modern technology. Some ELB requirements, such as data transmission via email, are no longer acceptable reporting options due to security concerns, but remain the only option under existing regulations. This action aims to modernize and align outdated ELB regulations to modern programming and data transmission protocols. Additionally, this action aims to expand the ELB program to allow crab rationalization program participants to voluntarily use ELBs.

Wherever possible, NMFS supports voluntary ELB usage. Across all federally-managed fishing sectors off the coast of Alaska ELB usage has increased. However, existing regulations make ELB development confusing and cumbersome for developers, thereby reducing industry ELB interest. This action would clarify regulatory framework to align with technological best practices.

3.4.2 Issue

The ELB requirements found in 50 C.F.R 679.5(f) and 50 C.F.R 679.28(h) are outdated and need to be updated to reflect current technological best practices. The following issues with the current ELB regulations make it challenging to approve new ELBs in 2026:

- Assumes desktop-style software would be used and do not adequately support modern cloud-based, mobile, web-based, or API-driven ELB systems.
- Rely on paper-based data management practices including printed records, manual signatures, and email attachments, and do not support electronic recordkeeping practices.
- Limited flexibility for modern electronic data exchange methods, formats, and system integrations approved by NMFS.
- Lack of clear requirements for immutable audit trails, version control, and preservation of original submitted records, limiting transparency and traceability of data changes.
- Cybersecurity, data integrity, or protection against unauthorized access, alteration, or deletion of electronic records common with modern applications is not addressed.
- Overly prescriptive approval requirements require NMFS review of all software changes, including routine maintenance and technical updates, creating unnecessary administrative burden for both NMFS and developers.
- Overly technology-specific and does not provide a sufficiently flexible structure that can adapt to evolving technologies.

Also, regulations found at 50 C.F.R. 680.5(l) would be modified to allow participants in the crab rationalization program to voluntarily use ELBs.

3.4.3 Affected Entities

This action would affect vessel owner/operators who would prefer to use an ELB and any developers who are interested in creating a NMFS-approved ELB. This action would affect participants in the crab rationalization program by allowing them to voluntarily use ELBs. For all affected parties, this is a voluntary change, as paper logbooks remain a valid reporting option.

3.4.4 Status Quo Effects

If no action is taken, participants in the crab fishery will still be required to use paper logbooks and general ELB regulations will continue to be outdated, making it harder for new technological developments. Developers interested in updating or creating an ELB for NMFS approval will have to rely on outdated technological requirements, like providing a copy of software on a physical medium like a CD or thumb drive or using outdated transmission protocols that are no longer considered secure.

3.4.5 Solution(s)

Modernize ELB regulations found at 50 C.F.R 679.5(f) and 50 C.F.R 679.28(h) to reflect current software development and data transmission protocols. Also, modify crab reporting regulations found at 50 C.F.R. 680.5(l) to allow participants in the crab fisheries to voluntarily use ELBs.

These changes include but are not limited to:

- Changes in terminology to address modern application development.
- Clarity on how to get ELB software approved by NMFS
- Enhanced description of the NMFS approval process building on the modern processes established with recent ELB approvals

The potential proposed changes would not add additional requirements, rather describe using modern terms and application development practices. The overall goal is to clarify regulations and make it easier for developers to create and seek approval for new ELBs that meet agency needs. For example, draft regulations are shown as follows (revisions are shown using ~~strikethrough~~ (deletions) and underline (additions):

Add to Definitions § 679.2

Electronic logbook system means a NMFS-approved electronic data collection and reporting system, including any associated software, mobile applications, hardware interfaces, and data transmission components used to record, store, and transmit required logbook information.

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§ 679.28(h) ELB ~~software~~ **system** —

(1) How do I get my ELB ~~software~~ **system** approved by NMFS? —

(i) Specifications. NMFS will provide specifications for ELB ~~software~~ **systems** upon request. Interested parties may contact NMFS by mail at NMFS Alaska Region, Sustainable Fisheries Division, ~~Catch Accounting/Data Quality~~, P.O. Box 21668, Juneau, AK 99802-1668; by

telephone at 907-586-7228; or by email at nmfs.akr.monitoring@noaa.gov. The four types of ELB ~~software~~ **systems** are:

(A) Catcher vessel longline or pot gear (see § 679.5(c)(3));

(B) Catcher/processor longline or pot gear (see § 679.5(c)(3));

(C) Catcher vessel trawl gear (see § 679.5(c)(4)); and

(D) Catcher/processor trawl gear (see § 679.5(c)(4)).

(ii) ELB submittal package. A vendor or developer wishing to have an ELB ~~approved by NMFS~~ system approved by NMFS must submit:

(A) A fully operational ~~test copy of the software~~ test instance of the ELB system, including any mobile, desktop, or web-based application components or provide secure access to a hosted or cloud-based testing environment that allows NMFS to evaluate system functionality , or provide secure access to a hosted or cloud-based testing environment that allows NMFS to evaluate system functionality, including installation, configuration, and use on applicable devices or platforms. The submission must enable NMFS to evaluate all core functions, including data entry, storage, transmission, and operation in both connected and disconnected (offline) environments, as applicable; and

(B) An application for ELB-approval giving the following information ~~(see paragraphs (h)(1)(ii)(B)(1) through (3) of this section)~~:

(*1*) Company, contact person, address, telephone number, ~~and fax number~~ and email for the company developing the ~~software~~ ELB system; and

(*2*) Name and type of ~~software~~ ELB system

~~(*3*) Printed name and signature of individual submitting the software for approval~~

(C) Copies of all manuals and documentation for the ~~software~~ ELB system in electronic format acceptable to NMFS.

(iii) ELB approval. NMFS will approve ELB ~~software~~ systems ~~within 60 working days of receipt of all required information~~ if the ~~software~~ ELB system meets the following standards in paragraphs (h)(1)(iii)(A) through (H) of this section:

(A) ~~Has fields for the entry of all information required for a paper DFL or DCPL as described in § 679.5(c)(3) and (4), as appropriate~~ Captures and records all data elements required under § 679.5(c)(3) and (4), as applicable, or equivalent electronic reporting requirements as specified by NMFS through publicly available or NMFS-designated electronic means, including but not limited to web-based documentation, data schemas, or system interface specifications.

(B) The ~~software~~ ELB system must automatically create a time and date stamped ~~each printed copy~~ record of the ELB logsheet and ELB discard report at the time of submission. ~~and clearly~~

~~identify the first printed copy as an original. If any changes are made to the data in the ELB, subsequent printed copies must clearly be identified as revised. The software must be designed to prevent the operator from overriding this feature.~~ The ELB system must preserve the original submitted record and must not allow the original data to be overwritten or deleted.

