Fishing from \$4.0 to 19.0 million, Shellfish Fishing from \$4.0 to 5.0 million, and Other Marine Fishing from \$4.0 to 7.0 million. NMFS has reviewed the analyses prepared for this action in light of the new size standards. Under the former, lower size standards, all entities subject to this action were considered small entities, thus they all would continue to be considered small under the new standards. The new size standards do not affect analyses prepared for this action.

As of November 2013, there were approximately 179 vessels with a directed swordfish LAP, 67 vessels with an incidental swordfish LAP, 76 vessels with a handgear LAP for swordfish, and 203 vessels that held a swordfish general commercial permit. Additionally, there were approximately 74 HMS incidental squid trawl permit holders, which allow vessels in the Illex squid fishery to retain up to 15 incidentally-caught swordfish while trawling for squid. Based on the 2013 average price for swordfish of \$4.69/lb (based on 2013 eDealer data), the 2014 North and South Atlantic swordfish baseline quotas could result in gross revenues of \$30,373,533 (2,937.6 mt dw (6,476,233 lbs dw) \* \$4.69/lb) and \$776,927 (75.1 mt dw (165,565 lbs dw) \* \$4.69/lb), respectively, if the quotas were fully utilized. Under the adjusted quotas of 3,653.2 mt dw (8,053,845 lbs dw) for North Atlantic swordfish and 75.1 mt dw (165,565 lbs dw) for South Atlantic swordfish, the gross revenues could be \$37,772,533 and \$776,927, respectively, for fully utilized quotas.

Potential revenues per vessel resulting from full utilization of the adjusted quotas, could be \$59,295 for the North Atlantic swordfish fishery and \$4,340 for the South Atlantic swordfish fishery, considering a total of 599 swordfish permit holders in the North Atlantic and 179 directed permit holders in the South Atlantic. The North Atlantic estimate, however, represents an average across all permit types, despite permit differences in retention limits, target species, and geographical range. For North Atlantic swordfish, directed swordfish permit holders would likely experience higher than average pervessel ex-vessel revenues due to the use of pelagic longline gear and the lack of a retention limit per trip, although trip expenses are likely to be fairly high. HMS incidental squid trawl permit holders would likely experience per vessel ex-vessel revenues well below those received by pelagic longline vessels due to the low retention limit per trip (15 swordfish) and because these vessels do not target swordfish and only catch them incidentally.

Swordfish general commercial permit holders would likely experience lower than average per-vessel ex-vessel revenues, despite higher ex-vessel prices and lower fishing expenses. Historically, U.S. fishermen do not often harvest the full North Atlantic swordfish quota. In addition, the 2014 proposed quota is the same as the 2013 quota for North Atlantic swordfish, therefore there are no economic impacts expected due to this proposed rulemaking setting the 2014 quota. For South Atlantic swordfish, only directed swordfish permit holders can land these fish; therefore, potential revenue per vessel is higher than the average for these directed swordfish permit holders since the other permit types land no swordfish. Additionally, U.S. fishermen rarely catch South Atlantic swordfish. Over the past 5 years, only 0.3 mt dw of South Atlantic swordfish catch has been reported.

Because the United States' commercial swordfish fishery is not expected to catch its entire quota in 2014, the adjustments to the quota and management measures proposed in this rule will not have a significant impact on a substantial number of small entities. As a result, no initial regulatory flexibility analysis is required, and none has been prepared.

#### List of Subjects in 50 CFR Part 635

Fisheries, Fishing, Fishing vessels, Foreign relations, Imports, Penalties, Reporting and recordkeeping requirements, Treaties.

Dated: May 9, 2014.

#### Samuel D. Rauch III.

Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.

For reasons set out in the preamble, 50 CFR part 635 is proposed to be amended as follows:

## PART 635—ATLANTIC HIGHLY MIGRATORY SPECIES

■ 1. The authority citation for part 635 continues to read as follows:

**Authority:** 16 U.S.C. 971 *et seq.*; 16 U.S.C. 1801 *et seq.* 

■ 2. In § 635.27, paragraph (c)(3)(ii) is revised to read as follows:

#### § 635.27 Quotas.

\* \* \* \* (c) \* \* \* (3) \* \* \*

(ii) If consistent with applicable ICCAT recommendations, total landings above or below the specific North Atlantic or South Atlantic swordfish annual quota will be subtracted from, or

added to, the following year's quota for that area. As necessary to meet management objectives, such adjustments may be apportioned to fishing categories and/or to the reserve. Carryover adjustments for the North Atlantic shall be limited to 25 percent of the baseline quota allocation for that year. Starting in the 2015 fishing year, carryover adjustments shall be limited to 15 percent of the annual baseline quota allocation. Carryover adjustments for the South Atlantic shall be limited to 100 mt ww (75.2 mt dw) for that year. Any adjustments to the 12-month directed fishery quota will be apportioned equally between the two semiannual fishing seasons. NMFS will file with the Office of the Federal Register for publication any adjustment or apportionment made under this paragraph.

[FR Doc. 2014–11052 Filed 5–13–14; 8:45 am]  ${\tt BILLING\ CODE\ 3510–22-P}$ 

#### **DEPARTMENT OF COMMERCE**

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 679

RIN 0648-BD98

\*

[Docket No. 140218151-4151-01]

#### Fisheries of the Exclusive Economic Zone Off Alaska; Groundfish of the Gulf of Alaska; Groundfish of the Bering Sea and Aleutian Islands

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

**ACTION:** Proposed rule; request for comments.

**SUMMARY:** NMFS proposes regulations to implement Amendment 100 to the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area (BSAI FMP) and Amendment 91 to the Fishery Management Plan for Groundfish of the Gulf of Alaska (GOA FMP). This proposed action would add regulations to improve reporting of grenadiers, limit retention of grenadiers, and prevent direct fishing for grenadiers by federally permitted groundfish fishermen and is necessary to limit and monitor the incidental catch of grenadiers in the groundfish fisheries. This action is intended to promote the goals and objectives of the Magnuson-Stevens Fishery Conservation and Management Act, the FMPs, and other applicable law.

