Status of FMP Amendments
March 23, 2007

FMP Amendment Status: Actions Since February 2007 Council Meeting	Date of Council Action	Start Regional Review	Transmittal Date of Action to NMFS HQ for Review	Proposed FMP Amendment Notice of Availability Published	Proposed Rule Published in Federal Register	Final Rule Published in Federal Register
Amendment 25 (KTC) - North catcher processor owner quota share	MSA Re-auth. Act Jan. 2007	NOA: 1/22/07	NOA – January 29, 2007	February 5, 2007 72 FR 5255 Comment period ends April 6, 2007		
Amendments 62/62: Single Geographic Location and AFA housekeeping	Oct 2002	PR: 10/15/04				
Amendment 67 (GOA) – IFQ omnibus IV **Approved:** **January 3, 2007**	December 2004	PR: 2/21/06	PR: September 25, 2006	October 3, 2006 71 FR 58372 Comment period ended December 4, 2006	November 1, 2006 71 FR 64218 Comment period ended December 18, 2006	
Amendment 72 (GOA): Add IR/IU trigger for SWFF	April 2003					
Amendment 80 (BSAI) – IR/IU and fishing cooperative	June 2006	**PR: 3/23/07**				
Amendment 84 (BSAI) – Salmon Bycatch ICA	October 2005	PR: 2/1/06	**PR: March 19, 2007**	**March 26, 2007**		
Amendment 85 (BSAI) – Pacific cod allocations **Secretarial partial approval: March 5, 2007**	April 2006	PR: 9/21/06	PR: November 29, 2006 PR: January 22, 2007	December 7, 2006 71 FR 70943 Comment period ended February 5, 2007	February 7, 2007 72 FR 5654 Comment period ends March 26, 2007	for 2008 season

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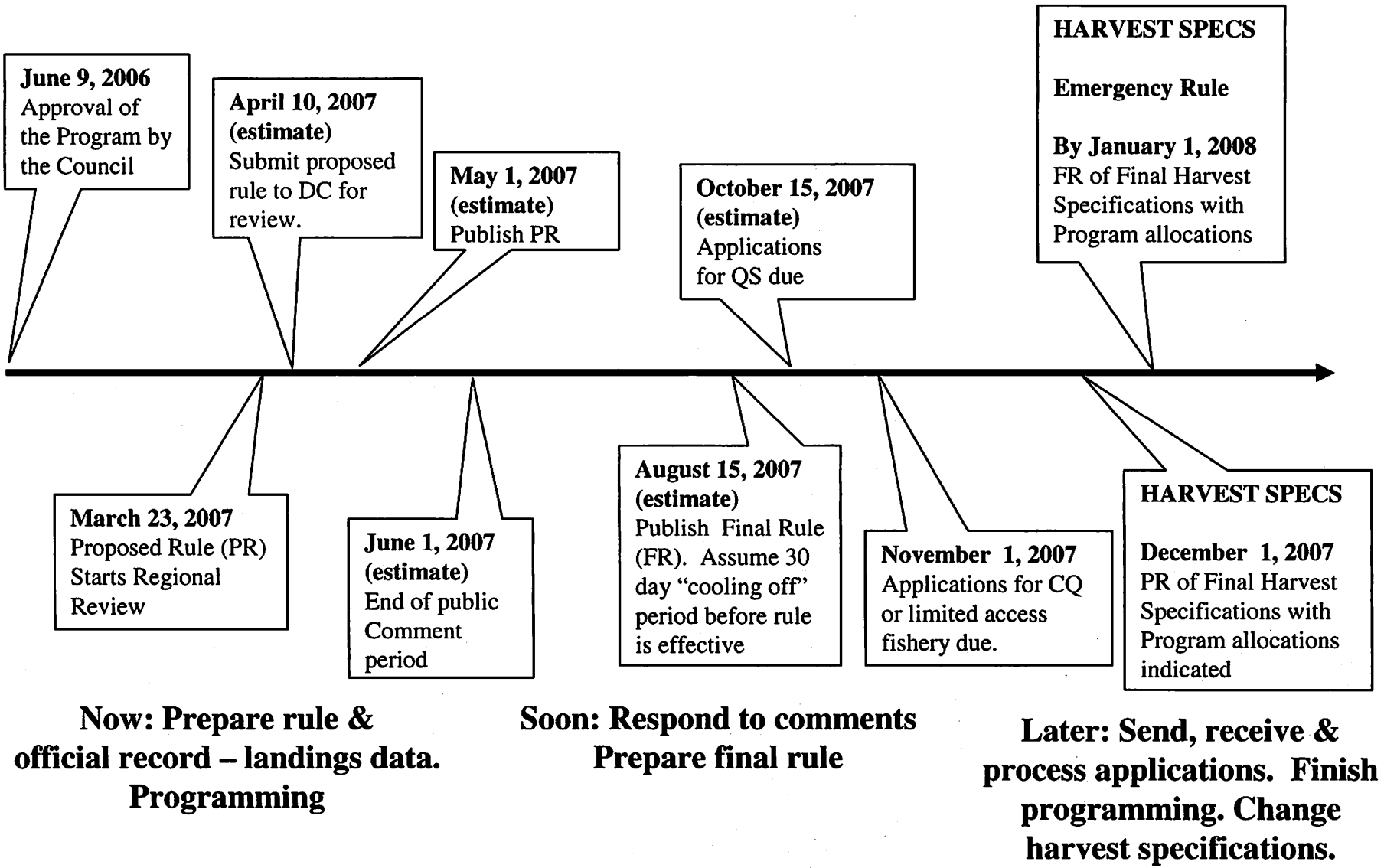
Status of Regulatory Amendments
March 23, 2007

