

(8) Other considerations, as appropriate; and

(9) Exploitation rates, including *de minimis* exploitation rates, must not jeopardize the long-term capacity of the stock to produce maximum sustained yield on a continuing basis. NMFS expects that the control rule and associated criteria will result in decreasing harvest opportunity as abundance declines and little or no opportunity for harvest at abundance levels less than half of MSST.

(d) *Salmon Fisheries Affecting California Coastal Chinook.* Salmon fisheries affecting this ESA-listed stock are managed to meet the conservation objective described in FMP table 3–1.

(1) The annual specifications and management measures will include an allowable harvest level expressed in numbers of fish for these fisheries that is projected, using the Klamath Ocean Harvest Model and Sacramento Harvest Model, to ensure fisheries do not exceed the conservation objective. To determine the allowable harvest level, the Council and NMFS may use a harvest rate that is lower than the conservation objective (*i.e.*, harvest rate of 0.16) in order to address the potential for exceeding the objective in a particular year. The lower harvest rate will be determined in two steps.

(i) In the first step, NMFS and the Council will calculate the average percent error for the previous 5 years, and apply the average percent error to the conservation objective. Only positive percent error will be applied because the intent is to keep the post-season harvest rate below 0.16.

(ii) In the second step, other relevant factors affecting the preseason assessment of the age-4 KRFC harvest rate will be considered, such as revisions to the fishery management models used to estimate the preseason Chinook catch, environmental indicators relevant to the status of KRFC, constraints on fisheries under consideration for the areas and months with greatest impacts to KRFC Chinook, and the lower harvest rate may be modified based on these factors.

(2) The annual specifications and management measures will include the following management measures to ensure fisheries affecting California Coastal Chinook do not exceed the allowable harvest level.

(i) Landing and possession limits will be used in the commercial troll fisheries to keep fishery catch within the allowable harvest level. Landing and possession limits will be set for periods not to exceed 1 week. Landing and possession limits may vary from one calendar month to the next but will be

the same for periods within the same calendar month.

(ii) A percentage of the allowable harvest level (*i.e.*, trigger) that will require consideration of inseason action to ensure that the allowable harvest level is not exceeded will be set through the annual management measures.

(iii) For the first 2 years after the promulgation of this rule in which salmon fishery occur in the EEZ off the California coast, inseason actions will only be used to further restrict harvest (*i.e.*, reduce landing limits, reduce time/area, and close the fishery when the allowable harvest level is projected to have been met).

(3) Electronic fish tickets must be submitted within 24 hours of landing to the California Department of Fish and Wildlife. Fish tickets must be submitted in accordance with the requirements of the applicable state regulations.

(4) NMFS will implement inseason actions as described in § 660.409, following processes described in that section, as needed to ensure catch in the fishery does not exceed the allowable harvest level and will close areas and seasons upon reaching the allowable harvest limit.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[RTID 0648-XD632]

Fisheries of the Exclusive Economic Zone Off Alaska; Essential Fish Habitat Amendments

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

ACTION: Notification of availability of fishery management plan amendments; request for comments.

SUMMARY: The North Pacific Fishery Management Council (Council) submitted amendment 127 to the Fishery Management Plan (FMP) for Groundfish of the Bering Sea and Aleutian Islands Management Area (BSAI), amendment 115 to the FMP for Groundfish of the Gulf of Alaska (GOA), amendment 56 to the FMP for BSAI King and Tanner Crabs, amendment 17 to the FMP for the Salmon Fisheries in the exclusive economic zone (EEZ) Off Alaska, and amendment 3 to the FMP for Fish Resources of the Arctic

Management Area (amendments) to the Secretary of Commerce for review. If approved, these amendments would revise the FMPs by updating the description and identification of essential fish habitat (EFH) and updating information on adverse impacts to EFH based on the best scientific information available. These amendments are intended to promote the goals and objectives of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), the FMPs, and other applicable laws.

DATES: Comments on the amendments must be received no later than June 24, 2024.

ADDRESSES: You may submit comments on this document, identified by NOAA-NMFS-2023-0160, by any of the following methods:

- **Electronic Submission:** Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to <https://www.regulations.gov> and enter [NOAA-NMFS-2023-0160] in the Search box (note: copying and pasting the FDMS Docket Number directly from this document may not yield search results). Click on the “Comment” icon, complete the required fields, and enter or attach your comments.

- **Mail:** Submit written comments to Gretchen Harrington, Assistant Regional Administrator, Sustainable Fisheries Division, Alaska Region NMFS, Attn: Records Office. Mail comments to P.O. Box 21668, Juneau, AK 99802-1668.

