



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

December 2, 2019

## **Agenda B-2: NMFS Management Report**

### **Status of Actions Report Online**

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

### **Progress on Rulemaking**

Highlights on progress since the October 2019 meeting include:

- Comment period on the proposed rule for Amendments 119 in the Bering Sea/Aleutian Islands (BSAI) and 107 in the Gulf of Alaska (GOA) to require retention of rockfish by catcher vessels using hook-and-line, pot, or jig gear ended on **November 1, 2019**. The final rule is expected to publish in early 2020.
- Comment period for the proposed rule for Amendment 118 (BSAI) to authorize retention of halibut in pot gear in the BSAI ended on **November 4, 2019**. The final rule is expected to publish by the end of 2019.
- Comment period for the proposed rule to modify Halibut and Sablefish Individual Fishery Quota (IFQ) Program medical and beneficiary transfer provisions ended on **November 25, 2019**. The final rule is expected to publish in early 2020.
- Comment Period on the BSAI and Gulf of Alaska (GOA) proposed harvest specifications begins on December 3, 2019 and will close on **January 2, 2019**.
- Final Rule to implement halibut deck sorting on catcher/processors and motherships in the non-pollock fisheries published on October 15, 2019. Effective date: **November 14, 2019**.
- Final Rule to implement annual registration requirements for Charter Halibut Permits published on November 20, 2019. Effective date: **December 20, 2019**.
- **Attachment 1** provides additional detail.

### **Charter Halibut Annual Registration Outreach**

Upon the effective date of the Charter Halibut Annual final rule and Office of Management and Budget (OMB) approval of the information collection requirements contained in this final rule, NMFS will:

- Publish a notice in the Federal Register announcing effectiveness of information collection requirements subject to OMB approval.
- Publish the Charter Halibut Annual Registration Form and frequently asked questions available through our website.
- Mail an annual registration form and outreach information to all CHP holders.



- Email outreach information to all CHP holders.
- The NOAA Office of Law Enforcement will be assisting with the CHP registration efforts at their regular early-season compliance assistance meetings with the charter fleet. (e.g. in practical terms, that means OLE will be equipped with blank CHP registration forms, printed FAQs, and reminders for everyone to be signed up)
- We plan on coordinating with our partners at the Alaska Department of Fish and Game (ADFG) who regularly receive questions from charter operators. We will provide ADFG staff with information and FAQs that contain directions on how to register CHPs.

Please let us know if you have additional suggestions to enhance our outreach efforts. Kurt Iverson ([kurt.iverson@noaa.gov](mailto:kurt.iverson@noaa.gov)) is our Recreational Outreach Coordinator.

### **Update on Collection-of-Information Requirements**

Under the Paperwork Reduction Act (PRA), fishery management regulations that require collection-of-information from the public may be subject to review and approval by the Office of Management and Budget (OMB). NMFS has typically been successful in receiving approval from OMB of collection-of-information requirements prior to publishing a final rule in the *Federal Register*. OMB may limit the “pre-approval” of collections-of-information going forward.

OMB is still reviewing the collection-of-information requirements contained in a few of NMFS’s rulemaking actions recommended by the Council. These include the following:

- Halibut deck sorting on non-pollock trawl catcher/processors and motherships (published on October 15, 2019)
- Charter Halibut Permit annual registration requirement (published on November 20, 2019)
- Amendment 118 (BSAI) — Allow halibut retention in BSAI IFQ pot gear (publication expected soon)
- Amendments 120 (BSAI) and 108 (GOA) — Limit catcher/processors acting as motherships in BSAI trawl Pacific cod fishery (publication expected soon)

For these final rules, OMB has not yet approved the collection-of-information requirements. Regulations that implement collection-of-information is not effective until OMB provides approval. After OMB approval, NMFS anticipates that it will publish a final rule announcing the effectiveness of the collection-of-information requirements. NOAA and DOC are working with OMB to improve this procedure in the future.

More information about the PRA and collection-of-information approval process can be found here: <https://pra.digital.gov/about/>.

