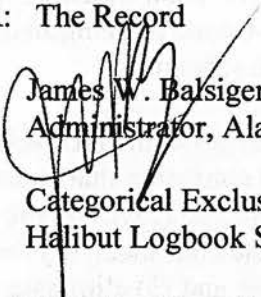


March 31, 2010

MEMORANDUM FOR: The Record

FROM:


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

SUBJECT:

Categorical Exclusion for Regulatory Amendment to Revise Charter Halibut Logbook Submission Requirements

NAO 216-6, Environmental Review Procedures, requires all proposed actions to be reviewed with respect to environmental consequences on the human environment. This memorandum summarizes the determination that the proposed rule to implement revisions to the submission requirements for Alaska Department of Fish and Game Saltwater Sport Fishing Charter Trip Logbook data sheets qualifies to be categorically excluded from further NEPA review.

Description of the Action

This non-controversial action was analyzed in a previous environmental assessment (EA), dated November 2008, prepared for the one-halibut daily bag limit for International Pacific Halibut Commission (IPHC) Area 2C (74 FR 21194; May 6, 2009). A finding of no significant impact was made based on the analysis, and this action makes no changes to the actions analyzed. This action would not result in any change in fishing activity as it is administrative in nature and implements only minor changes.

The final rule implementing the one-halibut daily bag limit included management measures that require the submission of Alaska Department of Fish and Game (ADF&G) Saltwater Sport Fishing Charter Trip Logbook (charter logbook) data sheets for halibut charter vessels operating in IPHC Area 2C and Area 3A. This proposed rule revises these recordkeeping and reporting requirements to (1) improve consistency between federal and State of Alaska requirements for the submission of the data sheets, and (2) address recent changes to the charter logbook reporting format. This action is administrative in nature, would relax the recordkeeping and reporting burden on guided charter operators in IPHC Areas 2C and 3A, would reduce potential confusion by the regulated public, and would facilitate efficient reporting of halibut caught and retained in these areas.

The first proposed revision would amend the ADF&G charter logbook submission requirements to improve consistency with state requirements. Currently the logbook data sheets must be submitted to a specific ADF&G office and postmarked no more than seven days after the end of a charter vessel fishing trip. This location and time frame for submitting data sheets are more restrictive than the state requirements. Under the proposed rule, the location and time period

would be relaxed. The requirement to submit data sheets to a specific ADF&G office would be removed and “postmarked” would be changed to “postmarked or received” to match the logbook instructions that allow data sheets to be mailed or delivered to any ADF&G office. The deadline would be increased from 7 to 14 days after the end of a charter vessel fishing trip on which halibut were retained during April 5 through December 31. Data sheets for charter vessel fishing trips with halibut retained on February 1 through April 4 must be submitted by April 12. These deadlines would be more similar to the state submission schedule.

The remaining revisions are necessary due to recent changes to the ADF&G charter logbook data sheet format. These revisions would eliminate potential confusion that could arise from outdated reporting requirements. Specifically, the proposed rule would (1) revise the instruction regarding the location of the charter vessel angler’s signature on the data sheet; (2) revise the instruction for recording on the data sheet the regulatory area fished; and (3) eliminate the requirement to record the sport fishing operator business license number on the data sheet as the revised data sheet no longer contains this field.

Effects of the Action

Revising and clarifying recordkeeping and reporting regulations are ongoing, recurring operations of a routine administrative nature. The proposed action does not have the potential for a significant impact to the quality of the human environment

Categorical Exclusion

The proposed action is an administrative change to a previously analyzed and approved action, and the proposed change has no effect individually or cumulatively on the human environment. As such, it meets the criteria for categorical exclusion as an administrative function under 6.03.c.3(d) of NAO 216-6, and there is no need to prepare an Environmental Assessment.