- **Instructions:** Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered by NMFS. All comments received are a part of the public record and will generally be posted for public viewing on <https://www.regulations.gov> without change. All personal identifying information (*e.g.*, name, address), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter “N/A” in the required fields if you wish to remain anonymous).

Electronic copies of the amendments, maps of the EFH areas, and the Environmental Assessment (the analysis) prepared for this action may be obtained from <https://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT: Megan Mackey, 907-586-7228.

SUPPLEMENTARY INFORMATION: The Magnuson-Stevens Act requires that each regional fishery management council submit any FMP amendment it

prepares to NMFS for review and approval, disapproval, or partial approval by the Secretary of Commerce (Secretary). The Magnuson-Stevens Act also requires that NMFS, upon receiving an FMP amendment, immediately publish a notice in the **Federal Register** announcing that the amendment is available for public review and comment. The Council has submitted these amendments to the Secretary for review. This notice announces that proposed amendment 127 to the FMP for Groundfish of the BSAI (BSAI Groundfish FMP); proposed amendment 115 to the FMP for Groundfish of the GOA (GOA Groundfish FMP); proposed amendment 56 to the FMP for BSAI King and Tanner Crabs (Crab FMP); proposed amendment 17 to the FMP for the Salmon Fisheries in the EEZ Off Alaska (Salmon FMP); and proposed amendment 3 to the FMP for Fish Resources of the Arctic Management Area (Arctic FMP) are available for public review and comment.

The Council prepared the FMPs under the authority of the Magnuson-Stevens Act. Regulations governing U.S. fisheries and implementing the FMPs appear at 50 CFR parts 600, 679, and 680. Section 303(a)(7) of the Magnuson-Stevens Act requires that each FMP describe and identify EFH, minimize to the extent practicable the adverse effects of fishing on EFH, and identify other measures to encourage the conservation and enhancement of EFH. Section 3(10) of the Magnuson-Stevens Act defines EFH as “those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity.” Implementing regulations at 50 CFR 600.815 list the EFH contents required in each FMP and direct councils to conduct a complete review of all EFH information at least once

every 5 years (referred to here as “the 5-year review”).

The Council developed the amendments as a result of new scientific information made available through the 5-year review that began in 2019 (2023 5-year review) and adopted the amendments in December 2023. The 2023 5-year review is the Council’s fourth review of EFH in the FMPs. Prior 5-year reviews were completed in 2005, 2012, and 2018. The Council recommended amendments to the description and identification of EFH in the FMPs with new information and improved mapping as described in the draft EFH 5-year Summary Report for the 2023 5-year review. The Council also recommended updates to EFH information based on the best available information in the Summary Report. The Council recommended updates to EFH for all FMPs except for the Scallop FMP because no new information is available to update EFH descriptions for scallops.

The amendments would make the following changes to the FMPs:

- *BSAI Groundfish FMP, GOA Groundfish FMP, Crab FMP, and Arctic FMP*: update EFH descriptions and maps, including up to EFH Level 3 information on habitat-related vital rates (see 50 CFR 600.815(a)(1)(iii)(A)). Add or revise the EFH text descriptions and add or replace the maps for—
 - 41 species or complexes in the BSAI Groundfish FMP;
 - 46 species or complexes in the GOA Groundfish FMP;
 - all five species in the Crab FMP; and
 - all three species in the Arctic FMP.
- *Salmon FMP*: replace the distribution maps for all five species with the EFH maps.
- *BSAI Groundfish FMP, GOA Groundfish FMP, and Crab FMP*:

changes based on the updated information for fishing effects (FE) to reflect updates to the FE model, analysis, and evaluation.

- *BSAI Groundfish FMP, GOA Groundfish FMP, Crab FMP, and Arctic FMP*: revise the EFH appendices where conservation recommendations for non-fishing activities are described.

- *BSAI Groundfish FMP, GOA Groundfish FMP, and Crab FMP*: revise prey species descriptions for two species of BSAI sharks, BSAI pollock, GOA Pacific cod, and BSAI red king crab.

- *BSAI Groundfish FMP, GOA Groundfish FMP, Crab FMP, and Arctic FMP*: revise EFH appendices with updated research and information needs.

NMFS is soliciting public comments on the proposed amendments through the end of the comment period (see **DATES**). All relevant written comments received by the end of the applicable comment period will be considered by NMFS in the approval/partial approval/disapproval decision for the amendments and addressed in the response to comments in the final decision. Comments received after end of the applicable comment period will not be considered in the approval/partial approval/disapproval decision on the amendments. To be considered, comments must be received, not just postmarked or otherwise transmitted, by the last day of the comment period (see **DATES**).

Authority: 16 U.S.C. 1801 *et seq.*

Dated: April 18, 2024.

Everett Wayne Baxter,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

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