DATES: Comments must be received no later than June 13, 2014.

ADDRESSES: You may submit comments on this document, identified by NOAA-NMFS-2014-0023, by any of the following methods:

• Electronic Submission: Submit all electronic public comments via the Federal e Rulemaking Portal. Go to www.regulations.gov/ #!docketDetail;D=NOAA-NMFS-2014-0023, click the "Comment Now!" icon, complete the required fields, and enter

or attach your comments.

 Mail: Submit written comments to Glenn Merrill, Assistant Regional Administrator, Sustainable Fisheries Division, Alaska Region NMFS, Attn: Ellen Sebastian. 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 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). Attachments to electronic comments will be accepted in Microsoft Word, Excel, or Adobe PDF file formats only.

Electronic copies of Amendment 100 to the BSAI FMP, Amendment 91 to the GOA FMP, and the Environmental Assessment, the Regulatory Impact Review (RIR), and the Initial Regulatory Flexibility Analysis (IRFA) (collectively, Analysis) prepared for this action are available from www.regulations.gov or from the NMFS Alaska Region Web site

at alaskafisheries.noaa.gov.

Written comments regarding the burden-hour estimates or other aspects of the collection-of-information requirements contained in this proposed rule may be submitted to NMFS and by email to

OIRA Submission@omb.eop.gov or fax to (202) 395-7285.

FOR FURTHER INFORMATION CONTACT: Gretchen Harrington, 907-586-7228. SUPPLEMENTARY INFORMATION: NMFS manages the groundfish fisheries in the exclusive economic zone of the GOA and BSAI under the GOA FMP and BSAI FMP (collectively, the FMPs). The North Pacific Fishery Management Council (Council) prepared these FMPs under the authority of the Magnuson-

Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), 16 U.S.C. 1801 et seq. Regulations implementing the FMPs appear at 50 CFR part 679. General regulations governing U.S. fisheries also appear at 50 CFR part 600.

The Council has submitted Amendment 100 to the BSAI FMP and Amendment 91 to the GOA FMP for review by the Secretary of Commerce, and a Notice of Availability of this amendment was published in the Federal Register on May 5, 2014) 79 FR 25558) with comments invited through July 7, 2014. All relevant written comments received by the end of the applicable comment period, whether specifically directed to the FMP amendments, this proposed rule, or both, will be considered in the approval/disapproval decision for these amendments and addressed in the response to comments in the final decision.

#### **Background**

The groundfish fisheries in the BSAI and GOA incidentally catch grenadiers (family Macrouridae) while harvesting target groundfish. For many years, the Council has considered how best to classify grenadiers in the FMPs. As explained in the Analysis (see ADDRESSES), from 1980 to 2010, grenadiers were included in the FMPs in the nonspecified species category. Nonspecified species were defined as a residual category of species and species groups of no current or foreseeable economic value or ecological importance, which are taken in the groundfish fishery as incidental catch and are in no apparent danger of depletion, and for which virtually no data exists that would allow population assessments.

In 2010, the Council recommended and NMFS removed the nonspecified species category from the FMPs when the FMPs were revised to meet Magnuson-Stevens Act requirements for annual catch limits (ACLs) and accountability measures (AMs) under Amendment 96 to the BSAI FMP and Amendment 87 to the GOA FMF (Amendments 96/87, 75 FR 38454, July 2, 2010). The nonspecified species, including grenadiers, were removed from the FMPs because these species were too poorly understood to set ACLs and AMs or to develop a management regime.

Amendments 96/87 also amended the FMPs to organize the species remaining in the FMPs according to the National Standard 1 guidelines (50 CFR 600.310). In the National Standard 1 guidelines NMFS recommends two categories for

species in an FMP: "stocks in the fishery" and "ecosystem component (EC) species."

"Stocks in the fishery" are defined in the National Standard 1 guidelines (§ 600.310(d)(2)). "Stocks in the fishery" include (1) stocks that are targeted, and retained for sale or personal use; (2) stocks that are not directly targeted but are taken incidentally in other directed fisheries, and are retained for sale or personal use; or (3) stocks not targeted or retained but are taken as incidental catch and for which overfishing or overfished status may be a concern.

NMFS created the EC species category to encourage ecosystem approaches to management and to incorporate ecosystem considerations for species that are not "stocks in the fishery" (74 FR 3178, January 16, 2009). EC species are defined in the National Standard 1 guidelines (§ 600.310(d)(5)). In order to be designated an EC species, the species or species group should be (1) a nontargeted species or species group; (2) not subject to overfishing, overfished, or approaching an overfished condition; (3) not likely to become subject to overfishing or overfished in the absence of conservation and management measures; and (4) not generally retained

for sale or personal use.

Amendments 96/87 established the EC category and designated prohibited species (which include salmon, steelhead trout, crab, halibut, and herring) and forage fish (as defined in Table 2c to part 679 and § 679.20(i)) as EC species in the FMPs. For EC species, NMFS maintained conservation regulations applicable to the specific EC species. These include prohibiting the retention of prohibited species, prohibiting directed fishing for forage fish, and establishing a limit on the incidental harvest of forage fish while directed fishing for other groundfish species, known as a maximum retainable amount, of 2 percent. Regulations at 50 CFR 679.2 define the term "directed fishing." Regulations at § 679.20(e) describe the application and calculation of maximum retainable amounts.

When the Council recommended Amendments 96/87, it recognized that as information on a nonspecified species improves, it would consider moving that species back into the FMP, either as a "stock in the fishery" or as an EC species. In 2010, the Council initiated an analysis to consider moving grenadiers back into the FMPs. The Council determined that sufficient information exists for grenadiers to address them in the FMPs, as reflected in the Analysis prepared for this action (see ADDRESSES). The Analysis provides

the best available information on grenadiers and considers two action alternatives: Include grenadiers in the FMP as an EC species, or include grenadiers in the FMP as a "stock in the fishery."

