



**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
*National Marine Fisheries Service*  
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August 20, 2025

MEMORANDUM FOR: The Record

FROM: Jonathan M. Kurland  
Regional Administrator

SUBJECT: Categorical Exclusion (CE) for the Proposed Rule to implement Amendment 125 to the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area (0648-BM64)

The National Oceanic and Atmospheric Administration's (NOAA) Policy and Procedures for Compliance with the National Environmental Policy Act and Related Authorities (NOAA Administrative Order 216-6A and Companion Manual for NAO 216-6A) establishes NOAA's policy and procedures for compliance with the National Environmental Policy Act (NEPA), 42 U.S.C. 4321 *et seq.*, and related Executive Orders. These procedures and NEPA, as amended by the 2023 Fiscal Responsibility Act, were used to examine amendment 125 to the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area (BSAI FMP) and implementing regulations for its potential to impact the quality of the human environment as discussed below.

**Description of the Proposed Action(s):**

This action amends the BSAI FMP and Federal regulations to modify the existing BSAI Pacific cod (*Gadus macrocephalus*) sectors while maintaining the current reallocation hierarchy specified in regulations at 50 CFR 679.20(a)(7)(iii) and (a)(7)(iv)(C). The BSAI Pacific cod jig sector allocation has not historically been fully utilized, particularly in the A and C seasons, but after reallocation has been consistently harvested each year by other sectors. The North Pacific Fishery Management Council (Council) recommended this action as a means to provide stability and additional opportunities for some current fishery participants and potential new entrants, without negatively impacting other vessels using jig gear.

The final rule to implement amendment 125 modifies the current BSAI Pacific cod jig sector to include a small vessel provision during the jig gear A season (as defined at 50 CFR 679.23(e)(5)(iv)(A)). Under the small vessel provision, catch from hook-and-line or pot catcher vessels (CVs) that are less than or equal to 55 ft (16.8 m) length overall (LOA) harvesting Pacific cod during the jig gear A season will accrue to the jig sector A season allocation, specified at 50 CFR 679.20(a)(7)(ii)(A).



The BSAI Pacific cod jig sector includes all vessels (CVs and catcher processors (CPs)) using jig gear. After the jig gear A season ends (season dates are specified at 50 CFR 679.23(e)(5)(iv)(A)), all hook-and-line or pot CVs less than or equal to 60 ft (18.3 m) LOA would be eligible for reallocations of BSAI Pacific cod using the reallocation hierarchy defined at 50 CFR 679.20(a)(7)(iii) and (a)(7)(iv)(C) of Federal regulations.

**Category A1. Trust Resource Management Actions.**

An action that is a technical correction or a change to a fishery management action or regulation, which does not result in a substantial change in any of the following: fishing location, timing, effort, authorized gear types, or harvest levels.

**Effects of the Proposed Action(s):**

In accordance with 42 U.S.C. 4336(a)(2) and as described in “IV.A Significance” in the Companion Manual for NAO 216-6A, p. 5-6, this section addresses the action’s potential effects and the significance of those effects in terms of the potentially affected environment and degree of the effects of the activity or decision.

The Council recommended amendment 125 to the BSAI FMP to include hook-and-line or pot CVs that are less than or equal to 55 ft (16.8 m) LOA in the Pacific cod jig sector. The amendment and implementing regulations amend the current Federal BSAI Pacific cod jig sector in the A season only to include jig CVs and CPs as well as hook-and-line or pot CVs that are less than or equal to 55 ft (16.8 m) LOA. This action does not affect any other sector allocation established under amendment 85 (72 FR 50788).

The final action would have economic effects, but no effect on the natural or physical environment. The proposed amendment is a technical change to a fishery management regulation that would not result in a substantial change to fishing location, timing, effort, authorized gear types, or harvest levels. This approach would not adversely impact conservation and management in the BSAI Federal Groundfish fishery. Therefore, this action is not expected to have a significant impact.

**Evaluation of Appropriateness:**

CE A1 is appropriate for this action. Based on the description of this action and its anticipated effects set out above, amendment 125 to the BSAI FMP and implementing regulations have no potential for significant adverse effects on human health or safety. This action will not cause a substantial change to fishing location, timing, effort, authorized gear types, or harvest levels of BSAI Pacific cod.

The likelihood of extraordinary circumstances listed in NOAA’s Companion Manual for NAO 216-6A Section V.D. were considered in this evaluation; no extraordinary circumstances are expected.

Because this action will not change fishing locations or increase fishing effort, it will not impact areas with unique environmental characteristics, species or habitats protected by the Endangered Species Act, the Marine Mammal Protection Act, the Magnuson-Stevens Fishery Conservation and Management Act, the Migratory Bird Treaty Act, or properties listed or eligible for listing on

the National Register of Historic Places. Furthermore, this action has no potential to generate, use, store, transport, or dispose of hazardous or toxic substances. This action will not contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species. This action would not result in considerable adverse effects on human health and safety. The action does not pose a potential violation of Federal, state, or local law or requirements imposed for protection of the environment; or establish a precedent or decision in principle for future actions with potentially significant environmental effects.

This action is not connected to a larger action and can therefore be reviewed independently from other actions under NEPA. The action does not involve any of the extraordinary circumstances listed in the NOAA NEPA Companion Manual.

**Categorical Exclusion Determination:**

Based upon the above analysis, NOAA has determined that the action falls within the category of actions subject to CE identified in Appendix E of NOAA's Companion Manual for NAO 216-6A, A1 - Trust Resource Management Actions--a category of actions that normally does not have a significant effect on the human environment (42 U.S.C. 4336e(1)); is not connected to a larger action (Companion Manual for NAO 216-6A, pg. 8); and does not involve extraordinary circumstances precluding use of the CE (Companion Manual for NAO 216-6A, pg. 9). As such, NOAA has determined that it is categorically excluded from further NEPA review.

The original signed memorandum will be maintained in the record for the action.