

Dated: July 28, 2021.

**Tracey L. Thompson,**

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

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[RTID 0648-XB280]

#### Gulf of Mexico Fishery Management Council; Public Meeting

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

**ACTION:** Notice of a public meeting.

**SUMMARY:** The Gulf of Mexico Fishery Management Council (Council) will hold a four-day meeting to consider actions affecting the Gulf of Mexico fisheries in the exclusive economic zone (EEZ).

**DATES:** The meeting will convene Monday, August 23 at 8:15 a.m. to 5:30 p.m., CDT. Tuesday, August 24, 2021 through Wednesday, August 25, 2021 at 8:30 a.m. to 5:30 p.m., CDT and on Thursday August 26, 2021 at 8:30 a.m. to 5 p.m. CDT.

**ADDRESSES:**

*Meeting address:* The meeting will take place at the Hilton Palacio del Rio, 200 South Alamo Street, San Antonio, TX 78205.

Please note, meeting attendees will be expected to follow any current COVID-19 safety protocols as determined by the Council, hotel and the City of San Antonio. Such precautions may include masks, room capacity restrictions, and/or social distancing. If you prefer to “listen in”, you may access the log-on information by visiting our website at [www.gulfcouncil.org](http://www.gulfcouncil.org).

*Council address:* Gulf of Mexico Fishery Management Council, 4107 W. Spruce Street, Suite 200, Tampa, FL 33607; telephone: (813) 348-1630.

**FOR FURTHER INFORMATION CONTACT:** Dr. Carrie Simmons, Executive Director, Gulf of Mexico Fishery Management Council; telephone: (813) 348-1630.

**SUPPLEMENTARY INFORMATION:**

**Agenda**

*Monday, August 23, 2021; 8:15 a.m.–5:30 p.m.*

The meeting will begin open to the public with Full Council Session to Induct New Council Members and Re-Appoint Council members. Committee

sessions will begin at 8:30 a.m. with the Administrative/Budget Committee will discuss modifications to the Statement of Organization Practices and Procedures (SOPPs) for Scientific and Statistical Committees (SSC) Memberships and SSC’s Best Voting Practices and Procedures. The Committee will receive a presentation on the 2019–20 Audit Results and discuss SSC Stipends.

The Shrimp Committee will receive an update on Effort Data Collection for 2021, review Draft Framework Action: Modifications to the Gulf of Mexico Federal Shrimp Fishery Effort Monitoring and Reporting, and Section 7 Consultation on the Shrimp Industry and Protected Species.

The Mackerel Committee will convene after lunch. They will review Coastal Migratory Pelagics (CMP) Landings, Public Hearing Draft Amendment 32: Modifications to the Gulf of Mexico Migratory Group Cobia Catch Limits, Possession Limits, Size Limits and Framework Procedure, receive clarification on Gulf King Mackerel Commercial Historical Landings Data and SSC recommendations, and review Draft Amendment 33: Modifications to the Gulf of Mexico Migratory Group King Mackerel Catch Limits and Sector Allocations and CMP Advisory Panel recommendations.

The Sustainable Fisheries Committee will receive an update on Historical Captain Permits Conversion; review National Standard 1 (NS1) Technical Guidance Subgroup 3 Technical Memo—Managing with Annual Catch Limits (ACLs) for Data-limited Stocks in Federal Fishery Management Plans and Using Field Experiments to Assess Alternative Mechanisms for Distributing Fish to the Recreational Sector, and SSC Recommendations.

The public meeting will adjourn for the day at approximately 4:15 p.m. and the Council will move in to a *Full Council—Closed Session* for the remainder of the day for the Selection of Special Coral, Mackerel and Shrimp Scientific and Statistical Committee (SSC) Members.