#### Amendments 100/91 to the FMPs

In February 2014, the Council voted unanimously to recommend Amendments 100/91 to the FMPs to add grenadiers to the EC category in the FMPs. The Council and NMFS recognized that adding grenadiers to the FMPs in the EC category would acknowledge their role in the ecosystem and limit the groundfish fisheries' impact on grenadiers. Adding grenadiers to the EC category would allow for improved data collection and catch monitoring appropriate for grenadiers given their abundance, distribution, and catch. The Council and NMFS determined that grenadiers are not a "stock in the fishery" because (1) grenadiers are not a target stock; (2) they are not generally retained for sale or personal use; and (3) they are not overfished, subject to overfishing, or approaching an overfished or overfishing status. The following information describes why grenadiers would be appropriate to include in the FMPs as an EC species group based on information summarized from the Analysis.

Grenadiers are not a targeted species group and are not generally retained for sale or personal use. Grenadiers have no current or foreseeable economic value. Section 3.3 of the Analysis explains that grenadiers are incidentally caught in deep water trawl and hook-and-line fisheries, but are not actively targeted or retained. In 2013, there was almost no reported retention of grenadiers in the BSAI (only 1 metric ton (t) or 2,205 pounds (lb)), and only 55 t (121,254 lb) of grenadiers were retained in the GOA. This represents a GOA fishery-wide retention rate of less than one half of one percent. Of this retention of grenadiers, 35 t (77,162 lb) was made into fish meal, 17 t (37,479 lb) was discarded at the dock, 3 t (6,614 lb) was retained for bait, and less than 1 t (2,205 lb) was sold. Thus, there is no evidence that grenadiers are presently being targeted or purposely retained. It is likely that grenadiers are being retained only when mixed with other catch.

Grenadiers are not generally retained for sale or personal consumption. As explained in Section 3.3.4 of the Analysis, attempts in Alaska to create a marketable product from giant grenadiers have been unsuccessful. Grenadiers have very low protein content, high moisture content, and are

generally regarded as mushy and unpalatable. No current market exists for grenadiers, and it is unlikely that one will be developed in the foreseeable future.

Grenadiers are not generally retained for personal use. A small portion of the total catch of grenadiers is known to be retained for use as bait (e.g., 3 t (6,614 lb) in the GOA in 2013). Although grenadiers may be retained for use as bait in hook-and-line fisheries, there is no indication that this is a general practice throughout the hook-and-line fleets. NMFS notes that existing recordkeeping and reporting for the use of grenadiers is voluntary, and could underestimate the amount of grenadiers used for bait. However, the best available information indicates that grenadiers are not generally retained for

At the current level of catch, grenadiers are not subject to overfishing, overfished, or approaching an overfished condition, and are not likely to become subject to overfishing or overfished in the absence of conservation and management measures. Section 3.2 of the Analysis explains that NMFS has been conducting a stock assessment for grenadiers since 2006. At present, stock assessment information for giant grenadier is relatively good compared to many other non-target species off Alaska. Since 2010, the stock assessment has been used to estimate an acceptable biological catch (ABC) and an overfishing level (OFL), using reliable estimates of biomass and natural mortality. Giant grenadier served as a proxy for the grenadier species group and the estimated ABC and estimated OFL are based on giant grenadier (Albatrossia pectoralis) because relatively few other grenadier species (family Macrouridae) are caught in the groundfish fisheries or are taken in NMFS surveys. NMFS estimates the incidental catch of grenadiers in the groundfish fisheries using observer data. In the BSAI, the estimated grenadier OFL is 135,236 t (298 million lb) and the estimated catch is 5.294 t (12 million lb, mean for 2003-2013). In the GOA, the estimated grenadier OFL is 46,635 t (103 million lb) and the estimated catch is 8,707 t (19 million lb, mean for 2003-2013).

Additionally, the Council recognized that adding grenadiers to the FMPs in the EC category would acknowledge their role in the ecosystem and limit the groundfish fisheries' impact on grenadiers. Section 3.6 of the Analysis describes the current state of research and understanding about the ecological importance of grenadiers. For example,

giant grenadiers have an important ecological role given their role as apex predators. Apex predators reside at the top of their food chain and have few to no predators of their own. In bottom trawl surveys conducted by NMFS in the Bering Sea and the GOA, giant grenadiers are the most abundant fish, in terms of weight, in depths from 600 to 3,000 feet (183-914 meters). Giant grenadier extend much deeper than 3,000 feet (914 meters). There are reports that they have been caught deeper than 6,000 feet (1,829 meters), but little is known about their abundance in waters deeper than 3,000 feet because neither the NMFS surveys nor fishing effort presently extend below this depth.

#### **Proposed Rule**

In addition to adding grenadiers as an EC in the FMPs under Amendments 100/91, the Council recommended and NMFS proposes regulations for groundfish fishery participants to limit and monitor the catch of grenadiers. This proposed rule would:

 Require recordkeeping and reporting of grenadiers in the BSAI and

GOA groundfish fisheries;

• Add two grenadier species codes;

- Add grenadier product recovery rates (PRRs);
- Prohibit directed fishing for grenadiers; and
- Establish a grenadier maximum retainable amount (MRA) of 8 percent.

To require recordkeeping and reporting, this proposed rule would make changes to 50 CFR part 679. This proposed rule would add a definition for grenadiers and revise the definition for non-allocated or nonspecified species at § 679.2. This proposed rule would also modify regulations at § 679.5 to require a vessel operator or manager in a BSAI or GOA groundfish fishery to record and report retained and discarded grenadier catch. NMFS notes that this proposed regulation would be expected to improve the collection of information on the catch and retention of grenadiers. Specifically, this proposed regulation would improve the ability for NMFS to monitor the retention of grenadiers for use as bait, or in the unlikely event that grenadiers are retained for sale.