(*1*) If a record is modified after initial submission or entry, the ELB system must record the change as a new version, and must time- and date-stamp each modification. Each modified version must be clearly identified as revised and must retain a link to the original record.

(*2*) The ELB system must maintain a complete and auditable history of all submitted records and subsequent changes, including the date and time of each submission and modification and, where applicable, the identity of the individual making the change.

(*3*) The ELB system must be designed to prevent the operator from altering, deleting, or overriding the original record or the associated audit history.

(C) ~~The software must export data as an ASCII comma delimited text file, xml file, or other format approved by NMFS.~~ The ELB system must generate, store, and make available data in a format approved by NMFS. The ELB system must support the secure transmission or retrieval of such data by NMFS through electronic methods approved or specified by NMFS. The format and electronic methods approved or specified by NMFS will be made available upon request.

(D) The ~~software~~ ELB system must integrate with the vessel's global positioning system (GPS) to allow vessel location fields to be completed automatically or otherwise capture location data through NMFS-approved electronic means.

~~(E) When the software **ELB system** is started, it must clearly show the software **system** version number.~~

~~(F) The software must be designed to facilitate the transfer of an export file to NMFS as an email attachment.~~

~~(G)~~ (E) The ~~software~~ ELB system must be designed to ensure that an operator can comply with the requirements for ELB use as described in § 679.5(f).

~~(H)~~ (F) The ~~software~~ ELB system must include sufficient data validation capability to prevent a submitter from accidentally transmitting a data file or ~~printing an ELB logsheet~~ creating or transmitting a record that is incomplete or contains clearly erroneous data.

(G) The ELB system must ensure data security, integrity, and confidentiality consistent with NMFS requirements, including protection against unauthorized access, alteration, or transmission.

(2) What if I need to make changes to a NMFS-approved ELB ~~software~~ system? —

(i) NMFS-instigated changes. NMFS will provide the developer with information that affects the ELB ~~software~~ system as soon as it is available ~~for distribution~~, e.g., changes in species codes or product codes or other system, data, or reporting requirements.

(ii) Developer-instigated changes. The developer must: ~~submit a copy of the changed software along with documentation describing the need for the change to NMFS for review and approval as described in paragraph (h)(1)(ii) of this section. NMFS will review and approve the new version according to the guidelines set forth in paragraph (h)(1)(iii) of this section.~~

(A) Notify NMFS of all changes or updates to an approved ELB system and provide sufficient documentation describing the nature of the changes.

(B) Ensure that all changes and updates continue to meet the requirements of this section.

~~(iii) *NMFS-approved ELB changes.* If changes to ELB software are approved by NMFS, the developer must:~~

~~(A) Give the revised software a new version number;~~

~~(B) Notify all known ELB users of the software that a new version is available; and~~

~~(C) Ensure that the ELB users are provided with a revised copy within 15 days of notification.~~

(iii) NMFS may require review and approval of any change or update, as determined necessary to ensure continued compliance with applicable requirements.

§ 680.5(l) Catcher vessel longline and pot daily fishing logbook (DFL) and catcher/processor daily cumulative production logbook (DCPL)~~.~~ (See § 679.5 (c))~~.~~ or NMFS approved longline and pot ELB (see 50 CFR 679.5(f)).

Additional revisions to regulations at § 679.5 and/or § 679.28(h) may be needed to incorporate the new use of ELBs in the crab fishery. NMFS will continue to evaluate potential regulatory changes needed to accomplish the goals of this action.

3.4.5.1 Impacts to Fishery Participants

Modernizing ELB regulations to update technological requirements and the approval process and allow the use of ELBs in the Crab fisheries would improve efficiency, reduce unnecessary burden on NMFS and industry, provide clarity to developers, and create a more sustainable and future-proof electronic reporting framework. This action would allow usage of an ELB when participating in the crab fishery. This action would update the NMFS-approved ELB requirements for anyone interested in developing an ELB, and improve the approval process.

3.4.5.2 Impacts to NMFS

This action would streamline the interactions between NMFS staff, industry, and ELB developers by more clearly addressing modern technological requirements. Clear regulations would allow a more efficient process in approving new ELBs and discussing these regulations with interested parties.

3.4.6 Cost and Benefits

This action updates ELB requirements to modern software development and data transmission protocols. This action would allow the voluntary usage of an ELB when participating in the crab fishery. ELB developers are already adopting modern software technologies and data transmission capabilities and therefore this action is not expected to increase costs to NMFS or industry. Allowing for expanded ELB development and use in the crab fishery could reduce NMFS costs and staff time to produce and send paper logbooks.

Allowing for expanded ELB development in groundfish and also allowing ELBs for the crab fishery provides more options for industry. For many vessels, using an ELB is voluntary and an option in addition to paper logbooks, to fulfill their recordkeeping and reporting requirements. Modernizing ELB regulations would facilitate industry adoption of ELBs.

This action would allow the voluntary usage of an ELB when participating in the crab fishery. The use of ELBs in the crab fishery does not change to the recordkeeping and reporting requirements, rather it expands the option for reporting to include ELBs in addition to paper logbooks. ELBs are considered to be more efficient and more accurate than paper logbooks, therefore this action is expected to have a positive impact on data accuracy and timeliness.

3.5 Change Species Code 167 from Blue Rockfish to Deacon Rockfish

3.5.1 Background

During the 2016/2017 board cycle, the State of Alaska Board of Fisheries replaced blue rockfish (*Sebastes mystinus*) with deacon rockfish (*Sebastes diaconus*) in regulations 5 AAC 28.606(c), 5 AAC 28.629(f), and 5 AAC 39.975(a)(37)(E), because current research indicates blue rockfish are not found in waters north of Oregon (Frable 2015). As a result, the Alaska Department of Fish and Game (ADF&G) is moving to update the definition of a species code used for reporting purposes from blue rockfish to deacon rockfish. ADF&G and the NMFS Alaska Regional Office (AKRO) share electronic reporting for the commercial fishing industry through the Interagency Electronic Reporting System (IERS, commonly known as eLandings) and maintain a common list of species codes for reporting purposes.

