



NORTH PACIFIC FISHERY MANAGEMENT COUNCIL

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Action Memo

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Dan Hull, Chairman
David Witherell, Executive Director

SUBJECT:

Regulatory Reform Review

STAFF CONTACT: Diana Evans (NPFMC)

ACTION REQUIRED:

- Respond to NMFS request for the Council to review regulations under its authority, to alleviate unnecessary regulatory burdens on the American people.

BACKGROUND:

The Regulatory Reform agenda and requirements in Executive Order (E.O.) 13771 and E.O. 13777 require NMFS, as part of the Department of Commerce, to evaluate existing regulations and make recommendations regarding repeal, replacement, or modification, consistent with applicable law. As the fishery management plans and associated regulations for the conservation and management of the federally managed fisheries off Alaska were developed by the Council, NMFS has requested that the Council assist in review of these regulations and provide recommendations to NMFS by July 2, 2018.

Specifically, NMFS requests that the Council review regulations under its authority to address the following:

- Is the regulation up to date, needed, and effective in achieving the regulatory objectives?
- Does the regulation's ongoing implementation impose costs that exceed benefits?
- Is the regulation derived from E.O.s or other Presidential directives that have been rescinded or substantially modified?

NMFS staff have prepared the attached discussion paper that provides information about regulations under the authority of the Council, other existing regulatory review processes, and some recommended regulatory revisions that have been identified through these processes. In addition, this discussion paper lists the issues identified relevant to Alaska Region or Council regulations that were submitted in comments on NMFS's July 7, 2017, notice in the *Federal Register* (82 FR 31576) requesting input for this regulatory review. The FR notice and the four comments that were submitted and relevant to Alaska fisheries are attached as a separate document.

Sally Bibb, the NMFS Alaska Region Sustainable Fisheries Deputy Director, will be at the meeting to present the discussion paper. The paper could be revised or augmented, should the Council wish additional information for its final review of regulations scheduled for the June 2018 meeting. At that time, NMFS requests that the Council recommend if any of the regulations for fisheries under its authority should be eliminated, replaced, or modified.