



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

November 30, 2020

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 June 2020 meeting include:

- Amendment 50 (Crab FMP) for the St. Matthew Blue King Crab Regulating Plan was approved on **October 13, 2020**. Notice of Decision published in the Federal Register on November 9, 2020.
- Final rule to remove the regulatory prohibition on continuing to fish after a partial offload in the BSAI Crab Rationalization Program published on **November 13, 2020**. Effective December 14, 2020.
- Final rule to modify Federal permit conditions and impose participation requirements for certain federally permitted vessels when fishing for Pacific cod in state waters adjacent to the exclusive economic zone of the Bering Sea and Aleutian Islands during the State of Alaska's parallel Pacific cod fishery will publish on **December 3, 2020**. Effective January 4, 2020.
- Comment period for the Notice of Availability for Amendment 111 (GOA) Rockfish Program Reauthorization and the proposed rule ended on September 28, 2020 and October 5, 2020 respectively. Amendment 111 was approved on **October 22, 2020**. The final rule is expected to publish in early 2021.
- Comment period for the proposed 2021 and 2022 BSAI and GOA harvest specifications for Groundfish ends on January 4, 2021.
- **Attachment 1** provides additional detail.

Annual Deployment Plan for Observers and Electronic Monitoring

The final 2021 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.



The fixed-gear EM pool will consist of 168 vessels approved by NMFS. No vessels requested to be removed. Three additional vessels requested to be added to the EM pool; however no new funds to support fixed gear EM were received, and therefore no additional vessels were approved by NMFS to participate in fixed gear EM for 2021. The trawl EM pool is composed of all vessels fishing under an Exempted Fishing Permit (EFP) to evaluate the efficacy of EM on pollock catcher vessels using pelagic trawl gear in the Bering Sea and Gulf of Alaska. In 2021, 70 vessels are expected to participate in Trawl EM.

The budget for EM and observer deployment in 2021 is \$6.13M, which sustains the fixed gear EM program at \$1M and provides shoreside observers to support COVID-19 sampling protocols in processing plants. Consistent with revisions to observer deployment due to COVID-19, at-sea observers will be deployed on randomly selected trips from specific ports, including: (1) Akutan, (2) Dutch Harbor/Unalaska, (3) False Pass, (4) Homer, (5) Juneau, (6) Ketchikan, (7) King Cove, (8) Kodiak, (9) Nome, (10) Petersburg, (11) Sand Point, (12) Seward, (13) Sitka, and (14) Yakutat.

The coverage rates expected to be afforded in 2021 are approximately 15-16% across all observer monitored strata, despite the at-sea budget being set higher than 2000 days, which was the expectation in the draft 2021 ADP. The similarity in monitoring rates between the draft and final 2021 ADP, despite the higher number of monitoring days budgeted in the final ADP, is due to an expected Pacific cod fishery in the GOA for 2021 and an increase in predicted fishing effort. Further, additional expenses are budgeted for port-specific quarantine periods and to accommodate expected high costs of travel within Alaska. NMFS estimates that 499 trips will be observed at-sea in the partial coverage category. The deployment rates (rounded to the nearest whole number) for strata in 2021 are—

- No Selection – 0%
- Hook-and-line – 15%
- Pot – 15%
- Trawl vessels not participating in the EM EFP – 16%
- Fixed-Gear EM – 30%
- Trawl EM EFP–100% at-sea EM; plus: 30% shoreside monitoring in GOA or 100% shoreside monitoring in BS

Observer Fee Percentage

REMINDER: On July 10, 2020, NMFS published the final rule to adjust the North Pacific Observer Program fee percentage (85 FR 41424, July 10, 2020). Beginning Jan 1, 2021, landings in the partial coverage category that are subject to the observer fee will be assessed a 1.65 percent using standard ex-vessel prices multiplied by the landed catch weight of groundfish and halibut. NMFS will publish the standard prices for 2021 by the end of December and will post the updated information at: <https://www.fisheries.noaa.gov/alaska/commercial-fishing/observer-fee-collection-and-payment-north-pacific-groundfish-and-halibut>.