3.5.2 Issue

Blue rockfish is managed as a target species in the Bering Sea and Aleutian Islands (BSAI) as part of the other rockfish complex (see: Table 3-1 in the BSAI Fishery Management Plan (FMP) and Table 1 of the BSAI Final Groundfish Harvest Specifications, 91 FR 11750, March 10, 2026) and is managed by the State of Alaska in the Gulf of Alaska (GOA). Blue rockfish was removed from the GOA FMP with Amendment 46, effective in 1998 (63 FR 11167, March 6, 1998). The species code, 167, is used for blue rockfish for reporting purposes and is found in regulations in Table 2a to Part 679, Title 50 for the BSAI and in Table 2d to Part 679, Title 50, as a non-FMP species, for the GOA. Failure to update these code references to deacon rockfish will result in the ADF&G and AKRO reporting being out of alignment.

3.5.3 Affected Entities

Any vessel or processor in the commercial fishing industry that submits reports through IERS or has reports submitted on their behalf could be impacted by this action, however, very few vessels or processors have reported blue rockfish over the last 19 years. Table 9 indicates the landing

reports submitted with catch identified by species code 167 as blue rockfish and Table 10 indicates the number of production reports submitted with production information identified for blue rockfish with species code 167. Over the 19 years examined, 32 unique entities reported catch or production information for blue rockfish.

Table 9 Landing reports submitted by vessels and processors with catch reported as blue rockfish in the Bering Sea/Aleutian Islands (BSAI) or Gulf of Alaska (GOA).

Year	BSAI Landing Report Count	BSAI Vessel Count	BSAI Processor Count	GOA Landing Report Count	GOA Vessel Count	GOA Processor Count
2007						
2010	1	1	1	1	1	1
2011				1	1	1
2013						
2014				1	1	1
2015				2	2	2
2017	4	1	1			
2018	4	2	2			
2022	3	1	1			
2023	2	1	1			

Source: NMFS Alaska Region landing report data
Note: Years that are not listed in the table did not have any landing reports submitted with species code 167.

Table 10 Production reports submitted by vessels or processors with production of blue rockfish products in the Bering Sea Aleutian Islands (BSAI) or Gulf of Alaska (GOA).

Year	BSAI Production Report Count	BSAI Processor or Vessel Count	GOA Production Report Count	GOA Processor or Vessel Count
2007			4	2
2010			1	1
2011			3	1
2013			2	1
2014			1	1
2015			1	1
2017	29	1		
2018	16	1		
2023	1	1		
2024	1	1	1	1
2025	1	1	1	1

Source: NMFS Alaska Region production report data
Note: Years that are not listed in the table did not have any production reports submitted with species code 167.

3.5.4 Status Quo Effects

If AKRO does not update species code 167 from blue rockfish to deacon rockfish, there will be a mismatch for the code used by ADF&G and AKRO despite sharing reporting resources through the IERS. It could cause confusion for vessel operators, processing plant employees, agency

staff, and downstream users of the data, if there is a mismatch in what code 167 reflects for the two agencies.

3.5.5 Solution(s)

In order to prevent the mismatch of species between ADF&G and AKRO for species code 167, AKRO can update the translation of species code 167 from blue rockfish to deacon rockfish in regulation, in its database tables, and in any electronic application that references species information. This would be accomplished by revising Table 2a to part 679, Title 50, and Table 2d to part 679, Title 50 to update the blue rockfish species code to the deacon rockfish species code.

3.5.5.1 Impacts to Fishery Participants

If fishery participants intend to use species code 167 to report catch on landing reports or to report products on production reports, they will notice that species code 167 refers to deacon rockfish instead of blue rockfish. Current research suggests that blue rockfish are not found in the waters north of Oregon, however, so this may improve the accuracy of reporting.

3.5.5.2 Impacts to NMFS

It is believed that AKRO staff may be impacted in two ways. One, staff time will be needed to update database and electronic application references to species code 167. It is a fairly small time commitment required for this change, but must be balanced with the competing demands for programmer time. The second impact we anticipate is that the AKRO eLandings Coordinator may have to field questions from members of industry about the change. ADF&G staff will be performing outreach so the fishing industry is made aware of the species code change and considering that an average of 4 landing reports or production reports have been submitted per year in the last 19 years with species code 167, the volume of questions for the eLandings Coordinator may be low or non-existent.

3.5.6 Cost and Benefits

Other than the costs or preparing this action and the proposed and final rules, the costs we anticipate to be associated with this action would be borne by AKRO for the staff time needed to make the changes necessary to update database tables and references to species code 167 in electronic applications or to answer questions from members of industry. That cost would not be passed along to industry in the form of cost recovery fees, because this does not reflect an action that is incurred because of the existence of a limited access privilege program or the CDQ Program. It is an expense that would be incurred regardless of whether these programs exist or not.

Moving forward with this action will maintain reporting consistency between ADF&G and AKRO for species code 167, if both agencies define it as deacon rockfish. It will also potentially improve reporting accuracy, because blue rockfish are no longer believed to be found to be in the waters off Alaska.

3.5.7 Management, Monitoring, Enforcement

Fishery participants in the BSAI would not be impacted by the change of species code 167 from blue rockfish to deacon rockfish in regards to management. Currently the BSAI groundfish harvest specification identifies “other rockfish” as “all *Sebastes* and *Sebastolobus* species, except

for dark rockfish, Pacific ocean perch, northern rockfish, blackspotted/rougheye rockfish, and shortraker rockfish." Whether species code 167 refers to blue rockfish or deacon rockfish, they are both from the *Sebastes* genus and fall within the "other rockfish" complex for management purposes. It is not anticipated that more landings of deacon rockfish will be reported than have been historically reported for blue rockfish.

4.6.9 References

Frable, Benjamin, D. W. Wagman, Taylor Frierson, Andres Aguilar & B. L. Sidlauskas. 2015. A new species of Sebastes (*Scorpaeniformes*: *Sebastidae*) from the northeastern Pacific, with a redescription of the Blue rockfish, *S. mystinus* (Jordan and Gilbert, 1881). Fishery Bulletin 113: 355-377. doi: 10.7755/FB.113.4.1

4 Housekeeping

In the October 2025 expanded discussion paper, AKR provided information on a number of technical changes to regulations to improve clarity, consistency, and accuracy of the regulations. This section summarizes the topics and technical changes that NMFS will continue to evaluate and incorporate these regulatory changes into ongoing regulatory actions as appropriate or other technical rulemaking package. Under each topic below, NMFS provides draft regulatory changes to illustrate the types the changes being considered and which regulations may be impacted. Through the Council and rulemaking process, NMFS will refine the regulation changes and publish proposed regulations in the **Federal Register** for public comment. Appendix 1. Housekeeping Appendix of Technical Regulatory Changes provides additional detail about the specific affected regulations and identifies draft regulatory language. Table 11 summarizes the types of changes that are included in the housekeeping appendix.

