



UNITED STATES DEPARTMENT OF COMMERCE

National Oceanic Atmospheric Administration

National Marine Fisheries Service

B2 FMP Amendments

DECEMBER 2019

P.O. Box 21668

Juneau, Alaska 99802-1668

November 18, 2019

Mr. David Witherell, Executive Director
North Pacific Fishery Management Council
605 West 4th Avenue, Suite 306
Anchorage, Alaska 99501-2252

Dear Mr. Witherell:

We have approved Amendment 118 to the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area (RIN 0648-BI65).

Amendment 118 and this final rule authorize, but do not require, BSAI IFQ or CDQ halibut or IFQ or CDQ sablefish harvesters to use pot gear if they determine it is appropriate for their fishing operation. This amendment governs harvest of Pacific halibut and sablefish in the Individual Fishing Quota (IFQ) Program and the Western Alaska Community Development Quota (CDQ) Program. This rule is necessary to improve efficiency and provide economic benefits for the IFQ and CDQ fleets, minimize whale depredation and seabird interactions, and reduce the risk of exceeding an overfishing limit for any species.

This final rule contains provisions that the North Pacific Fishery Management Council (Council) deemed necessary and appropriate to implement its October 2018 recommendations in accordance with section 303(c) of the Magnuson-Stevens Act. The final rule also contains provisions that NMFS has determined are necessary to carry out the Council's intent for this action in accordance with section 305(d) of the Magnuson-Stevens Act.

A final rule that contains these provisions should publish in the *Federal Register* shortly.

Sincerely,

James W. Balsiger, Ph.D.
Administrator, Alaska Region





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November 19, 2019

Mr. David Witherell
Executive Director
North Pacific Fishery Management Council
605 West 4th Avenue, Suite 306
Anchorage, Alaska 99501-2252

Dear Mr. Witherell:

By this letter, I am approving Amendment 119 to the Fishery Management Plan (FMP) for Groundfish of the Bering Sea and Aleutian Islands Management Area and Amendment 107 to the FMP for Groundfish of the Gulf of Alaska [RIN 0648-BJ03]. This action would require retention of rockfish by catcher vessels using hook-and-line, pot, or jig gear in the Bering Sea and Aleutian Islands and Gulf of Alaska fisheries.

NMFS published the Notice of Availability for Amendments 119/107 in the Federal Register on August 22, 2019 (84 FR 43783), with comments invited through October 21, 2019. NMFS published the proposed rule to implement Amendments 119/107 on October 2, 2019 (84 FR 52442), with comments invited through November 1, 2019. The proposed rule had a 30-day public comment period under section 313(c) of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). The agency must approve, disapprove, or partially approve Amendments 119/107 by November 20, 2019. We expect to have the final rule effective in early 2020.

Sincerely,

James W. Balsiger, Ph.D.
Administrator, Alaska Region

Enclosures





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November 19, 2019

Mr. David Witherell, Executive Director
North Pacific Fishery Management Council
605 West 4th Avenue, Suite 306
Anchorage, Alaska 99501-2252

Dear Mr. Witherell:

We have approved Amendment 120 to the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area and Amendment 108 to the Fishery Management Plan for Groundfish of the Gulf of Alaska (RIN 0648-BJ02). These amendments revise the rules governing the operation of catcher processors (C/Ps) operating as motherships in the Pacific cod fisheries.

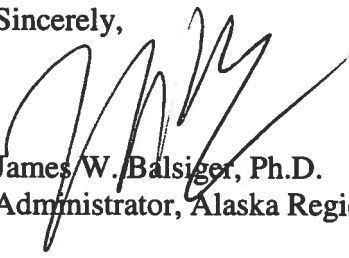
Amendment 120 limits the number of C/Ps operating as motherships receiving and processing Pacific cod from catcher vessels (CVs) engaged in directed fishing in the BSAI non-Community Development Quota Program (non-CDQ) Pacific cod trawl CV fishery. Amendments 120 and 108 also prevent the expanded use as motherships of Amendment 80 C/Ps replaced in accordance with provisions implemented under BSAI FMP Amendment 97 (79 FR 71350, December 2, 2014).

Amendment 120 limits C/Ps operating as motherships in the fishery by establishing eligibility criteria based on long term, sustained participation in the fishery, issuing endorsements to License Limitation Program (LLP) licenses that meet eligibility criteria, and authorizing receipt and processing of Pacific cod only by those C/Ps with a BSAI Pacific cod trawl mothership endorsement on the groundfish LLP license on which the vessel is designated. This action establishes eligibility criteria such that a groundfish LLP license would be eligible for that endorsement if the groundfish LLP license is credited with receiving and processing at least one legal mothership trip target of Pacific cod in the BSAI non-CDQ Pacific cod CV trawl directed fishery in all three years from 2015 through 2017. NMFS has identified two groundfish LLP licenses that appear to meet the eligibility criteria developed by the Council.

Amendments 120 and 108 prohibit replaced Amendment 80 C/Ps from receiving and processing Pacific cod harvested and delivered by CVs directed fishing for Pacific cod in the BSAI and GOA, such that all Amendment 80 C/Ps not designated on an Amendment 80 Quota Share (QS) permit and an Amendment 80 LLP license or on an Amendment 80 LLP/QS license are prohibited from receiving and processing Pacific cod harvested by vessels engaged in directed fishing for Pacific cod in the BSAI and GOA. The Council recommended this action to prevent the expanded use as motherships of Amendment 80 C/Ps replaced in accordance with provisions implemented under BSAI FMP Amendment 97. A final rule to implement Amendments 120 and 108 accompanies the FMP amendments and should publish in the *Federal Register* shortly.



Sincerely,

A handwritten signature in black ink, appearing to read 'J. Balsiger', written over the printed name.

James W. Balsiger, Ph.D.
Administrator, Alaska Region