### **Annual Deployment Plan for Observers and Electronic Monitoring**

The final 2019 Annual Deployment Plan (ADP) for Observers and Electronic Monitoring (EM) in the Groundfish and Halibut Fisheries off Alaska will be posted under the B-2 Agenda Item. A more detailed description of the ADP is provided in the final report; key aspects of the

deployment are provided in the executive summary of the final ADP. NMFS has approved 169 vessels for the EM selection pool for 2020. Of these, 166 vessels were in the EM pool previously. Fifteen new vessels requested to be in the EM pool in 2020. However, at this time, there are only sufficient funds to equip 3 new vessels. The budget for observer deployment in 2020 is \$3.66M. NMFS estimates 2,513 observer days can be deployed in 2020 and expects that 536 trips will be observed in the partial coverage category. The deployment rates (rounded to the nearest whole number) for 2020 are—

- No Selection – 0%
- EM – 30%
- Trawl – 20%
- Hook-and-line – 15%
- Pot – 15%

### **Cost Recovery Fee Percentages**

On November 27, 2019, NMFS published a notice providing the cost recovery fee percentages for the American Fisheries Act (AFA), Aleutian Islands pollock, Amendment 80, and CDQ Programs ([https://www.govinfo.gov/content/pkg/FR-2019-11-27/pdf/2019-25769.pdf?utm\\_source=federalregister.gov&utm\\_medium=email&utm\\_campaign=subscription+mailing+list](https://www.govinfo.gov/content/pkg/FR-2019-11-27/pdf/2019-25769.pdf?utm_source=federalregister.gov&utm_medium=email&utm_campaign=subscription+mailing+list)).

The fee percentage for the Amendment 80 program rose from .75 percent to .94 percent; the increase was a function of both lower fishery ex-vessel value and somewhat higher management and enforcement costs. The increase in costs came primarily from increased enforcement efforts, which, among other things, were impacted by new rules for deck sorting.

The fee percentage for the CDQ program rose from .66 percent to .70 percent, primarily as a result of lower fishery ex-vessel values. The AFA Inshore sector percentage dropped by 1/10 of a percent, from .24 percent to .23 percent. Costs attributed to the AFA Inshore sector are not impacted by the withdrawal of cost recovery fees associated with the Catcher Processor or Mothership sectors.

There were small pollock harvests in the Aleutian Islands Pollock program in 2019 and cost recovery fees were levied. Similar to 2018, the fishery value was very small relative to the direct program costs; as a result, under the terms of the Magnuson-Stevens Act, the fee percentage in this program was capped at 3%.

### **Update on the Convention on the Conservation and Management of Pollock Resources in the Central Bering Sea (Doughnut Hole Convention)**

We recently completed the annual virtual conference on the management of pollock in the Doughnut Hole. The annual report is provided under the B-2 Agenda Item. Of note, surveys indicate some improvement in the “Special Area” used as a proxy for stock abundance in the Doughnut Hole. The parties to the Convention have not developed a suite of conservation and management measures that would apply if the Doughnut Hole were opened for fishing. Pending results from the anticipated Bogoslof Survey in early 2020, it may be appropriate to consider an

in-person meeting to begin the process of developing conservation and management measures. We will continue to coordinate with the Council and provide updates at upcoming meetings.