Table 11 Summary of housekeeping actions.

Action	Description of Change	Affected Regulatory sections
Remove references to Fax Machines	Remove direct references to facsimile or faxed communication requirements throughout 50 CFR parts 679 and 680 and replace that language with clear avenues of electronic communications. This will allow submission methods to be specified on applicable forms and also allow these methods to change as new electronic systems and capabilities are developed.	50 CFR parts 300, 679, and 680. See Table 4 in Appendix 1.
Update References to the NMFS Alaska Region Website and other outdated URLs	Update old, outdated, and inconsistent references to web addresses for the NMFS Alaska Region website. This change would remove all existing references in regulations to a specific URL, website address, or website name and replacing those with a reference to the "NMFS Alaska Regional website," defined at § 679.2, and would allow for one simple correction to correct everywhere the website is referenced when a specific URL changes.	50 CFR parts 300, 679, and 680. See Table 1B and Table 1B in Appendix 1.
Update cross references to the Initial Administrative Determination (IAD) process	A technical change to consolidate IAD regulations to reduce duplication and to delete cross references to § 679.43 and insert the cross reference the National Appeals Office Rules of Procedure at 15 CFR part 906.	50 CFR parts 300, 679, and 680. See Table 3 in Appendix 1.
Remove expired regulations	Remove regulations governing the Alaska fishery provisions that contain specific expiration dates or start dates such that the regulations only contain current requirements rather than documenting historical provisions that no longer apply.	50 CFR parts 300, 679, and 680. See Table 2 in Appendix 1.
Other technical corrections	Amend regulatory text to correct citations, directions, and update management measures consistent with previous rulemaking actions.	Various regulations throughout parts 679 and 680.

5 Topics Removed from further consideration

NMFS recommend removing the following topics from further consideration at this time. The specific reasons are explained in more detail for each topic below.

Remove logbook active/inactive periods for Catcher/Processor (C/P) vessels

This action was first identified in section 5.1.4 of the October 2025 expanded discussion paper. In the October 2025 Council motion, the Council requested NMFS evaluate removing the requirements for catcher vessels to record active/inactive periods in the logbook. Once we evaluated the eLandings infrastructure and programming it was realized that this would be a complex change to implement. In further evaluating the active/inactive periods for catcher/processors, AKR determined that this information is foundational for the reporting framework in eLandings and seaLandings. It would require considerable development time and resources to make this change. **NMFS recommends further evaluation of this option at a future time, when additional resources are available and when NMFS is ready to begin work on a replacement system for seaLandings.**

Removing initial allocation regulations

This document does not consider further removal of regulations specifying eligibility requirements for initial allocations under limited access privilege program. In Section 5.1.8 of the October 2025 expanded discussion paper, NMFS provided examples of expired regulations, time-bound regulations, and regulations with errors and recommended revising the regulations to improve readability and clarity and to also improve compliance. While NMFS continues to support administrative changes that clarify and improve readability of the regulations, NMFS has prioritized work on straightforward corrections and updates to time-bound regulations to reflect current and ongoing requirements. Regulatory changes to remove initial allocation regulations and draft revised regulations that accurately capture the nuances of QS allocations for all catch share programs would be significantly complex to analyze and implement.

Consolidate References to eLandings

As described in Section 5.1.11 of the October 2025 expanded discussion paper, 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)). 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. 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. Upon further review, many of the fields defined in regulation at § 679.5 are used throughout part 679 which would complicate the regulatory revision process, making the proposed solution a substantial revision of many existing regulations. **While these revisions could incrementally improve the readability of the regulations, the review process and potential for errors that such holistic changes would require is substantial and NMFS recommends postponing work on this action until additional resources are available.**

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Appendix 1. Housekeeping Appendix of Technical Regulatory Changes

Update References to the NMFS Alaska Region Website

This action proposes to amend 50 CFR parts 300 Subpart E, 679, and 680 to update references to the NMFS Alaska Region website. Technical revisions include updated cross-references in multiple locations.

This is a technical change to regulations to update old, outdated, and inconsistent references to 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 also streamline the process to make future changes when that becomes necessary. Removing all existing references in regulations to a specific URL, website address, or website name and replacing those with a reference to the "NMFS Alaska Regional website," defined 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. Other outdated or inconsistent URLs discovered in this review were also addressed.

The specific references being updated are listed in Table 12 and Table 13.

Table 12 Regulatory changes to Update References to the "NMFS Alaska Region website".

CFR Citation	Current Reference to be Replaced with "NMFS Alaska Region website"
§ 300.65(i)(2)(ii)	Alaska Region website
§ 300.65(i)(2)	NMFS Alaska Region Web site at http://alaskafisheries.noaa.gov
§ 300.65(d)(4)(iii)(A)(2)	Alaska Region Web site at http://alaskafisheries.noaa.gov/
§ 300.65(c)(5)(ii)(B)(1)	NMFS Alaska Region Web site at http://alaskafisheries.noaa.gov/ram/default.htm
§ 300.67(a)(4)(i)	Alaska Region website at https://www.fisheries.noaa.gov/region/alaska
§ 679.2 "NMFS Alaska Region website"	No change. This is the definition of "NMFS Alaska Region website," as defined in § 679.2.
§ 679.4(k)(7)(iii)	NMFS Alaska Region website at http://alaskafisheries.noaa.gov
§ 679.4(f)(3)(iii)(A)	NMFS Web site at http://alaskafisheries.noaa.gov
§ 679.4(f)(3)(ii)(B)	NMFS Web site at http://alaskafisheries.noaa.gov
§ 679.4(f)(2)	http://alaskafisheries.noaa.gov
§ 679.4(b)(4)	NMFS Web site at http://alaskafisheries.noaa.gov
§ 679.4(b)(3)(iii)(A)	NMFS Web site at http://alaskafisheries.noaa.gov
§ 679.4(b)(3)(ii)(D)	NMFS Web site at http://alaskafisheries.noaa.gov
§ 679.4(b)(3)(ii)(D)	NMFS Web site at http://alaskafisheries.noaa.gov
§ 679.4(a)(3)(i)	Alaska Region website at http://alaskafisheries.noaa.gov
§ 679.5(l)(7)(i)(D)	NMFS online at http://alaskafisheries.noaa.gov/ram