Trawl Electronic Monitoring Exempted Fishing Permit

The Trawl EM EFP (#2019-03), issued on January 6, 2020, to evaluate the use of EM as a monitoring tool for compliance with fishery management regulations in the pollock pelagic trawl catcher vessels (CVs) in the BS and GOA. Check-in meetings with project partners began on January 15, 2020 and occurred weekly or bi-weekly throughout the year. These check-in meetings provided an opportunity for each project partner to give updates on how the EFP was progressing and identify any issues or concerns. During these meetings, the project partners engaged in open and collaborative discussions to troubleshoot issues as they came up and these meetings have proven to be an effective way to quickly address problems.

Fishing under this EFP was successfully implemented in the 2020 BS CV pollock fishery and 2020 pollock fisheries in the GOA. Early implementation identified challenges meeting pollock biological sampling goals in the GOA. This was identified as the primary issue to address for 2020. As a result, EFP participants and the agency incorporated changes during the summer months in order to address these deficiencies. Data from the summer/fall pollock seasons in the GOA show significant improvement in meeting sampling goal targets, going from 8% in the A/B seasons to 85% of sampling goals in the C/D season.

NMFS has modified the EFP from 2021, incorporating changes recommended by the Trawl EM committee and NPFMC in October. Project participants were awarded a NFWF grant to scale-up the existing effort to evaluate the feasibility and cost efficiency of using electronic monitoring systems on Bering Sea and Gulf of Alaska pollock pelagic trawl catcher vessels. With this additional funding, 28 additional vessels will join the EFP in 2021.

Modified Scale Inspection Process

Regulations require inspection of all at-sea scales annually to ensure accuracy and compliance requirements are met. NMFS Alaska Region developed alternative at-sea scale and video inspection procedures to accommodate health and safety concerns for everyone involved. NMFS adjusted our annual inspections of the Longline and Pot Fleet Catcher Processors (CPs) in June to accommodate these considerations. These changes were largely implemented successfully. This was successful because of the amazing flexibility and collaborative problem solving that vessel owners, operators and specifically scale inspection technicians engaged in - Thank You.

Out of an abundance of caution, NMFS AKR Inspectors will not be conducting on-site inspections in the near future. Therefore the alternative “Annual Inspection” procedure developed in June has been modified based on lessons learned and will be used for trawl vessels seeking inspection in December and January. These inspections will be conducted in two parts. The first part will cover the at-sea scales and test weights. The second part will cover the associated compliance video systems and video systems associated with halibut deck sorting program. This will consist of a video request correlated with a daily flow scale test from the vessel’s first fishing trip. Once the video has been reviewed for required scale compliance and halibut deck-sorting camera views, and the vessel’s daily flow scale test methods, the vessel will receive final approval for the 2021 fishing year.

Cost Recovery Fee Percentages

On December 1, 2020, NMFS will publish a notice providing the cost recovery fee percentages for the American Fisheries Act (AFA), Aleutian Islands pollock, Amendment 80, and CDQ Programs.

The fee percentage for the Amendment 80 program rose from .94 percent to 1.19 percent; the increase was a function of lower (-20%) fishery ex-vessel value. Incremental management and enforcement costs remained very similar to 2019 costs.

The fee percentage for the CDQ program rose from .70 percent to .84 percent. This was also driven primarily by lower (-14%) fishery ex-vessel values. The AFA Inshore sector percentage dropped slightly by 2/10 of a percent, from .23 percent to .21 percent.

There were small pollock harvests in the Aleutian Islands Pollock program in 2020 and cost recovery fees were levied. Similar to 2019, 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%.

Seabird Updates

Seabird Takes of ESA-listed Species

NMFS reports the take of two short-tailed albatross (*Phoebastria albatrus*) in the Pacific cod demersal longline fishery of the BSAI. The first occurred in September of 2020, near Zhemchug Canyon in NMFS reporting area 521. The second occurred in October of 2020, south of St. Matthew Island in NMFS reporting area 521. These are the first reported takes of short-tailed albatross by any fisheries operating in the BSAI or GOA since 2014. NMFS posted two information bulletins to the fleet to inform vessels that these takes had occurred and to ask that they be cautious when fishing in these areas (NMFS information bulletins can be found here: <https://www.fisheries.noaa.gov/news-and-announcements/bulletins>).