## Attachment 1 -- Status of Regulatory Actions

Changes since June 2019 are noted in **Bold Red** EOC = End of Comment Period

Action Status	Lead Council, SF, and GCAK Staff	Date of Council Final Action	Start Regional Review	Received by GCAK	Transmittal Date of Action to NMFS HQ for Review	Notice of Availability (FMP) Published in Federal Register	Proposed Rule Published in Federal Register	Final Rule or Notice of Approval Published in Federal Register
<b>FMP Amendments</b>								
Amendment 109 (GOA) Modifications to GOA Pollock and Pacific Cod Seasonal Allocation	Cunningham Krieger	June 2019	<b>PR: 10/29/19</b>	<b>PR: 11/12/19</b>				
Amendment 118 (BSAI) -- Allow halibut Retention in BSAI IFQ Pot Gear Approved: <b>November 18, 2019</b>	Cleaver Warpinski M. Watson	October 2018	PR: 05/29/19 <b>FR: 11/05/19</b>	PR: 06/05/19 <b>FR: 11/06/19</b>	PR: 08/09/19 <b>FR: 11/13/19</b>	Aug 21, 2019 84 FR 43570 EOC: 10/21/19	<b>Oct 3, 2019</b> <b>84 FR 52842</b> <b>EOC: 11/04/19</b>	
Amendments 120 (BSAI) and 108 (GOA) -- Limit CPs acting as motherships in BSAI trawl Pacific cod fishery Approved: <b>November 19, 2019</b>	McCracken Mansfield Fortenbery	April 2019	PR: 05/28/19 <b>FR: 10/30/19</b>	PR: 05/30/19 <b>FR: 10/31/19</b>	PR: 07/23/19 <b>FR: 11/14/19</b>	Aug 21, 2019 84 FR 43576 EOC: 10/21/19	Sep 27, 2019 84 FR 51092 EOC: 10/28/19	
Amendments 119 (BSAI) and 107 (GOA) -- Require retention of rockfish by catcher vessels using hook-and-line, pot, or jig gear Approved: <b>November 19, 2019</b>	McCracken Keaton Fortenbery	April 2019	PR: 07/08/19	PR: 07/11/19	PR: 08/16/19	Aug 22, 2019 84 FR 43783 EOC: 10/21/19	Oct 2, 2019 84 FR 52442 EOC: 11/1/19	
Amendment 121 (BSAI) and Amendment 110 (GOA) Sculpins to Ecosystem Component	Maclean Mackey Falberg	October 2019						

Regulatory Amendments								
Halibut Deck Sorting on Non-Pollock Trawl Catcher/Processors and Motherships	N/A Krieger Meyer	N/A	PR: 12/16/18 FR: 6/27/19	PR: 2/05/19 FR: 7/10/19	PR: 3/18/19 FR: 8/21/19	N/A	Apr 16, 2019 84 FR 15566 EOC: 5/16/19	<b>Oct 15, 2019</b> <b>84 FR 55044</b> <b>Effective: 11/14/19</b>
IFQ Beneficiary and Medical Transfer Provisions	Cunningham Warpinski Meyer	April 2019	PR: 7/24/19	PR: 8/06/19	PR: 9/20/19	N/A	<b>Oct 24, 2019</b> <b>84 FR 56991</b> <b>EOC: 11/25/19</b>	
Charter Halibut Permit annual renewal requirement	Marrinan Duncan Lepore	April 2018	PR: 3/12/19 FR: 9/25/19	PR: 3/14/19 FR: 9/27/19	PR: 5/21/19 <b>FR: 10/25/19</b>	N/A	Aug 8, 2019 84 FR 38912 EOC: 9/09/19	<b>November 20, 2019</b> <b>84 FR 64023</b> <b>Effective: 12/20/19</b>
Community Quota Entity "Fish-up" in 3A	Cleaver Duncan Meyer	June 2019						
Observer fee increase	Evans A Miller Meyer	October 2019						
2020 and 2021 BSAI Groundfish Harvest Specifications	MacLean Whitney Watson	December 2019	<b>PR: 10/17/19</b>	<b>PR: 10/17/19</b>	<b>PR: 11/04/19</b>	N/A	<b>Dec 3, 2019</b> <b>84 FR XXXX</b> <b>EOC: 1/02/20</b>	
Gulf of Alaska 2020 and 2021 Harvest Specifications	Cleaver Davis Watson	December 2019	<b>PR: 10/16/19</b>	<b>PR: 10/17/19</b>	<b>PR: 11/05/19</b>	N/A	<b>Dec 3, 2019</b> <b>84 FR XXXX</b> <b>EOC: 1/02/20</b>	
Notices								
Advance Notice of Proposed Rulemaking; BSAI Pacific Cod Pot Catcher/Processor License Limitation Program Adjustment Control Date	Iverson	October 2019	<b>11/18/19</b>	<b>11/18/19</b>	<b>11/21/19</b>	N/A		
Cost recovery fee notice A80, AFA, CDQ, and AIP for 2019	Iverson	NA	<b>11/20/19</b>	<b>11/20/19</b>	<b>11/21/19</b>	N/A	N/A	<b>November 27, 2019</b> <b>84 FR 65357</b>

### **Staff Changes**

We have had no staff changes since October 2019. Over the past several years SF has been actively recruiting staff to fill numerous long-standing vacancies. We have made significant progress in our efforts, but roughly 20 % of our positions remain vacant at this time.

### **Inseason Management Report**

Mary Furuness will provide the comprehensive end-of-year report.