



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration

National Marine Fisheries Service
P.O. Box 21668
Juneau, Alaska 99802-1668

November 18, 2021

MEMORANDUM FOR: The Record

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

GLENN MERRILL
Digitally signed by GLENN MERRILL
Date: 2021.11.22 13:16:36 -0900'

SUBJECT: Categorical Exclusion (CE) for the Regulatory Amendment to Remove GOA Sablefish IFQ Pot Gear Tags and Notary Certification Requirements (RIN 0648-BK76)

The National Oceanic and Atmospheric Administration's (NOAA) Policy and Procedures for Compliance with the National Environmental Policy Act and Related Authorities (NOAA Administrative Order 216-6A and Companion Manual for NAO 216-6A) establishes NOAA's policy and procedures for compliance with the National Environmental Policy Act, the CEQ regulations, Executive Order (EO) 12114 (Environment Effects Abroad of Major Federal Actions), EO 11988 (Floodplain Management), and EO 11990 (Protection of Wetlands). It was used by NOAA to examine a regulatory amendment to remove GOA sablefish IFQ pot tags and notary requirements for its potential to impact the quality of the human environment as discussed below.

Description of the Action(s):

To facilitate administration of various provisions of fishery management programs recommended by the North Pacific Fishery Management Council and implemented by NMFS requires the submission of information to NMFS. This action would modify recordkeeping and reporting requirements to remove pot gear tag requirements in the sablefish Individual Fishing Quota (IFQ) fishery in the Gulf of Alaska (GOA) and remove requirements to obtain and submit a notary certification on application forms. This action is intended to reduce administrative burden on the regulated fishing industry and the Agency.

CE category number, title, and CE text that applies to the proposed action(s):

CE Category A1 is appropriate for this action. Trust Resource Management Actions. An action that is a technical correction or a change to a fishery management action or regulation, which does not result in a substantial change in any of the following: fishing location, timing, effort, authorized gear types, or harvest levels. This proposed action is not connected to a larger action and can therefore be reviewed independently from other actions under NEPA.

Effects of the Action(s):

This action would make minor changes to recordkeeping and reporting requirements and remove requirements to for vessel operators using longline pot gear in the GOA sablefish IFQ fishery to mark each pot with a pot gear tag. These changes would reduce the administrative burden of the fishery but would not change the location of fishing activity, timing, effort, authorized gear types,



or harvest levels. This action would not adversely impact conservation and management of the fisheries affected by this action. Therefore, this action is not expected to have a significant impact.

Extraordinary Circumstances:

I considered the context in which this action could have extraordinary circumstances listed in NOAA's Companion Manual for NAO 216-6A Section 4 and expect no extraordinary circumstances.

Based on the description of this action and its anticipated effects set out above, I have determined that regulatory amendment to remove GOA sablefish IFQ pot tags and notary requirements has no potential for significant adverse effects on human health or safety. Because this action will not change fishing location, timing, effort, authorized gear types, or harvest levels, it will not impact areas with unique environmental characteristics, species or habitats protected by the Endangered Species Act, the Marine Mammal Protection Act, the Magnuson-Stevens Act, the Migratory Bird Treaty Act, or properties listed or eligible for listing on the National Register of Historic Places. Furthermore, this action has no potential to generate, use, store, transport, or dispose of hazardous or toxic substances. Nor is there the potential to cause disproportionately high and adverse effect on the health or the environment of minority or low-income communities, compared to the impacts on other communities. This action will not contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species. The action does not pose a potential violation of Federal, state, or local law or requirements imposed for protection of the environment; involve environmental effects that are highly controversial, uncertain, unique, or unknown; establish a precedent or decision in principle for future actions; or result in cumulative significant impacts.

Categorical Exclusion Determination:

Based upon the above analysis, NOAA has determined that the action proposed: falls within Category A1--a category of actions that does not normally have a significant effect on the quality of the human environment; is not connected to a larger action (40 CFR 1501.9(e)(1)); and does not involve extraordinary circumstances precluding use of the CE. As such, NOAA has determined that it is categorically excluded from further NEPA review.

The original signed memorandum will be maintained in the record for the action.

AMiller 8/24/2021
BMansfield 8/27/2021

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