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CFR Citation	Current Reference to be Replaced with "NMFS Alaska Region website"
§ 679.5(u)(2)(v)	https://alaskafisheries.noaa.gov
§ 679.5(u)(1)(v)	https://alaskafisheries.noaa.gov
§ 679.5(m)(1)	NMFS Alaska Region Web site (http://alaskafisheries.noaa.gov); the NMFS Alaska Region Web site at http://alaskafisheries.noaa.gov
§ 679.5(m)(1)	NMFS Alaska Region Web site (http://alaskafisheries.noaa.gov); the NMFS Alaska Region Web site at http://alaskafisheries.noaa.gov
§ 679.5(l)(7)(i)(D)	NMFS online at http://alaskafisheries.noaa.gov/ram
§ 679.5(l)(7)(i)(C)	http://alaskafisheries.noaa.gov/ram
§ 679.5(l)(7)(i)(C)	http://alaskafisheries.noaa.gov/ram
§ 679.5(f)(2)(i)	Alaska Region NMFS website at http://alaskafisheries.noaa.gov
§ 679.5(e)(14)(iv)	Alaska Region Web site at http://alaskafisheries.noaa.gov
§ 679.5(e)(13)(ii)	Alaska Region Web site at http://alaskafisheries.noaa.gov
§ 679.5(a)(1)(i)	Alaska Region website at http://alaskafisheries.noaa.gov
§ 679.21(f)(9)(iii)(A)	NMFS Alaska Region Web site (http://alaskafisheries.noaa.gov/)
§ 679.21(f)(8)(ii)(A)	NMFS Alaska Region Web site (http://alaskafisheries.noaa.gov/)
§ 679.21(f)(6)(i)	NMFS Alaska Region Web site (http://alaskafisheries.noaa.gov/)
§ 679.21(f)(3)(viii)	NMFS Alaska Region Web site (http://alaskafisheries.noaa.gov/)
§ 679.21(f)(12)(vi)	NMFS Alaska Region Web site (http://alaskafisheries.noaa.gov/)
§ 679.21(a)(6)	NMFS Alaska Region Web site (http://alaskafisheries.noaa.gov/)
§ 679.28(i)(3)	NMFS Alaska Region Web site (https://alaskafisheries.noaa.gov)
§ 679.28(e)(2)	NMFS Alaska Region Web site (https://alaskafisheries.noaa.gov)
§ 679.28(d)(10)(i)	No change; verify
§ 679.28(b)(2)(iv)	http://alaskafisheries.noaa.gov/scales/default.htm
§ 679.32(e)(3)(i)(A)	NMFS Alaska Region Web site at www.alaskafisheries.noaa.gov
§ 679.33(a)(3)(iii)	NMFS Alaska Region Web site at http://alaskafisheries.noaa.gov
§ 679.41(n)(2)	NMFS Alaska Region website at https://alaskafisheries.noaa.gov/
§ 679.41(m)(3)	https://www.fisheries.noaa.gov/region/alaska
§ 679.42(d)(2)(iii)	https://www.fisheries.noaa.gov/region/alaska
§ 679.45(a)(4)(iii)	NMFS Alaska Region Web site at http://alaskafisheries.noaa.gov
§ 679.55(h)(3)	NMFS Alaska Region Web site at http://alaskafisheries.noaa.gov
§ 679.65(d)(2)	NMFS Alaska Region Web site at http://alaskafisheries.noaa.gov
§ 679.65(c)(2)	NMFS Alaska Region Web site at http://alaskafisheries.noaa.gov
§ 679.65(b)(3)	NMFS Alaska Region Web site at http://alaskafisheries.noaa.gov
§ 679.66(a)(4)(iii)	NMFS Alaska Region Web site at http://alaskafisheries.noaa.gov
§ 679.67(a)(3)(iii)	NMFS Alaska Region Web site at http://alaskafisheries.noaa.gov
§ 679.80(d)(2)	NMFS Alaska Region Web site at http://alaskafisheries.noaa.gov
§ 679.81(f)(2)	NMFS Alaska Region Web site at http://alaskafisheries.noaa.gov
§ 679.85(a)(3)(iii)	NMFS Alaska Region Web site at http://alaskafisheries.noaa.gov
§ 679.90(b)(2)	NMFS Alaska Region Web site at http://alaskafisheries.noaa.gov
§ 679.91(b)(2)	NMFS Alaska Region Web site at http://alaskafisheries.noaa.gov

CFR Citation	Current Reference to be Replaced with “NMFS Alaska Region website”
§ 679.91(b)(1)(iv)	http://alaskafisheries.noaa.gov
§ 679.94(a)(3)	NMFS Alaska Region Web site at http://alaskafisheries.noaa.gov
§ 679.95(a)(3)(iii)	NMFS Alaska Region Web site at http://alaskafisheries.noaa.gov
§ 680.4(p)(6)	NMFS Alaska Region Web site (http://alaskafisheries.noaa.gov)
§ 680.4(p)(4)(i)	NMFS Alaska Region Web site (http://alaskafisheries.noaa.gov)
§ 680.4(o)(5)(iii)	NMFS Alaska Region Web site at http://alaskafisheries.noaa.gov
§ 680.4(o)(2)	NMFS Alaska Region Web site (http://alaskafisheries.noaa.gov)
§ 680.5(m)(5)	https://alaskafisheries.noaa.gov
§ 680.5(m)(4)	http://alaskafisheries.noaa.gov
§ 680.5(g)(1)	NMFS Alaska Region website at http://alaskafisheries.noaa.gov
§ 680.6(a)(3)	NMFS Alaska Region website at https://alaskafisheries.noaa.gov
§ 680.20(h)(3)(iv)(A)	NMFS, Alaska Region website at http://www.fakr.noaa.gov
§ 680.21(f)(4)	NMFS Alaska Region website at http://alaskafisheries.noaa.gov
§ 680.40(f)(3)(ii)	NMFS Alaska Region Web site at http://www.fakr.noaa.gov
§ 680.40(f)(3)(i)	NMFS Alaska Region Web site at http://www.fakr.noaa.gov
§ 680.40(f)(1)(ii)	NMFS Alaska Region website at http://alaskafisheries.noaa.gov
§ 680.41(j)(2)	Internet at http://www.fakr.noaa.gov/
§ 680.41(c)(2)(i)	Internet at http://www.fakr.noaa.gov/
§ 680.41(b)(5)	NMFS Alaska Region website at http://alaskafisheries.noaa.gov
§ 680.44(a)(4)(iii)	NMFS Alaska Region website at http://alaskafisheries.noaa.gov

Table 13 Regulatory Changes to Update Other Website References in 50 CFR part 679.

