

prior to release. Up to one sawfish from each life stage group may unintentionally die during research activities. Additionally, the applicant requests to collect, receive, necropsy, analyze, and archive up to 30 salvaged dead smalltooth sawfish specimens (whole or parts) that have been legally collected or archived elsewhere within the U.S.

*File No. 22324:* The University of Florida (Responsible Party: Gavin Naylor, Ph.D.), Florida Museum of Natural History, Dickinson Hall, Gainesville, FL 32611, requests a 10-year permit to study smalltooth sawfish movements, habitat use, temporal and spatial distribution, and population structure using tagging, telemetry, and population genetic methods. Sawfish would be collected year-round in the Florida Bay and the upper Florida Keys using gillnets, longlines, and angling gear. The applicant anticipates capturing each year up to 60 sawfish, including 20 neonates and juveniles and 40 sub-adult and adult life stages. Research activities would include measurement, weigh (when possible), ultrasound, photograph/video, genetic tissue fin clip, muscle biopsy, skin biopsy, external dart tag, PIT tag, and blood draw. Subsets of each life stage group would receive either internal or external telemetry tracking devices prior to release. Additionally, the applicant further requests to collect, receive, necropsy, analyze and archive up to 100 salvaged dead smalltooth sawfish specimens (whole or parts) that have been legally collected or archived elsewhere within the U.S. Other objectives include receiving, importing, and exporting tissue samples (or parts) from five other foreign species of sawfish for scientific and archival purposes, including dwarf, narrow, green, largetooth, and non-U.S. DPS smalltooth sawfish.

Dated: December 6, 2018.

**Julia Marie Harrison,**

*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

RIN 0648-XG656

#### Fishing Capacity Reduction Program for the Longline Catcher Processor Subsector of the Bering Sea and Aleutian Islands Non Pollock 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 inform the public that there will be an increase of the fee rate required to repay the \$35,000,000 reduction loan financing the non-pollock groundfish fishing capacity reduction program. Effective January 1, 2019, NMFS is increasing the Loan A fee rate to \$0.017 per pound to ensure timely loan repayment. The fee rate for Loan B will remain unchanged at \$0.001 per pound.

**DATES:** The non-pollock groundfish program fee rate increase will begin with landings on and after January 1, 2019. The first due date for fee payments with the increased rate will be February 15, 2019.

**ADDRESSES:** Send questions about this notice to Michael A. Sturtevant, Acting 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)–(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 which finance reduction program costs. Subpart L of 50 CFR part 600 is the framework rule generally implementing section 312(b)–(e). Sections 1111 and 1112 of the Merchant Marine Act, 1936 (46 App. U.S.C. 1279f and 1279g) generally authorize reduction loans.

Enacted on December 8, 2004, section 219, Title II, of FY 2005 Appropriations Act, Public Law 104-447 (Act) authorizes a fishing capacity reduction program implementing capacity reduction plans submitted to NMFS by catcher processor subsectors of the

Bering Sea and Aleutian Islands (“BSAI”) non-pollock groundfish fishery (“reduction fishery”) as set forth in the Act.

The longline catcher processor subsector (the “Longline Subsector”) is among the catcher processor subsectors eligible to submit to NMFS a capacity reduction plan under the terms of the Act.

The longline subsector non-pollock groundfish reduction program’s objective was to reduce the number of vessels and permits endorsed for longline subsector of the non-pollock groundfish fishery.

All post-reduction fish landings from the reduction fishery are subject to the longline subsector non-pollock groundfish program’s fee.

NMFS proposed the implementing notice on August 11, 2006 (71 FR 46364), and published the final notice on September 29, 2006 (71 FR 57696).

NMFS allocated the \$35,000,000 reduction loan (A Loan) to the reduction fishery and this loan is repayable by fees from the fishery.

On September 24, 2007, NMFS published in the **Federal Register** (72 FR 54219), the final rule to implement the industry fee system for repaying the non-pollock groundfish program’s reduction loan and established October 24, 2007, as the effective date when fee collection and loan repayment began. The regulations implementing the program are located at § 600.1012 of 50 CFR part 600’s subpart M.

NMFS published, in the **Federal Register** on November 2, 2009 (74 FR 56592), a notice to decrease the A Loan fee rate to \$0.016 per pound effective January 1, 2010. On November 12, 2010, NMFS published a notice (75 FR 69401), to decrease the fee rate to \$0.015 per pound, effective January 1, 2011. NMFS published a notice on November 30, 2011 (76 FR 74048) to decrease the fee rate to \$0.0145 per pound effective January 1, 2012. NMFS published a notice on February 13, 2013 (78 FR 10136) to further decrease the fee rate once more to \$0.0111 per pound effective January 1, 2013. NMFS published a notice on January 8, 2018 (83 FR 793) to increase the fee rate to \$0.013 per pound effective January 1, 2018.

NMFS published a final rule to implement a second \$2,700,000 reduction loan (B Loan) for this fishery in the **Federal Register** on September 24, 2012 (77 FR 58775). The loan was disbursed December 18, 2012 with fee collection of \$0.001 per pound to begin January 1, 2013. This fee is in addition to the A Loan fee.