NMFS would modify regulations in Table 2c to part 679 to add two grenadier species codes so that NMFS could track the retention of giant grenadiers and other grenadier species. NMFS would remove grenadiers from Table 2d to part 679. Section 2 of the Analysis notes that nearly all grenadiers encountered in the groundfish fisheries are giant grenadiers; therefore, it is not

necessary to establish more than two species codes for grenadiers (one for giant grenadiers and one for all other grenadier species) to provide the information necessary to adequately monitor grenadier catch.

This proposed rule would modify Table 3 to part 679 to include PRRs for grenadiers of 100 percent for whole fish, 50 percent for headed and gutted fish, and 24.3 percent for fillets. These PRRs are established based on food science studies of grenadiers that estimated product recovery rates (see Section 3.3.4 of the Analysis for additional detail).

These proposed regulatory changes would enable NMFS to collect data on the harvest and disposition of grenadier catch retained in the groundfish fisheries. The proposed changes in recordkeeping and reporting, definition of grenadier species codes, and grenadier PRRs would aid NMFS in determining if grenadiers become generally retained for sale or personal use, and would provide the information needed in any potential future consideration to modify the designation of grenadiers in the FMPs as a "stock in the fishery."

This proposed rule would revise regulations at § 679.20(i) and § 679.22(i) to prohibit directed fishing for grenadiers at all times in the BSAI and GOA groundfish fisheries. NMFS proposes prohibiting directed fishing as a precautionary measure to prevent groundfish fishermen from directed fishing for grenadiers without a clear and conscious decision by the Council to provide that opportunity. This prohibition is consistent with the regulations for other EC species. NMFS prohibits directed fishing for forage fish and prohibits retaining or possessing prohibited species, except as provided under the Prohibited Species Donation Program. As noted in Section 4.6 of the Analysis, prohibiting directed fishing would prevent the development of an uncontrolled fishery on grenadiers in the absence of applicable management measures.

This proposed rule would add a grenadier incidental catch species MRA of 8 percent to Table 10 to part 679 and Table 11 to part 679. The MRA is the percentage of the retained catch of a species closed for directed fishing (incidental catch species) to the retained catch of a species open for directed fishing (basis species). An 8 percent MRA would allow vessels fishing for groundfish to retain a quantity of grenadiers equal to but no more than 8 percent of the round weight or round weight equivalent of groundfish species open to directed fishing that are retained on board the vessel during a

fishing trip. The requirement to not exceed MRA proportions at any time during a trip limits the vessel operators' ability to maximize incidental catch of grenadiers.

Section 2.2 of the Analysis provides additional detail on MRA management. The Council and NMFS considered a range of MRA percentages of 2 to 20 percent for grenadiers. The Council recommended and NMFS agrees that an 8 percent MRA is not likely to substantially increase the incentive for vessels to retain grenadiers relative to a lower MRA percentage (e.g., 2 percent), but would limit the amount of incidental catch more conservatively than a higher MRA percentage (e.g., 20 percent). Given the lack of any market for grenadiers, NMFS has no indication that grenadier retention is likely to increase beyond current levels. Section 2.2 of the Analysis notes that a de minimus amount of grenadiers are retained in the BSAI, and only 0.1 percent of all groundfish fishing trips in the GOA would be expected to exceed an MRA of 8 percent. Therefore, an MRA of 8 percent would be expected to accommodate all current fishing practices and, if a market should develop, this MRA would limit the potential retention of grenadiers until the Council and NMFS could develop measures to manage grenadiers appropriately.

#### Classification

Pursuant to section 304(b)(1)(A) of the Magnuson-Stevens Act, the NMFS Assistant Administrator has determined that this proposed rule is consistent with the FMP amendments, other provisions of the Magnuson-Stevens Act, and other applicable law, subject to further consideration of comments received during the public comment period.

This proposed rule has been determined to not be significant for the purposes of Executive Order 12866.

Regulatory Impact Review (RIR)

An RIR was prepared to assess all costs and benefits of available regulatory alternatives. The RIR considers all quantitative and qualitative measures. A copy of this analysis is available from NMFS (see ADDRESSES). The Council recommended Amendments 100/91 based on those measures that maximized net benefits to the Nation. Specific aspects of the economic analysis are discussed below in the initial regulatory flexibility analysis section.

Initial Regulatory Flexibility Analysis (IRFA)

An IRFA was prepared, as required by section 603 of the Regulatory Flexibility Act. The IRFA describes the economic impact this proposed rule, if adopted, would have on small entities. A description of the proposed action, why it is being considered, and the legal basis for this proposed action are contained in the SUPPLEMENTARY INFORMATION section of the preamble and are not repeated here. A summary of the IRFA follows. Copies of the IRFA are available from NMFS (see ADDRESSES).

#### Number and Description of Small Entities Regulated by the Proposed Action

In the GOA, NMFS estimates that there are a total of 1.114 small catcher vessels and 5 small catcher/processors. The majority of these (581) are catcher vessels in the hook-and-line gear sector. In the BSAI, NMFS estimates that there are 118 small catcher vessels and 7 small catcher/processors. NMFS estimates that 72 small shoreside processors would be directly regulated by this action. This number includes entities located in both the BSAI and GOA, as some groundfish may be caught in one area and delivered to the other. Thus, NMFS estimates that the total number of small entities that would be directly regulated by this action is 1,316 small entities (1,232 catcher vessels, 12 catcher/processors, 72 shoreside processors).

Description of Significant Alternatives that Minimize Adverse Impacts on Small Entities

The two aspects of this proposed rule that directly regulate small entities are the requirement to report grenadier catch under regulations at § 679.5(a)(3) and the requirement that vessels not exceed an MRA of 8 percent, under regulations at Tables 10 and 11 to part 679. These requirements would have a de minimus economic impact on small entities, as explained in Section 5.7 of the Analysis. The reporting requirements were the same under all of the action alternatives.

The Council considered an MRA range of 2 percent to 20 percent, ultimately choosing an 8 percent grenadier MRA. The Council selected an 8 percent MRA to accommodate the current amount of grenadiers incidentally caught. The Council considered that there are very few instances when grenadier retention exceeds 8 percent; however, allowing a higher MRA of as much as 20 percent may not meet the objectives of

providing precautionary management and placing limits on harvest, as identified in the purpose and need for the action.

