

a finding that such permits: (1) Were applied for in good faith; (2) will not operate to the disadvantage of such endangered species; and (3) are consistent with the purposes and policies set forth in Section 2 of the ESA.

*Authority:* The requested permits have been issued under the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), the regulations governing the taking and importing of marine mammals (50 CFR part 216), the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*), and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR parts 222–226), as applicable.

Dated: December 5, 2019.

**Amy Sloan,**

*Acting Chief, Permits and Conservation Division, Office of Protected Resources, National Marine Fisheries Service.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[RTID 0648–XV139]

#### Fishing Capacity Reduction Program for the Pacific Coast Groundfish Fishery

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration, Commerce.

**ACTION:** Notice of fee rate adjustment.

**SUMMARY:** NMFS issues this notice to decrease the fee rate to 3.5 percent for the Pacific Coast Groundfish fee-share fishery to repay the \$28,428,718.88 Groundfish sub-loan of the \$35,662,471 reduction loan that financed the Pacific Coast Groundfish fishing capacity reduction program.

**DATES:** The fee rate decrease for the Pacific Coast Groundfish fishery will begin on landings starting on January 1, 2020. The first due date for fee payments with the decreased rate will be February 14, 2020.

**ADDRESSES:** Send questions about this notice to Elaine Saiz, Chief, Financial Services Division, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910–3282.

**FOR FURTHER INFORMATION CONTACT:** Elaine Saiz, (301) 427–8752.

**SUPPLEMENTARY INFORMATION:**

## I. Background

Sections 312(b) through (e) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1861a (b) through (e)) generally authorizes fishing capacity reduction programs. In particular, section 312(d) authorizes industry fee systems for repaying reduction loans that finance reduction programs. Subpart L of 50 CFR part 600 is the framework rule generally implementing section 312(b) through (e). Sections 1111 and 1112 of the Merchant Marine Act, 1936 (46 App. U.S.C. 1279f and 1279g) generally authorizes reduction loans.

Enacted on February 20, 2003, section 212 of Division B, Title II, of Public Law 108–7 (section 212) specifically authorizes a fishing capacity reduction program for that portion of the limited entry trawl fishery under the Pacific Coast Groundfish Fishery Management Plan whose permits, excluding those registered to whiting catcher-processors, are endorsed for trawl gear operation (reduction fishery).

The reduction program's objective was to reduce the number of vessels and permits endorsed for the operation of groundfish trawl gear. The program also involved corollary fishing capacity reduction in the California, Oregon, and Washington fisheries for Dungeness crab and pink shrimp and the sub-loans for these state fisheries have all been repaid.

NMFS proposed the implementing notice on May 28, 2003 (68 FR 31653) and published the final notice on July 18, 2003 (68 FR 42613). NMFS allocated a \$28,428,719 reduction loan to the groundfish fishery. The allocation became a reduction loan repayable by fees from the groundfish fishery.

NMFS published in the **Federal Register** on July 13, 2005 (70 FR 40225), the final rule to implement the industry fee system for repaying the program's reduction loan. The regulations implementing the program are located at § 600.1012 of 50 CFR part 600's subpart M. On August 8, 2005, NMFS published in the **Federal Register** (70 FR 45695) a notice of the fee effective date and established September 8, 2005 as the effective date when fee collection and loan repayment began.

## II. Purpose

The purpose of this notice is to adjust, in accordance with the framework rule's § 600.1013(b), the fee rate for the groundfish fishery. Section 600.1013(b) directs NMFS to recalculate the fee rate that will be reasonably necessary to ensure reduction loan repayment within the specified 30-year term. NMFS has

determined that the current fee rate of 4.0 percent for the groundfish fishery is projected to collect more than the annual amortization amount needed for 2020. Therefore, NMFS is decreasing the fee rate to 3.5 percent for all landings beginning January 1, 2020.

Fish buyers may continue to disburse collected fee deposits to NMFS by using [www.pay.gov](http://www.pay.gov) (<http://www.pay.gov>) or by mailing payments to our lockbox. Our lockbox's address is: NOAA Fisheries Pacific Coast Groundfish Buyback, P.O. Box 979059, St. Louis, MO 63197–9000. Fish buyers must include the fee collection report with the fee payment. Fish buyers using [www.pay.gov](http://www.pay.gov) (<http://www.pay.gov>) will find an electronic fee collection report form. Fish buyers not using [www.pay.gov](http://www.pay.gov) (<http://www.pay.gov>) may also access the NMFS website for a copy of the fee collection report at: <https://www.fisheries.noaa.gov/national/funding-and-financial-services/pacific-coast-groundfish-buyback>.

## III. Notice

The new 3.5 percent fee rate for the groundfish fishery will begin for all landings starting January 1, 2020. From and after this date, all groundfish program fish sellers paying fees shall begin paying groundfish program fees at the revised rate. From and after this date, all fees received by NMFS for the groundfish fishery shall be subject to the new fee rates regardless of the applicable fee month. The first due date for fee payments with the decreased rate will be February 14, 2020.

Fee collection and submission shall follow previously established methods in § 600.1013 of the framework rule and in the final fee rule published in the **Federal Register** on July 13, 2005 (70 FR 40225).

*Authority:* The authority for this action is Pub. L. 107 206, Pub. L. 108 7, 16 U.S.C. 1861a (b) through (e), and 50 CFR 600.1000 *et seq.*

Dated: December 5, 2019.

**Brian T. Pawlak,**

*Chief Financial Officer/Chief Administrative Officer, Director, Office of Management and Budget, National Marine Fisheries Service.*

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