The short-tailed albatross is listed as “endangered” under the Endangered Species Act (ESA). The world population of endangered short-tailed albatross is currently estimated at less than 9,000 individuals. The ESA protects the short-tailed albatross in Alaska waters and throughout its range.

The NMFS Alaska Regional Office, NMFS Alaska Fisheries Science Center, and the USFWS are actively coordinating efforts and communicating in response to this mortality event and are complying to the fullest extent with ESA requirements to protect this species.

Seabird Reporting to USFWS

At the June 2020 Council meeting, NMFS reported two mortality events resulting in the deaths of two other species of seabird that are listed as “threatened” under the ESA; the spectacled eider (*Somateria fischeri*) and the Alaska-breeding population of Steller’s eider (*Polysticta stelleri*). As a result of those mortality events, NMFS reinitiated formal consultation under section 7 of the

ESA with USFWS to ensure BSAI and GOA groundfish fisheries are not likely to jeopardize the continued existence of either eider or adversely modify their designated critical habitat. At the time this memo was submitted, the consultation process is still on going.

Tribal Consultation Update

NMFS conducted two Tribal Consultation with representatives of several Alaska Native tribal entities. The first on June 26, 2020 followed by the second on August 21, 2020 on the topic of herring bycatch management in the Bering Sea and Aleutian Islands. A summary of each meeting has been reviewed and approved by all governments and is posted on the Alaska Region website at: <https://www.fisheries.noaa.gov/alaska/consultations/alaska-fisheries-tribal-consultation-documents-and-workgroup>.

During the August 21 consultation, NMFS introduced the topic of a petition by the At-Sea Processors Association that requested emergency action by NMFS to suspend a regulatory closure of the Bering Sea Winter Herring Savings Area to pollock fishing beginning September 1 (until the pollock season closure on November 1). A copy of that petition is included in the consultation report as Attachment 2, and a copy of NMFS's response denying the petition is included as Attachment 3.

Letter Regarding Sablefish Bycatch

NMFS received a letter from industry members concerned with federally managed sablefish. The response letter is posted under the NMFS Management Report agenda item on the Council's December meeting agenda.

GAF Report

NMFS recently distributed and posted online its annual report on the use of Guided Angler Fish (GAF) in the charter halibut sector. The halibut Catch Sharing Plan authorizes transfers of commercial halibut individual fishing quota (IFQ) as GAF to qualified charter halibut permit holders for harvest by charter vessel anglers in Areas 2C and 3A. Using GAF, charter operators may offer charter anglers the opportunity to harvest up to two halibut of any size per day.

Although the use of GAF has generally increased each year since the program was implemented, in 2020 GAF use declined. The number of issued GAF permits dropped by 32% and the number of GAF harvested decreased by 47%. This was likely the result of a combination of factors, but reduced fishing effort – especially in Area 2C - combined regulatory changes that relaxed harvest restrictions in mid-June likely contributed to the change. The lease prices for GAF also declined somewhat in 2020, and averaged about \$5.00 per pound of IFQ.

Despite the drop in GAF usage, it still appears to be a popular option, especially in Area 2C, where the great majority of GAF permits are issued.

Charter Halibut Permit Annual Registration - Reminder

2020 was the first year of regulations that require a Charter Halibut Permit to be registered before it can be used each year. NMFS partnered with the Alaska Department of Fish and Game in successful outreach for the new regulations and compliance was very good.

Overall, 96% of the 715 transferable CHPs were registered in 2020, and 75% of the 240 nontransferable CHPs were registered.

CHP annual registration is expected to help track the retirement of non-transferable CHPs, improve the enforcement of CHP ownership caps, and provide information to NMFS and the Council about changes in CHP ownership, participation, and leasing.

NEW LOOK in 2021! A Charter halibut permit (CHP) issued in 2021 will look a little different than those issued in 2020. NMFS Restricted Access Management (RAM) will be printing CHP's on new blue security paper in 2021.