Thus, there are no significant alternatives that would accomplish the objectives of accounting for grenadier catch or MRA management and minimize adverse economic impacts on small entities.

#### Duplicate, Overlapping, or Conflicting Federal Rules

NMFS has not identified any duplication, overlap, or conflict between this proposed action and existing Federal rules.

#### Recordkeeping and Reporting Requirements

The proposed rule would modify the recordkeeping and reporting requirements of the vessels and processors participating in the BSAI and GOA groundfish fisheries.

Presently, NMFS requires catcher vessel operators, catcher/processor operators, buying station operators, mothership operators, shoreside processor managers, and stationary floating processor managers to record and report all FMP species in logbooks, forms, eLandings, and eLogbooks. Recording is optional for non-FMP species. Grenadiers are currently listed as non-FMP species.

The proposed rule would amend regulations to change the status of grenadiers (giant grenadiers and other grenadiers) from non-FMP species to FMP species and require operators to record and report grenadier species in logbooks, forms, eLandings, and eLogbooks. If operators retain and land grenadiers, then landings and disposition would be reported on fish tickets and production reports.

Collection-of-Information Requirements

This rule contains collection-ofinformation requirements subject to the Paperwork Reduction Act (PRA), and which have been approved by Office of Management and Budget (OMB) under OMB Control Number 0648-0213 (paper recordkeeping and reporting) and OMB Control Number 0648–0515 (electronic recordkeeping and reporting). However, this rule only mentions these collections and does not change either collectionof-information.

Send comments regarding this burden estimate, or any other aspect of this data collection, including suggestions for reducing the burden, to NMFS (see **ADDRESSEES**) and by email to *OIRA* Submission@omb.eop.gov, or fax to (202) 395-7285.

Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the PRA, unless that collection of information displays a currently valid OMB control number.

#### List of Subjects in 50 CFR Part 679

Alaska, Fisheries, Reporting and recordkeeping requirements.

Dated: May 8, 2014.

#### Samuel D. Rauch III,

Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.

For the reasons set out in the preamble, NMFS proposes to amend 50 CFR part 679 as follows:

#### PART 679—FISHERIES OF THE **EXCLUSIVE ECONOMIC ZONE OFF ALASKA**

■ 1. The authority citation for 50 CFR part 679 continues to read as follows:

Authority: 16 U.S.C. 773 et seq.; 1801 et seq.; 3631 et seq.; Pub. L. 108-447.

■ 2. In § 679.2, add a definition for "Grenadiers" in alphabetical order and revise the definition for "Non-allocated or nonspecified species" to read as follows:

#### § 679.2 Definitions.

\*

Grenadiers (see Table 2c to this part and § 679.20(i)).

Non-allocated or nonspecified species means those fish species, other than prohibited species, for which TAC has not been specified (e.g., prowfish and lingcod).

■ 3. In § 679.5, revise paragraph (a)(3) introductory text, and paragraphs (c)(3)(vi)(F) and (c)(4)(vi)(E) to read as follows:

#### § 679.5 Recordkeeping and reporting (R&R).

(a) \* \* \*

(3) Fish to be recorded and reported. The operator or manager must record and report the following information (see paragraphs (a)(3)(i) through (iv) of this section) for all groundfish (see Table 2a to this part), prohibited species (see Table 2b to this part), forage fish (see Table 2c to this part), and grenadiers (see Table 2c to this part). The operator or manager may record and report the following information (see paragraphs (a)(3)(i) through (iv) of

this section) for non-groundfish (see Table 2d to this part):

(c) \* \* \*

(3) \* \* \*

(vi) \* \* \*

(F) Species codes. The operator must record and report required information for all groundfish (see Table 2a to this part), prohibited species (see Table 2b to this part), forage fish (see Table 2c to this part), and grenadiers (see Table 2c to this part). The operator may record and report information for nongroundfish (see Table 2d to this part).

\*

\* \* (4) \* \* \* (vi) \* \* \*

- (E) Species codes. The operator must record and report the required information for all groundfish (see Table 2a to this part), prohibited species (see Table 2b to this part), forage fish (see Table 2c to this part), and grenadiers (see Table 2c to this part). The operator may also record and report the required information for non-groundfish (see Table 2d to this part).
- 4. In § 679.20, revise paragraph (i) to read as follows:

#### § 679.20 General limitations.

(i) Forage fish and grenadiers—(1) Definition. See Table 2c to this part.

- (2) Applicability. The provisions of § 679.20(i) apply to all vessels fishing for groundfish in the BSAI or GOA, and to all vessels processing groundfish harvested in the BSAI or GOA.
- (3) Closure to directed fishing. Directed fishing for forage fish and grenadiers is prohibited at all times in the BSAI and GOA.
- (4) Limits on sale, barter, trade, and processing. The sale, barter, trade, or processing of forage fish or grenadiers is prohibited, except as provided in paragraph (i)(5) of this section.
- (5) Allowable fishmeal production. Retained catch of forage fish or grenadier not exceeding the maximum retainable amount may be processed into fishmeal for sale, barter, or trade.
- 5. In § 679.22, add paragraph (i) to read as follows:

#### § 679.22 Closures.

- (i) Forage fish and grenadiers closures. See § 679.20(i)(3).
- 6. Revise Table 2c to part 679 to read as follows:

# TABLE 2C TO PART 679—SPECIES CODES: FMP FORAGE FISH SPECIES (ALL SPECIES OF THE FOLLOWING FAMILIES) AND GRENADIER SPECIES

Species identification	Code
FORAGE FISH:	
Bristlemouths, lightfishes, and anglemouths (family Gonostomatidae)	209
Capelin smelt (family Osmeridae)	516
Deep-sea smelts (family Bathylagidae)	773
Eulachon smelt (family Osmeridae)	511
Gunnels (family Pholidae)	207
Gunnels (family <i>Pholidae</i> )	800
Lanternfishes (family Myctophidae)	772
Pacific Sand fish (family <i>Trichodontidae</i> )	206
Pacific Sand lance (family Ammodytidae)	774
Pricklebacks, war-bonnets, eelblennys, cockscombs and Shannys (family Stichaeidae)	208
Surf smelt (family Osmeridae)	515
GRENADIERS:	
Giant Grenadiers (Albatrossia pectoralis)	214
Other Grenadiers `	213