*Tuesday, August 24, 2021; 8:30 a.m.–5:30 p.m.*

The Reef Fish Committee will convene to review Reef Fish Landings and Individual Fishing Quota (IFQ) Landings, Draft Framework Action: Modification of Gulf of Mexico Red Grouper Annual Catch Limits and receive a presentation on Greater Amberjack Calibrated Landings and Catch Limits, and Proposed Management Alternatives. The

Committee will review and discuss Implementation of the DESCEND Act of 2020, Updates on 2021 Red Snapper State Management Programs, Final Document—Framework Action: Gulf of Mexico Red Snapper Recreational Data Calibration and Recreational Catch Limits, Reef Fish Amendments 36B and 36C: Modifications to Individual Fishing Quota (IFQ) Programs, and Draft Snapper Grouper Amendment 44 and Reef Fish Amendment 55: Modifications to Southeastern U.S. Yellowtail Snapper Jurisdictional Allocations, Catch Limits, and South Atlantic Sector Annual Catch Limits. The Committee will receive a presentation on Sector Separation for Four Reef Fish Species.

*Immediately following the Reef Fish Committee Virtual and In-person Gulf of Mexico Fishery Management Council and National Oceanic and Atmospheric Administration (NOAA) will hold an informal Question and Answer Session.*

*Wednesday, August 25, 2021; 8:30 a.m.–5:30 p.m.*

The Data Collection Committee will receive an update on Southeast For-hire Electronic Reporting (SEFHIER) Program and a presentation on Draft Options for Electronic Reporting due to Equipment Failure.

The Habitat Protection and Restoration Committee will receive a presentation from Bureau of Ocean Energy Management (BOEM) on Renewable Wind Energy and review Draft: Generic Essential Fish Habitat Amendment and SSC recommendations.

The Law Enforcement Committee will review the meeting summary from the March 2021 meeting and approve the Cooperative Law Enforcement Strategic Plan 2021–24 and Operations Plan 2021–22.

Following lunch, at approximately 1:30 p.m., the Council will reconvene with a Call to Order, Announcements and Introductions, presentation of the 2020 Law Enforcement Team of the Year Award, Adoption of Agenda and Approval of Minutes. The Council will receive presentations on Movement Patterns and Discard Mortality of Cobia in the Gulf of Mexico (GOM) and Assessing the Influence of *Sargassum* Habitat on Greater Amberjack Recruitment in the GOM.

The Council will hold public testimony from 2:45 p.m. to 5:30 p.m., EDT for Potential Reconsideration of Final Document—Framework Action: Gulf of Mexico Red Snapper Recreational Data Calibration and Recreational Catch Limits, and open testimony on other fishery issues or concerns. Public comment may begin earlier than 2:45 p.m. EDT, but will not

conclude before that time. Persons wishing to give public testimony in-person must register at the registration kiosk in the meeting room.

*Thursday, August 26, 2021; 8:30 a.m.–5 p.m.*

The Council will receive committee reports from Administrative/Budget, Shrimp, Mackerel, Habitat Protection and Restoration, Sustainable Fisheries, Data Collection, Law Enforcement, and Reef Fish Management Committees, and report on the Closed Session. The Council will receive updates from the following supporting agencies: South Atlantic Fishery Management Council; Texas Law Enforcement Efforts; NOAA Office of Law Enforcement (OLE); Gulf States Marine Fisheries Commission; U.S. Coast Guard; U.S. Fish and Wildlife Service; and Department of State.

The Council will discuss any Other Business items; and, hold an Election for Chair and Vice-Chair.

—Meeting Adjourns

The meeting will be an in-person meeting only. You may register for the webinar to listen-in only by visiting [www.gulfcouncil.org](http://www.gulfcouncil.org) and click on the Council meeting on the calendar.

The timing and order in which agenda items are addressed may change as required to effectively address the issue, and the latest version along with other meeting materials will be posted on the website as they become available.

Although other non-emergency issues not contained in this agenda may come before this group for discussion, in accordance with the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), those issues may not be the subject of formal action during these meetings. Actions will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under Section 305(c) of the Magnuson-Stevens Act, provided that the public has been notified of the Council's intent to take final action to address the emergency.

### Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aid should be directed to Kathy Pereira, (813) 348–1630, at least 5 days prior to the meeting date.

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

Dated: July 28, 2021.

**Tracey L. Thompson,**

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

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[RTID 0648–XB271]

#### Magnuson-Stevens Act Provisions; General Provisions for Domestic Fisheries; Application for Exempted Fishing Permits

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

**ACTION:** Notice; request for comments.

**SUMMARY:** The Gulf of Maine Research Institute has requested a change to a previously issued exempted fishing permit which would result in new regulatory exemptions for participating vessels. The Assistant Regional Administrator for Sustainable Fisheries, Greater Atlantic Region, NMFS, has determined that this request is outside the scope of the initially approved exempted fishing permit. As a result, regulations under the Magnuson-Stevens Fishery Conservation and Management Act require publication of this notification to provide interested parties the opportunity to comment on the proposed changes to the exempted fishing permit previously issued to the Gulf of Maine Research Institute.

**DATES:** Comments must be received on or before August 18, 2021.

**ADDRESSES:** You may submit written comments by the following method:

- *Email:* [nmfs.gar.efp@noaa.gov](mailto:nmfs.gar.efp@noaa.gov).

Include in the subject line “Modification to GMRI MREM EFP.”

**FOR FURTHER INFORMATION CONTACT:** Spencer Talmage, Fishery Policy Analyst, 978–281–9232.

**SUPPLEMENTARY INFORMATION:** On July 31, 2020, NMFS issued an exempted fishing permit (EFP) to the Gulf of Maine Research Institute (GMRI) in support of the development of maximized retention electronic monitoring (MREM) for the Northeast multispecies fishery. The EFP requires six participating vessels to retain all catch of undersized, allocated groundfish, with electronic monitoring (EM) used to verify compliance. The EFP currently exempts vessels from the requirement to adhere to their sector's

monitoring program at 50 CFR 648.87(b)(1)(v)(B)); minimum fish size requirements at § 648.83(a) and § 648.14(a)(7); minimum mesh size requirements at § 648.80; and Closed Area II Closure Area at § 648.81(a)(5) from April 16 through January 31.

Additionally, the EFP as originally issued allowed vessels to use a 4.5-inch (11.43 cm) mesh codend rather than a 5.5-inch (13.97 cm) mesh codend normally required while participating in the redfish sector exemption, provided that all other exemption area requirements were complied with. This provision was written into the terms and conditions of the EFP, and was not implemented through a regulatory exemption. Prior to the publication of Framework Adjustment 61 to the Northeast Multispecies Fishery Management Plan (86 FR 40353, July 28, 2021), the redfish sector exemption was administered through sector operations plans which are approved each year, and was not defined in the regulations.

When Framework 61 was approved and implemented, the redfish exemption was added to the list of universal sector exemptions, and a sector redfish exemption program, corresponding to the universal exemption, was described in the regulations. These new regulations define terms of the program, including vessel eligibility, area, gear, monitoring thresholds, and other administrative elements of the exemption program.

Because the new regulations defining the sector redfish exemption program did not exist when the EFP was issued to GMRI, the EFP does not currently exempt participating vessels from any of them. Because Framework 61 is now effective, vessels participating in this EFP are no longer able to participate in the sector redfish exemption program using 4.5-inch (11.43 cm) mesh as was intended.

On June 25, 2021, GMRI requested a modification to the EFP which would add an exemption to the minimum codend mesh size requirement for vessels fishing in the sector redfish exemption program, at § 648.85(e)(1)(vii)(A). Additionally, the modification would revise the conditions and requirements of the EFP that address the sector redfish exemption program to account for the additional exemption issued to vessels participating in the EFP. These modifications allow the participating vessels to continue fishing under the provisions of the sector redfish exemption program with 4.5-inch (11.43 cm) codend mesh, as they have since the original issuance of the EFP.