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

GOA Sablefish Pot Tags

Update on tag inventory and availability. NMFS RAM Division is preparing for the upcoming 2021 fishing season by ordering 20% more pot tags for 2021 than were issued in 2020 in an effort to minimize wait times in processing pot tag requests. NMFS anticipates the use of pots to continue to increase in the upcoming year and therefore will be ordering additional pot tag inventory to try and keep up with the demand for new entrants in the fishery.

IFQ Report to the Fleet

In October 2020, the Council expressed an interest in receiving an informational report like NMFS used to produce in the IFQ Report to the Fleet. Each year from 1994 through 2012, NMFS published an annual Pacific Halibut – Sablefish IFQ Report to the fleet.¹ The publication of this annual report was discontinued in 2013.

NMFS recognizes the utility of the information included in this report and intends to evaluate staffing resources as well as the content of the report. NMFS will collaborate with Council staff to identify ways to simplify and streamline the process of making this information available to the public and the specific format of the report. NMFS goal is to produce a short summary report to be made available ahead of the February 2021 Council meeting and seek feedback from the Council and the upcoming IFQ committee (tentatively scheduled in March 2021) to identify and prioritize the types of information that are most useful.

¹ Available on the NOAA Fisheries website: <https://www.fisheries.noaa.gov/resource/document/pacific-halibut-sablefish-ifq-report-report-fleet>

List of Fisheries

The [Draft 2021 List of Fisheries \(LOF\)](#) was published in the Federal Register on September 21, 2020. The LOF is published every year, although there are not always changes. For 2021, there is one category change proposed for the Alaska Bering Sea/Aleutian Islands Pacific cod pot fishery to be elevated from a category III (remote likelihood of/ no known interaction interactions with marine mammals) to a category II (occasional interactions with marine mammals) due to documented mortality/serious injury to Western North Pacific humpback whales. Aside from this change, there are several other minor changes being proposed in the form of additions and removals of "Marine Mammal Species and Stocks Incidentally Killed or Injured" assigned to various Alaskan fisheries.

The Protected Resources Division will contact the affected industry representatives to let them know of the change. List of Fishery Category II vessels are required to hold a LOF certification onboard while fishing, to carry observers when required, and are subject to take reduction plans if required.

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

The virtual Annual Conference for the Central Bering Sea Pollock (Doughnut Hole) Convention was still underway prior to the posting deadline for B-2 report items. The annual report will be provided to the Council as soon as it is available. Of note, while stock conditions in the Bogoslof area (designated as the "Special Area" in the Convention) have improved in recent years, the estimated biomass in the Bogoslof Area decreased relative to the high 2018 estimate. The estimated biomass is well below the limits that could trigger an annual harvest limit (opening for fishing) in the Convention Area. The estimated Specific Area biomass is 345,000 mt, and the biomass would need to more than triple from current levels before the Annex to the Convention anticipates an opening of the Convention Area for fishing when the estimate in the Convention Area (Doughnut Hole).

90-Day Finding on Petition to Delist Arctic Ringed Seals

On March 26, 2019, NMFS received a petition from the State of Alaska, Arctic Slope Regional Corporation, Inupiat Community of the Arctic Slope, and the North Slope Borough to delist the Arctic subspecies of ringed seal under the ESA. On November 27, 2020, NMFS published a 90-day finding in the Federal Register concluding that the petition did not present substantial information indicating that delisting the species may be warranted. On the same day, NMFS published the initiation of a 5-year review of the status of the threatened Arctic, Okhotsk, and Baltic subspecies and the endangered Ladoga subspecies of ringed seal pursuant to section 4(c)(2) of the ESA.

Staff Changes

We are excited to announce two new Inseason Management branch positions in the Sustainable Fisheries Division - Kurt Iverson and Allyson Olds.