■ 10. Revise Table 2d to part 679 to read as follows:

TABLE 2D TO PART 679—SPECIES CODES: NON-FMP SPECIES

Species description	Code
GENERAL USE	
Arctic char, anadromous	521
Dolly varden, anadromous	531
Eels or eel-like fish	210
Eel, wolf	217
GREENLING:	
Kelp	194
Rock	191
Whitespot	192
Jellyfish (unspecified)	625
Lamprey, pacific	600
Lingcod	130
Lumpsucker	216
Pacific flatnose	260
Pacific hagfish	212
Pacific hake	112
Pacific lamprey	600
Pacific saury	220
Pacific tomcod	250

TABLE 2D TO PART 679—SPECIES CODES: NON-FMP SPECIES—Continued

Species description	Code
Poacher (Family Algonidae)	219
Prowfish	215
Ratfish	714
Rockfish, black (GOA)	142
Rockfish, blue (GOA)	167
Rockfish, dark	173
Sardine, Pacific (pilchard)	170
Sea cucumber, red	895
Shad	180
Skilfish	715
Snailfish, general (genus Liparis and	
genus Careproctus)	218
Sturgeon, general	680
Wrymouths	211
Shellfish:	
Abalone, northern (pinto)	860
Clams:	
Arctic surf	812
Cockle	820
Eastern softshell	842
Pacific geoduck	815
Pacific littleneck	840

TABLE 2D TO PART 679—SPECIES CODES: NON-FMP SPECIES—Continued

Species description	Code
Pacific razor	830
Washington butter	810
Coral	899
Mussel, blue	855
Oyster, Pacific	880
Scallop, weathervane	850
Scallop, pink (or calico)	851
SHRIMP:	
Coonstripe	864
Humpy	963
Northern (pink)	961
Sidestripe	962
Spot	965
Snails	890
Urchin, green sea	893
Urchin, red sea	892

■ 11. Revise Table 3 to part 679 to read as follows:

BILLING CODE 3510-22-P

Table 3 to Part 679--Product Recovery Rates for groundfish species and conversion rates for Pacific halibut

	14 Roe	0.05	80.0	-	2	1	!	0.07	1	1	! !	1	-	-		1	;	* * * *
	13 Wings		ŀ	1		1	-	1	1	1	:		0.32		1	1		
	12 Salted & Split	0.45	I		1	1	1	1	1		1				1	1		Sp. sec est
	11 Kirimi	1	0.48	I.	1	1	1	0.25	1	1		-		-				4 4 4
	10 H&G w/o tail	0.44	0.62	!		1	1	0.50	1	1	l l		!	0.50	1	!	****	44 (94 ) 20
t Code	8 H&G east cut	0.47	0.65	0.50	0.40	0.61	0.50	0.56	1	-	1	-	0.32	0.63	i I	1	0.50	
Product Code	7 H&G west cut	0.57	0.72	09.0	0.50	0.64	0.50	0.65	0.71	0.71	0.78	0.72		89.0	I	1	09.0	
	6 H&G with roe	0.63	08.0	0.55		79.0	1	0.70	1	1	-	-			!	1		
	5 Gutted head off	-	ļ	ŀ		1	1	1	1	!	I 1	Ī		1	1	1		1.0
	4 Gutted head on	0.85	06.0	0.88	0.87	0.87	1	08.0	0.82	0.82	68.0	0.83	06.0	68.0	0.81	69.0	0.88	06.0
	3 Bled	86.0	86.0	86.0	86.0	86.0	!	86.0	96.0	96.0	86.0	86.0	86.0	86.0	86.0	86.0	86.0	***************************************
	1, 41, 86,92, 93, 95 Whole fish	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	
	FMP Species	Pacific Cod	Flatfish other than Pacific Halibut	Thornyhead Rockfish	Sculpins	Atka Mackerel	Giant grenadiers	Pollock	Smelts	Eulachon	Capelin	Sharks	Skates	Sablefish	Octopus	Squid	Rockfish	PACIFIC HALIBUT Conversion rates to Net Weight,
	Species Code	110		143	160	193	214	270	510	511	516			710	870	875		200

												,				,		
	31 Mince	0.5		111	E E			0.22			***				1		-	
	30 Surimi	0.15	0.18		1	!	0.15	$0.16^{1} \\ 0.17^{2}$	1	-	***			-	1		!	!
	24 Fillets deep skin			1	E I			0.16		-	****		1				-	-
	23 Fillets skinless boneless	0.25	0.22	0.25		-		0.21	1			0.25		0.25	1		0.25	i
	22 Fillets with ribs no	0.25	0.27	0.35	l l	I.	1	0:30	1			0.30		0:30	-	-	0.33	-
Product Code	21 Fillets with skin no ribs	0.35	0.27	0:30	I I	24.3		0:30	0.38	===		0.30	1	0:30	!	:	0:30	ŀ
Produc	20 Fillets with skin & ribs	0.45	0.32	0.40	E B		-	0.35	-		10 m m			0.35			0.40	-
	19 Belly	0.01	1	0.05	I I	!	-		!	1		-	-	-	!	-	0.10	
	18 Chins			0.05	!	1		-	1					-	-		0.05	-
	17 Cheeks	0.05		0.05	-				1					0.05		-	0.05	
	16 Heads			0.20	!	-		0.15	1		# S P		1	1	ł	-	0.15	
	15 Pectoral Girdle	0.05		-		-			1	-				1				
	FMP Species	Pacific Cod	Flatfish other than Pacific Halibut	Thornyhead Rockfish	Sculpins	Giant Grenadiers	Atka Mackerel	Pollock	Smelts	Eulachon	Capelin	Sharks	Skates	Sablefish	Octopus	Squid	Rockfish	PACIFIC HALIBUT Conversion rates to Net Weight.
	Species Code	110		143	160	214	193	270	510	511	516			710	870	875		200

<sup>1</sup>Standard pollock surimi rate during January through June.