CFR Citation	Description of Other Website Reference Changes
§ 679.5(e)(2)(i)	Replace broken URL (https://elandings.alaska.gov/elandings/Register) with current URL (https://elandings.alaska.gov/web/register.html)
§ 679.5(e)(1)(i)	Update old URL (http://elandings.alaska.gov) with current URL (https://elandings.alaska.gov/web/).
§ 679.115(b)(2)(i)	Replace broken URL (https://elandings.alaska.gov/elandings/Register) with current URL (https://elandings.alaska.gov/web/register.html)
§ 679.115(b)(1)(i)	Update old URL (http://elandings.alaska.gov) with current URL (https://elandings.alaska.gov/web/).

Remove Expired Regulations to Improve Clarity

This action is to remove expired or erroneous regulations in 50 CFR parts 300 Subpart E, 679, and 680. Table 14 summarizes those changes.

Table 14 Regulatory changes to Remove Expired Regulations to Improve Clarity.

CFR Citation	Description of Change
§ 679.4(l)(1)(ii)(A)	Remove and reserve paragraph; expiration date of interim AFA permits expired December 31, 2002.
§ 679.5(e)(10)(iii)(N)	Revise paragraph to remove "beginning January 1, 2009," as the beginning date

CFR Citation	Description of Change
	of reporting can now be removed.
§ 679.20(a)(12)(i)(B)	Revise paragraph to remove "with an FFP". 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.
§ 679.20(a)(12)(i)(A)	Revise paragraph to remove "with an FFP". 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.
§ 679.21(d)(3)(i)	Revise paragraph to remove stepwise reductions from 2014 through 2016 that expired. This simplifies the regulations to only reflect the PSC limit percentages that applies each year.
§ 679.21(d)(2)(iv)(B)	Revise paragraph to remove stepwise reductions from 2014 through 2016 that expired. This simplifies the regulations to only reflect the PSC limit percentages that applies each year.
§ 679.21(d)(2)(iv)(A)	Revise paragraph to remove stepwise reductions from 2014 through 2016 that expired. This simplifies the regulations to only reflect the PSC limit percentages that applies each year.
§ 679.26	Remove obsolete effective date note. In 2002, a notice was published announcing that the OMB approved the information collection and the effective date, but since a notice cannot affect regulations, it did not remove the effective date footnote. The OFR has requested that the editorial note be removed. The action to remove this effective date note links back to the original rule (0648-AO20, 67 FR 4100, January 28, 2002).
§ 679.27(b)(3)	Revise paragraph to remove parenthetical language referring to "beginning January 1, 2003" from the GOA shallow-water flatfish definition. This removes an outdated effective date.
§ 679.51(e)(1)(iii)(D)	Remove paragraph, after this PCTC Program exception expires September 7, 2026.
§ 679.51(e)(1)(iii)(B)	Revise paragraph to remove parenthetical exception "(except for paragraph (e)(1)(iii)(D) of this section)" because that PCTC Program exception expires September 7, 2026, making this exception obsolete after that date.
§ 679.55(f)	Revise paragraph to remove "The observer fee percentage is 1.25 percent through December 31, 2020" since this expiration date is now obsolete.
§ 679.65(b)(4)	Revise paragraph to remove obsolete "beginning in 2013, and each year thereafter,". This change removes unnecessary start date for CTR submissions.
§ 679.131(c)(1)(iii)	Revise paragraph about PCTC Program halibut PSC limit to remove 12.5% reduction reference from the first year of the program. This simplifies the regulation to reflect the current 25% reduction that now applies to all subsequent years.
§ 680.22(e)(1)(ii)(B)	Remove paragraph to remove obsolete regulations requiring holders to submit a one-time Request to Extinguish Pacific Cod Sideboard Limits by May 18, 2016. This deadline has now passed, and these regulations are now obsolete.
§ 680.22(e)(1)(ii)(A)	Remove paragraph to remove obsolete regulations requiring holders to submit a one-time Request to Extinguish Pacific Cod Sideboard Limits by May 18, 2016. This deadline has now passed, and these regulations are now obsolete.
§ 680.40(4)(q)	Remove paragraph to remove obsolete regulations allowing individuals a one-time opportunity to apply for reissuance of QS with the individual's annual crab

CFR Citation	Description of Change
	IFQ permit application from May 31, 2024 through June 15, 2025. This application period has closed, and these regulations are now obsolete.
§ 680.41(e)	Remove paragraph to remove expired regulations regarding IFQ derived from CVO or CPO QS being transferred by lease until June 30, 2010. This provision has expired, and these regulations are now obsolete.
§ 680.41(c)(1)(vii)(B)	Remove paragraph to remove expired regulations regarding CVC or CPC QS transfers from May 1, 2015 until May 1, 2019; the window for these transfers has passed, and these regulations are now obsolete.

Initial Administrative Determinations (IADs)

This action revises references to filing an appeal of an IAD at the regional level to the national appeals process. Specific reference changes in 300, 679, and 680 are detailed in Table 3. The actions to be taken to revise IAD language will be reviewed by RAM and SF in early April. Depending on the decision on where the appeal process references will be changed the topic where an IAD appeal may need to be changed is defined here along with the specific paragraph citations. The general reason for change is to properly reference the national level IAD appeals process regulations.

In 2014 a National Appeals office was established with an appeals process defined in 15 CFR part 906. Some IAD regulatory text in the Alaska regulations still refer to the outdated regulations at 679.43, and those references would be changed to 15 CFR part 906 and the regulations specifying the Alaska specific IAD processes at 679.43 and 680.43 can be removed. The specific changes are described in Table 15.

Table 15 Regulatory changes pertaining to Initial Administrative Determinations (IADs).

CFR Citation(s)	Description of Change
§ 679.43	Remove most of the content of § 679.43. The Alaska Region appeal procedures would be removed, and instead, a reference to the National Appeals Office Rules of Procedure at 15 CFR part 906 would be added. Additionally, this section would be revised to provide a reference for appeals within the regulations at 679 to aid regulated entities in identifying the applicable decisions.
§ 300.65(c)(5)(ii)(B)(4)(iii) § 300.65(c)(5)(ii)(B)(4)(iv) § 679.4(o)(5)(iii) § 679.4(m)(4)(ii) § 679.4(k)(6)(viii) § 679.4(k)(4)(x)(E) § 679.4(k)(10)(viii)(F) § 679.4(k)(10)(v)(F) § 679.4(g)(4)(viii) § 679.21(f)(12)(v)(D)(3) § 679.32(e)(3)(v) § 679.42(i)(1)(iv)(B) § 679.42(d)(2)(v)(B) § 679.52(d)(7)(ii) § 679.53(c)(3) § 679.55(j)	Revise paragraph to replace the reference to Alaska Region procedure at "§ 679.43" with a reference to the National Appeals Office Rules of Procedure at "15 CFR part 906" to reflect current agency procedures.