## II. Purpose

The purpose of this notice is to adjust the fee rate for the reduction fishery in accordance with the framework rule's § 600.1013(b). 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 for the reduction fishery that the current fee rate of \$0.013 per pound is less than that needed to service the A Loan. Therefore, NMFS is increasing the Loan A fee rate to \$0.017 per pound which NMFS has determined is sufficient to ensure timely loan repayment. The fee rate for Loan B will remain \$0.001 per pound.

Subsector members may continue to use Pay.gov to disburse collected fee deposits at: <http://www.pay.gov/paygov/>.

Please visit the NMFS website for additional information at: <https://www.fisheries.noaa.gov/national/funding-and-financial-services/longline-catcher-processor-subsector-bering-sea-and-aleutian-islands-non-pollock>.

## III. Notice

The new fee rate for the non-pollock Groundfish fishery will begin on January 1, 2019.

From and after this date, all subsector members paying fees on the non-pollock groundfish fishery shall begin paying non-pollock groundfish fishery program fees at the revised rate.

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 September 24, 2007 (72 FR 54219).

**Authority:** The authority for this action is Public Law 108-447, 16 U.S.C. 1861a (b-e), and 50 CFR 600.1000 *et seq.*

Dated: December 3, 2018.

**Brian Pawlak,**

*CFO/CAO Director, Office of Management and Budget, National Marine Fisheries Service.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XG613

### Fisheries of the Exclusive Economic Zone Off Alaska; North Pacific Halibut and Sablefish Individual Fishing Quota Cost Recovery Programs

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

**ACTION:** Notice of standard prices and fee percentage.

**SUMMARY:** NMFS publishes the individual fishing quota (IFQ) standard prices and fee percentage for cost recovery for the IFQ Program for the halibut and sablefish fisheries of the North Pacific (IFQ Program). The fee percentage for 2018 is 2.8 percent. This action is intended to provide holders of halibut and sablefish IFQ permits with the 2018 standard prices and fee percentage to calculate the required payment for IFQ cost recovery fees due by January 31, 2019.

**DATES:** The standard prices and fee percentages are valid on December 12, 2018.

**FOR FURTHER INFORMATION CONTACT:** Carl Greene, Fee Coordinator, 907-586-7105.

#### SUPPLEMENTARY INFORMATION:

#### Background

NMFS Alaska Region administers the IFQ Program in the North Pacific. The IFQ Program is a limited access system authorized by the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) and the Northern Pacific Halibut Act of 1982. Fishing under the IFQ Program began in March 1995. Regulations implementing the IFQ Program are set forth at 50 CFR part 679.

In 1996, the Magnuson-Stevens Act was amended to, among other purposes, require the Secretary of Commerce to “collect a fee to recover the actual costs directly related to the management and enforcement of any . . . individual quota program.” This requirement was further amended in 2006 to include collection of the actual costs of data collection, and to replace the reference to “individual quota program” with a more general reference to “limited access privilege program” at section 304(d)(2)(A). Section 304(d)(2) of the Magnuson-Stevens Act also specifies an upper limit on these fees, when the fees must be collected, and where the fees must be deposited.

On March 20, 2000, NMFS published regulations in § 679.45 implementing cost recovery for the IFQ Program (65 FR 14919). Under the regulations, an IFQ permit holder must pay a cost recovery fee for every pound of IFQ halibut and IFQ sablefish that is landed on his or her IFQ permit(s). The IFQ permit holder is responsible for self-collecting the fee for all IFQ halibut and IFQ sablefish landings on his or her permit(s). The IFQ permit holder is also responsible for submitting IFQ fee payment(s) to NMFS on or before the due date of January 31 of the year following the year in which the IFQ landings were made. The total dollar amount of the fee due is determined by multiplying the NMFS published fee percentage by the ex-vessel value of all IFQ landings made on the permit(s) during the IFQ fishing year. As required by § 679.45(d)(1) and (d)(3)(i), NMFS publishes this notice of the fee percentage for the halibut and sablefish IFQ fisheries in the **Federal Register** during or before the last quarter of each year.

#### Standard Prices

The fee is based on the sum of all payments made to fishermen for the sale of the fish during the year. This includes any retro-payments (*e.g.*, bonuses, delayed partial payments, post-season payments) made to the IFQ permit holder for previously landed IFQ halibut or sablefish.

For purposes of calculating IFQ cost recovery fees, NMFS distinguishes between two types of ex-vessel value: Actual and standard. Actual ex-vessel value is the amount of all compensation, monetary or non-monetary, that an IFQ permit holder received as payment for his or her IFQ fish sold. Standard ex-vessel value is the default value used to calculate the fee. IFQ permit holders have the option of using actual ex-vessel value if they can satisfactorily document it; otherwise, the standard ex-vessel value is used.

Section 679.45(b)(3)(iii) requires the Regional Administrator to publish IFQ standard prices during the last quarter of each calendar year. These standard prices are used, along with estimates of IFQ halibut and IFQ sablefish landings, to calculate standard ex-vessel values. The standard prices are described in U.S. dollars per IFQ equivalent pound for IFQ halibut and IFQ sablefish landings made during the year. According to § 679.2, IFQ equivalent pound(s) means the weight amount, recorded in pounds, and calculated as round weight for sablefish and headed and gutted weight for halibut, for an IFQ landing. The weight of halibut in