<sup>2</sup>Standard pollock surimi rate during July through December.

Milt Stomachs Mantles Backbone Decomposed Fish 0.43 0.00 0.00
!!!
1 1
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_
Flatfish other than Pacific Halibut

To obtain round weight of groundfish, divide the product weight of groundfish by the table PRR. To obtain IFQ net weight of Pacific halibut, multiply the product weight of halibut by the table conversion rate. To obtain round weight from net weight of Pacific halibut, divide net weight by 0.75 or multiply by 1.33333. Notes:

■ 12. Revise Table 10 to part 679 to read as follows:

Table 10 to Part 679—Gulf of Alaska Retainable Percentages

	Grenadiers (13)	8	∞	8	∞	~	8	~	8	8	~	8	8	~	8	∞	∞	∞	~	∞
										V-710										
	Other species	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	n/a	20
79.20 (j) <sup>6</sup> )	Skates (11)	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	n/a	20	20
CIDENTAL CATCH SPECIES (for DSR caught on catcher vessels in the SEO, see § 679.20 (j) <sup>6</sup> )	Aggregated forage fish <sup>(10)</sup>	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
ssels in the	Atka mackerel	20	20	20	20	20	20	20	20	n/a	20	20	20	20	20	20	20	20	20	20
atcher ve	DSR SEO (C/Ps only) <sup>(6)</sup>	10	0	-	-	_	-	_	1	10	10	1	_	10	I	_	n/a	10	10	10
ught on c	SR/RE ERA	9	0	7	7	7	7	7	n/a	(i)	Θ	7	7	(1)	7	7	7	(1)	(1)	8
(for DSR ca	Aggregated Rockfish	5	5	15	15	15	15	15	15	5	5	15	15	5	15	15	15	S	S	5
PECIES	Sable- fish	1	_	7	7	7	7	7	7	1	_	n/a	7	_	7	7	7	-	-	
TCH S	Arrow- tooth	35	n/a	35	35	35	35	35	35	35	35	35	35	35	35	35	35	35	35	35
L CA	SW Flat (3)	20	20	20	20	20	20	70	20	20	70	20	20	n/a	20	20	70	70	70	20
IDENTA	Flathead sole	20	20	n/a	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20
INC	Rex sole	20	20	20	n/a	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20
	DW Flat	20	20	20	20	20	20	20	20	20	20	20	n/a	20	20	20	20	20	20	20
	Pacific Cod	n/a <sup>(9)</sup>	5	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20
	Pollock	20	5	20	20	20	20	20	20	20	Na	20	20	20	20	20	20	20	20	20
BASIS SPECIES	Species	Pacific cod	Arrowtooth	Flathead sole	Rex sole	Northern rockfish	Pacific ocean perch	Thornyhead	Shortraker/ rougheye <sup>(1)</sup>	Atka mackerel	Pollock	Sablefish	-latfish, deep-water <sup>(2)</sup>	Flatfish, shallow- water <sup>(3)</sup>	Rockfish, other (4)	Rockfish, pelagic (5)	Rockfish, DSR-SEO (6)	11)	Other species (7)	Aggregated amount of non-groundfish species <sup>(12)</sup>
BAS	Code	110	121	122	125	136	141	143	152/ 151	193	270	710	Flatfisk	Flatfish, water <sup>(3)</sup>	Rockfi	Rockfi	Rockfi	Skates <sup>(11)</sup>	Other s	Aggregated non-ground species <sup>(12)</sup>

Z	Notes to Table 10 to Part 679			
	Shortraker/rougheye rockfish	fish		
	SR/RE	Shortraker rockfish (152)		
		Rougheye rockfish (151)		
	SR/RE ERA	Shortraker/rougheye rockfish in the Eastern Regulatory Area (ERA)	ne Eastern Regulatory Area (ERA).	
	Where numerical percent	age is not indicated, the retainable pe	Where numerical percentage is not indicated, the retainable percentage of SR/RE is included under Aggregated Rockfish	fish
2	Deep-water flatfish	Dover sole, Greenland turbot, and deep-sea sole	deep-sea sole	
m	Shallow-water flatfish	Flatfish not including deep-water i	Flatfish not including deep-water flatfish, flathead sole, rex sole, or arrowtooth flounder	
4	Other rockfish	Western Regulatory Area		
		Central Regulatory Area	means slope rockfish and demersal shelf rockfish	
***************************************		West Yakutat District		
		Southeast Outside District	means slope rockfish	
			Slope rockfish	
		S. aurora (aurora)	S. variegates (harlequin)	S. brevispinis (silvergrey)
		S. melanostomus (blackgill)	S. wilsoni (pygmy)	S. diploproa (splitnose)
		S. paucispinis (bocaccio)	S. babcocki (redbanded)	S. saxicola (stripetail)
		S. goodei (chilipepper)	S. proriger (redstripe)	S. miniatus (vermilion)
		S. crameri (darkblotch)	S. zacentrus (sharpchin)	(4)
		S. elongatus (greenstriped)	S. jordani (shortbelly)	S. reedi (yenowinodin)
		nl	In the Eastern GOA only, Slope rockfish also includes S. polyspinis (northern)	polyspinis (northern)
S	Pelagic shelf rockfish	S. variabilis (dusky)	S. entomelas (widow)	S. flavidus (yellowtail)
9	Demersal shelf	S. pinniger (canary)	S. maliger (quillback)	S and suminmed (realloanses)
	rockfish (DSR)	S. nebulosus (china)	S. helvomaculatus (rosethorn)	S. ruperrimus (yenoweye)
		S. caurinus (copper)	S. nigrocinctus (tiger)	
		DSR-SEO = Demersal shelf rockf	DSR-SEO = Demersal shelf rockfish in the Southeast Outside District (SEO)(see § 679.7(b)(4) and § 679.20(j)).	(b)(4) and § 679.20(j)).
_	Other species	Sculpins	Octopus Sharks	Squid
∞	Aggregated rockfish	Means rockfish as defined at § 679.2 except in:	9.2 except in:	
		Southeast Outside District	where DSR is a separate category for those species marked with a numerical percentage	arked with a numerical percentage
		Eastern Regulatory Area	where SR/RE is a separate category for those species marked with a numerical percentage	marked with a numerical percentage