CFR Citation(s)	Description of Change
§ 679.80(d)(5) § 679.82(c)(3) § 679.85(f) § 679.90(b)(6) § 680.44(f) § 680.4(i)(1) § 680.4(g)(1) § 680.4(e)(1)(iv) § 680.4(d)(1)(iv) § 680.4(c)(1) § 680.4(b)(1) § 680.4(p)(4)(ii)(G) § 680.21(b)(4) § 680.23(g)(1) § 680.40(f)(8) § 680.40(f)(8)	
§ 680.40(f)(5)	No change; no reference needed.
§ 300.67(a)(4)(iii)(B) § 300.67(h)(6) § 679.4(l)(8)(iii) § 679.4(k)(15)(v)(D) § 679.4(k)(14)(vi)(E) § 679.41(m)(5)(ii) § 679.45(h) § 679.45(e)(1)(i) § 679.51(g)(2)(iv) § 679.51(g)(1)(vi) § 679.51(f)(4)(iv) § 679.51(f)(1)(vi) § 679.51(a)(4)(v) § 679.51(a)(3)(vi) § 679.52(a)(7)(ii) § 679.57(d)(4) § 679.66(d)(4) § 679.67(d)(2) § 679.95(d)(2)(i) § 679.130(h)(4) § 679.135(d)(2)(i) § 680.4(q) § 680.40(g)(3)(ii) § 680.43(c)	No change; reference already points to the National Appeals Office Rules of Procedure at 15 CFR part 906.
§ 679.43	Remove and reserve entire § 679.43. This section is removed and reserved as the Alaska Region appeal procedures have been superseded by the National Appeals Office Rules of Procedure at 15 CFR part 906.

Remove References to Fax Machines

This is a technical administrative action to remove direct references to facsimile or faxed communication requirements throughout 50 CFR parts 679 and 680 and replace that language with clear avenues of electronic communications. The proposed changes are described in Table 16.

Table 16 Regulatory Changes to Remove References to Fax Machines.

CFR Citation	Proposed Language
§ 679.4(l)(6)(ii)(A)	Cooperative information as requested on the form.
§ 679.4(l)(5)(iv)(D)	Ownership information as requested on the form.
§ 679.4(l)(5)(iv)(C)	Shoreside processor information as requested on the form.
§ 679.4(l)(5)(iv)(B)	Stationary floating processor information as requested on the form.
§ 679.4(l)(4)(ii)(C)	Ownership information as requested on the form.
§ 679.4(l)(3)(ii)(B)	Ownership information as requested on the form.
§ 679.4(l)(2)(iv)(B)	Ownership information as requested on the form.
§ 679.4(k)(6)(xi)(E)(2)	Electronic submission; or
§ 679.4(k)(6)(iii)(A)	Applicant contact information as requested on the form.
§ 679.4(k)(14)(vi)(B)(2)(iii)	electronic submission
§ 679.4(k)(10)(vi)(B)(1)	CQE contact information as requested on the form.
§ 679.4(g)(5)(iii)(A)	License holder and designated transferee contact information as requested on the form.
§ 679.4(g)(4)(iii)(B)	Applicant contact information as requested on the form.
§ 679.4(a)(9)(iv)	electronic submission
§ 679.5(s)(6)(ii)(A)	electronic submission
§ 679.5(q)(2)(i)(B)	electronic submission
§ 679.5(p)(3)(vi)	Sign and enter owner contact information.
§ 679.5(l)(7)(i)(D)	electronic submission
§ 679.5(l)(3)(ii)(I)	Contact information as requested on the form.
§ 679.5(k)(5)(iv)	Representative contact information as requested on the form.
§ 679.5(k)(1)	electronic submission
§ 679.5(h)(5)	Representative contact information as requested on the form.
§ 679.5(h)(1)	electronic submission
§ 679.5(g)(4)(ii)	Shipper representative contact information as requested on the form.
§ 679.5(g)(3)(iii)	electronic submission
§ 679.5(g)(3)(ii)	electronic submission
§ 679.5(f)(8)(iii)	electronic submission
§ 679.5(f)(1)	electronic submission
§ 679.5(e)(3)(ix)	contact information as requested on the form.
§ 679.5(e)(2)(ii)	submission method as specified on the form
§ 679.5(e)(1)(iii)(B)	submit electronically; verify (says fax is required)
§ 679.5(e)(1)(iii)(A)	electronic contact information
§ 679.5(a)(1)(i)	contacting electronically
§ 679.21(a)(6)	submission method as specified on the form
§ 679.28(h)(1)(ii)(B)(1)	Contact information for company developing the software as requested on the form.
§ 679.28(b)(2)(iv)	submitting electronically; verify (scale inspections)
§ 679.28(b)(1)(ii)(C)	Laboratory representative's contact information.
§ 679.28(b)(1)(i)(D)	Manufacturer representative's contact information.
§ 679.40(a)(10)(ii)	electronic submission
§ 679.41(m)(3)(i)	Transferor's contact information as requested on the form.
§ 679.42(d)(2)(iii)(B)	Recipient's (transferee's) contact information as requested on the form.
§ 679.42(d)(2)(iii)(A)	Applicant's (transferor's) contact information as requested on the form.
§ 679.41(m)(3)(ii)	Transferee's contact information as requested on the form.
§ 679.52(a)(3)(ii)(C)	electronic transmission or a method as described by Observer Program
§ 679.52(a)(3)(ii)(B)	Business contact information as requested on the form.
§ 679.52(a)(3)(ii)(A)	Owner(s) contact information as requested on the form.
§ 679.52(a)(2)	New observer provider contact information as requested on the form.