Kurt Iverson is moving from the Catch Shares branch to the Inseason Management branch. Kurt started working for SF in 2017 after his many years working for the State of Alaska. Kurt has made significant contributions to the management of recreational halibut fishing off Alaska, the annual halibut management measures, staffing the International Pacific Halibut Commission meetings, annual processing of the cost recovery programs, and several rulemaking projects. At the Alaska Department of Fish and Game, Kurt worked for Extended Jurisdiction tracking issues at the Council. Prior to that, Kurt spent over two decades at the Commercial Fisheries Entry Commission as a Project Leader and Fisheries Analyst for the Commission's Research and Planning Division. Kurt has extensive knowledge of State of Alaska and Federal fisheries management systems.

Allyson Olds is joining the Inseason Management branch on January 4, 2021. Allyson previously worked for the State of Alaska's Department of Administration, where she was a Classification Analyst and Human Resource Consultant. Allyson holds a Master's of Science in Fisheries from the University of Alaska in Fairbanks and a Bachelor of Science in Fisheries and Wildlife from Michigan State University. Her Master's thesis was on integrating local and traditional knowledge and historical sources to characterize run timing and abundance of eulachon (*Thaleichthys pacificus*) in the Chilkat and Chilkoot rivers. She received a Certificate of Writing Excellence: Recognition of Writing Excellence from the Dean of the Graduate School for submitting a thesis that required no edits or comments before publication and was entirely in conformance with the Graduate School's formatting requirements.

Inseason Management Report

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

Attachment 1 -- Status of Regulatory ActionsChanges since October 2020 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
FMP Amendments								
Amendment 111 (GOA) Rockfish Program Reauthorization Approved: October 22, 2020	McCracken Warpinski	January 2020	PR: 06/07/20 FR: 11/18/20	PR: 06/12/20 FR: 11/25/20	PR: 07/22/20	Jul 27, 2020 85 FR 45367 EOC: 09/28/20	Sep 4, 2020 85 FR 55243 EOC: 10/05/20	
Amd 50: St. Matthew Blue King Crab Rebuilding Plan Approved: October 13, 2020	Armstrong Mackey	June 2020	PR: 06/10/20	PR: 06/11/20	PR: 07/09/20	Jul 15, 2020 85 FR 42817 EOC: 09/14/20	N/A	Nov 9, 2020 85 FR 71272

Regulatory Amendments								
Crab Partial Offloads	Cunningham Mackey	December 2019	PR: 03/29/20 FR: 09/11/20	PR: 04/07/20 FR: 09/18/20	PR: 06/15/20 FR: 10/15/20	N/A	Aug 4, 2020 85 FR 47157 EOC: 09/03/20	Nov 13, 2020 85 FR 72581 Effective: 12/14/20
BSAI Pcod parallel fisheries limitation	McCraken Iverson	December 2019	PR: 05/25/20 FR: 10/29/20	PR: 05/27/20 FR: 11/2/20	PR: 8/18/20 FR: 11/19/20	N/A	Sept 18, 2020 85 FR 58322 EOC: 10/19/20	Dec 3, 2020 85 FR XXXX Effective: 1/4/20
2021 and 2022 BSAI Groundfish Harvest Specifications	MacLean Whitney	December 2020	PR: 10/16/20	PR: 10/19/20	PR: 11/12/20	N/A	Dec 3, 2020 85 FR XXXX EOC: 1/4/21	
Gulf of Alaska; 2021 and 2022 Harvest Specifications for Groundfish	Cleaver Davis	December 2020	PR: 10/14/20	PR: 10/15/20	PR: 11/12/20	N/A	Dec 3, 2020 85 FR XXXX EOC: 1/4/21	
Squid and Sculpin Product Types	MacLean Mackey	October 2020	PR: 11/16/20	PR: 11/24/20		N/A		
Other Notices								
Gulf of Alaska: Revised Final 2020 and 2021 Harvest Specifications for Groundfish	Davis		PR: 10/08/20	PR: 10/09/20	PR: 10/28/20	N/A	N/A	Nov 20, 2020 85 FR 74266 Effective: 1/1/2021
Cost Recovery Fee Notice for A80, AFA, CDQ, and AIP for 2020	Iverson		11/23/20	11/23/20	11/24/20	N/A	N/A	Dec 1, 2020 85 FR XXXXX Effective: 12/1/20