ž	Notes to Table 10 to Part 679		
6	n/a	Not applicable	
10	Aggregated forage fish (all species of	ies of the following taxa)	
		Bristlemouths, lightfishes, and anglemouths (family Gonostomatidae)	209
		Capelin smelt (family Osmeridae)	516
		Deep-sea smelts (family Bathylagidae)	773
		Eulachon smelt (family Osmeridae)	511
		Gunnels (family Pholidae)	207
		Krill (order Euphausiacea)	800
		Lanternfishes (family Myctophidae)	772
		Pacific Sand fish (family Trichodontidae)	206
		Pacific Sand lance (family Ammodytidae)	774
		Pricklebacks, war-bonnets, eelblennys, cockscombs and Shannys (family Stichaeidae)	208
		Surf smelt (family Osmeridae)	515
П	Skates Species and Groups	Big Skates (Raja binoculata)	702
~		Longnose Skates (R. rhina)	701
		Other Skates (all skates that are not Big Skate or Longnose Skate)	700
12	Aggregated non-groundfish	All legally retained species of fish and shellfish, including IFQ halibut, that are not listed as FMP groundfish in Tables 2a and 2c to this part.	groundfish in Tables 2a
13	3 Grenadiers	Giant grenadiers (Albatrossia pectoralis)	214
		Other grenadiers	213

 $\blacksquare$  13. Revise Table 11 to part 679 to read as follows:

Percentages
Retainable
Part 679-BSAI
11 to
Table

- 0				,		,	·	,					y			~		,		,		_
		Grenadiers <sup>9</sup>	8	∞	8	8	8	8	8	8	8	8	8	8	∞	∞	8	8	∞	8	- &	
		Other species <sup>4</sup>	20	3	3	20	20	20	20	20	20	20	20	20	20	20	20	20	20	na	20	
		Agg. forage fish <sup>7</sup>	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	
		Squid	20	20	20	20	20	20	20	20	20	20	20	20	20	20	na	20	20	20	20	_
		Agg. Rock- fish <sup>6</sup>	5	S	5	15	15	5	5	15	15	15	5	જ	5	15	5	5	15	5	5	
es		Short- raker/ rougheye	2	7	2	7	2	2	2	7	7	7	na	7	2	7	2	2	7	2	2	_
Senuas		Sable- fish <sup>1</sup>	_		-	15		1	1	15	15	15	15		_	na	-		15	1	·	_
e rer	CIES	Green- land turbot	_	7	<i>L</i>	35	-	Ι	1	na	35	35	35		_	35	I	1	35	1	ī	
aillaD	H SPE	Flat- head sole	20	20	20	na	35	35	35	20	20	20	20	20	20	20	20	35	20	20	20	
ı Ket	L CATC	Rock sole	20	20	20	35	na	35	35	20	20	20	20	20	20	20	20	35	20	20	20	_
Table 11 to Fart 0/9-b3A1 Ketainable Fercentages	INCIDENTAL CATCH SPECIES	Other flatfish <sup>2</sup>	20	20	20	35	35	38	35	20	20	20	20	20	20	20	20	na	20	20	20	
11.0/2	INCI	Yellow fin sole	20	20	20	35	35	na	35	20	20	20	20	20	20	20	20	35	20	20	20	
I to F;		Kam- chatka	35	20	na	35	35	35	35	35	35	35	35	35	35	35	35	35	35	35	35	_
ante 1		Arrow- tooth	35	na	20	35	35	35	32	35	35	35	35	35	35	35	35	35	35	35	35	
T		Alaska plaice	20	20	20	35	35	35	na	20	20	20	20	20	20	20	20	35	20	20	20	
		Atka mackerel	20	20	20	20	20	20	20	20	20	20	20	na	20	20	20	20	20	20	20	
		Pacific cod	naž	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	_
		Pollock	20	20	20	20	20	20	20	20	20	20	20	20	na	20	20	20	20	20	20	
	BASIS SPECIES	Species	Pacific cod	Arrowtooth	Kamchatka	Flathead sole	Rock sole	Yellowfin sole	Alaska Plaice	Greenland turbot	Northern	Pacific Ocean perch	Shortraker/ Rougheye	Atka mackerel	Pollock	Sablefish	Squid	Other flatfish <sup>2</sup>	Other rockfish <sup>3</sup>	Other species <sup>4</sup>	Aggregated amount non-groundfish species	?
	BA	Code	110	121	117	122	123	127	133	134	136	141	152/ 151	193	270	710	875	Other	Other	Other	Aggregal non-grou	

Sablefish: for fixed gear restrictions, see § 679.7(f)(3)(ii) and (f)(11).

<sup>2</sup> Other flatfish includes all flatfish species, except for Pacific halibut (a prohibited species), flathead sole, Greenland turbot, rock sole, yellowfin sole, Alaska

plaice, arrowtooth flounder and Kamchatka flounder.

Other rockfish includes all "rockfish" as defined at § 679.2, except for Pacific ocean perch; and northern, shortraker, and rougheye rockfish.

<sup>4</sup> The Other species includes sculpins, sharks, skates and octopus.

Aggregated rockfish includes all "rockfish" as defined at § 679.2, except shortraker and rougheye rockfish. na = not applicable

<sup>8</sup> All legally retained species of fish and shellfish, including CDQ halibut and IFQ halibut that are not listed as FMP groundfish in Tables 2a and 2c to this part. Forage fish are defined at Table 2c to this part.

<sup>9</sup>Grenadiers are defined in Table 2c to this part.