CFR Citation	Proposed Language
§ 679.52(a)(3)(ii)(B)	electronic transmission or a method as described by Observer Program
§ 679.80(d)(3)	electronic submission
§ 679.81(f)(3)(i)	electronic submission
§ 679.90(b)(4)(i)(A)	Applicant contact information as requested on the form.
§ 679.90(b)(1)(ii)	Electronic submission
§ 679.91(b)(5)(i)	Applicant contact information as requested on the form.
§ 679.91(b)(4)(i)	Amendment 80 cooperative's designated representative contact information as requested on the form.
§ 679.91(b)(1)(ii)	Electronic submission
§ 679.102(d)(3)	Remove fax reference as it's no longer used
§ 679.114(a)(3)(vi)	electronic submission
§ 679.115(b)(3)(ix)	Primary user contact information as requested on the form.
§ 679.115(b)(2)(ii)	submission method as specified on the form
§ 680.4(n)(2)(iv)(A)	contact information as specified on the form
§ 680.4(n)(2)(iii)(A)	Business contact information as requested on the form
§ 680.4(n)(2)(ii)	Application information as specified on the form
§ 680.4(l)(4)	Designated representative for EDR contact information as requested on the form
§ 680.4(l)(2)	Contact owner information as requested on the form
§ 680.4(j)(4)	Contact information as specified on the form
§ 680.4(j)(2)	Applicant contact information as requested on the form.
§ 680.4(h)(4)	IFQ hired master permit holder contact information as requested on the form
§ 680.4(h)(2)	IFQ permit holder contact information as requested on the form
§ 680.4(f)(2)(i)	Applicant contact information as requested on the form.
§ 680.5(g)(3)(i)	RCR contact information as requested on the form
§ 680.5(a)(5)	submission method as specified on the form
§ 680.21(b)(2)(i)	Cooperative contact information as requested on the form
§ 680.23(g)(4)(ii)	Contact information as requested on the form
§ 680.23(g)(2)(ii)	contact information as requested on the form
§ 680.40(f)(3)(ii)	electronic submission
§ 680.40(f)(3)(i)	electronic submission
§ 680.40(f)(2)(ii)(A)	Applicant contact information as requested on the form
§ 680.41(k)(3)(iii)	Transferee contact information as requested on the form
§ 680.41(k)(3)(ii)	Transferor contact information as requested on the form
§ 680.41(j)(2)(i)(A)(1)	Non-profit organization information as requested on the form
§ 680.41(c)(2)(ii)(D)(2)	contact information as requested on the form
§ 680.41(c)(2)(ii)(B)(1)	Applicant contact information as requested on the form
§ 679.52(a)(3)(ii)(A)	electronic transmission or a method as described by Observer Program
§ 679.52(a)(2)	electronic transmission or a method as described by Observer Program

Technical Regulatory Corrections

This action is a technical correction to amend regulatory text with updated citations, directions, and corrected management measures. The appendix provides the regulatory paragraph citation as well as a description of the specific correction to be made for the identified needed corrections. New corrections will be reviewed separately and identified later.

Table 5.

Table 17 Regulatory changes to make technical corrections.

CFR Citation	Description of Change
Table 5 to part 679, Title 50	Remove incorrect references to footnote 11 from table. 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 and therefore, should not reference footnote 11: Attu I./Cape Wrangell; Agattu I./Gillon Pt.; Attu I./Chirikof Pt.; Agattu I./Cape Sabak; Alaid I; Shemya I.; Buildir I.
§ 679.2 Catcher vessel	Revise definition to change "C/V" to "CV" for consistency with how we define the acronym within the regulations.
§ 679.2 “Non-allocated or nonspecified species”	Remove definition to remove obsolete language referring to "nonspecified species."
§ 679.20(a)(5)(i)(B) and (B)(1)	Revise paragraph to change "BSAI" to "BS" to align with this rule (12/07/2004; 69 FR 70589). The allocation of pollock to the AFA directed pollock fisheries under section 206(b) of the AFA now only pertains to the BS pollock TAC. Referring to "BSAI" in this paragraph is technically inaccurate.
§ 679.20(a)(1)(i)	Revise paragraph to remove obsolete language referring to "nonspecified species"
§ 679.21(e)(7)(vi)(B)(2)	Remove and reserve paragraph because it no longer applies. Per 50 CFR 679.24(b)(4) implemented in 2006, nonpelagic trawl gear to engage in directed fishing for pollock in the BSAI is no longer allowed.
§ 679.21(d)(3)(iii)	Revise paragraph to add skates to the shallow-water species list; GOA skates used to be part of the "other species" group until 2004 (69 FR 26320, May 12, 2004). This regulation should be updated to reflect this.
§ 679.21(b)(1)(i)	Revise paragraph to remove obsolete introductory text but retain heading "Amendment 80 sector." This text was inadvertently retained during the final rule of amendment 123. The introductory text is obsolete and conflicts with the subparagraphs. This update removes the ineffectual language in the introductory text but retains the heading.
§ 679.23(i)	Revise (recreate) table to update to the current Western and Central GOA pollock seasons. On January 25, 2020, NMFS published a final rule to implement amendment 109 to the GOA FMP (85 FR 38093). 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.
§ 679.23(e)(4)(ii)	Revise paragraph to update the cross reference from (g)(1) to (g). This paragraph currently states CDQ sablefish can only be taken during the IFQ sablefish fishery dates found in paragraph (g)(1). However, IFQ sablefish is allowed to be taken up to the MRA outside of the sablefish open season in § 679.23(g). CDQ should not be treated more restrictively than IFQ. Therefore the CDQ seasons for sablefish should include all the provisions in paragraph (g), not just (g)(1). Therefore, this reference will be updated to refer to paragraph (g).
§ 679.42(i)(6)(iii)	Revise paragraph to correct broken citation link. The reference used to direct to 46 CFR 4.05 and should now direct to 46 CFR Part 4 Subpart 4.05.
§ 679.42(d)(1)	Revise paragraph to correct a spelling error by changing “or” to “of”, and by revising a cross-reference to § 679.42(c)(1) that does not exist, and should instead direct to paragraph (c). The revised paragraph should read: “(1) ***Emergency waiver.*** In the event of extreme personal emergency during a fishing trip involving a person authorized to fish IFQ halibut or sablefish, the requirements of paragraph (c) of this section may be waived. The waiving of these requirements under this provision shall apply to IFQ halibut or IFQ sablefish retained on the fishing trip during which the emergency occurred. “
§ 679.60(a)	Revise paragraph to correct the name of the "Groundfish Observer Program” to "North Pacific Observer Program"
§ 679.92(e)	Revise paragraph to reword for grammatical clarity. It should instead say "A catch limit of 0 mt in the BSAI and 0 mt in the GOA will be assigned to all amendment 80 vessels that are not designated on either: (1) An Amendment 80 QS permit and an Amendment 80 LLP license; or (2) An Amendment 80 LLP/QS license.