Regulatory Amendment Status: Actions Since February 2007 Council Meeting	**Date of Council Action**	**Start Regional Review of Rule**	**Transmittal Date of Rule to NMFS Headquarters**	**Proposed Rule in *Federal Register***	**Final Rule Published in *Federal Register***
Groundfish Regulations					
2007 & 2008 BSAI groundfish harvest specifications	NMFS	PR: October 10, 2006 FR: December 21, 2006	PR: November 28, 2006 FR: February 7, 2007	12/15/06 71 FR 75460 Comment period ended 1/16/07	**March 2, 2007** **72 FR 9241**
2007 & 2008 GOA groundfish harvest specifications	NMFS	PR: October, 10, 2006 FR: January 4, 2007	PR: November 27, 2006 FR: February 7, 2007	12/15/06 71 FR 75437 Comment period ended 1/16/07	**March 5, 2007** **72 FR 9676**
Interagency Electronic Reporting System	NMFS	PR: December 27, 2006			
Observer Program sunset date removal	June 2006	PR: July 14, 2006	PR: February 7, 2007	**February 22, 2007** **72 FR 7948** **Comment period ended March 23, 2007**	
Observer Communications Systems revision	NMFS	PR: January 24, 2007	**PR: March 13, 2007**		
Revise MRA accounting period for non-AFA catcher/processors	December 2006				
Revise seabird avoidance measures	February 2007				

Status of Regulatory Amendments
March 23, 2007

Regulatory Amendment Status: Actions Since February 2007 Council Meeting	**Date of Council Action**	**Start Regional Review of Rule**	**Transmittal Date of Rule to NMFS Headquarters**	**Proposed Rule in *Federal Register***	**Final Rule Published in *Federal Register***
Groundfish Regulations					
CDQ transfers	NMFS – MSA requirement				
CDQ regulation of harvest	NMFS – MSA requirement				
Halibut Regulations					
Halibut/Sablefish IFQ – Allow processing of non-IFQ species on a vessel with B, C, or D shares onboard	June 2006				
Allow use of pot longline gear in BS in June for IFQ/CDQ sablefish; allow temp transfer of IFQs held by mobilized militia; and withdraw inactive QS	June 2006				
Subsistence Halibut III	December 2004				
Halibut annual management measures		**FR: February 23, 2007**	**FR: February 28, 2007**		**March 14, 2007 72 FR 11792**
Sport charter vessel bag limit restrictions	NMFS	**PR: March 19, 2007**	**PR: March 23, 2007**		

Figure 1: Current Timeline for Amendment 80 Program Implementation



Now: Prepare rule & official record – landings data. Programming

Soon: Respond to comments Prepare final rule

Later: Send, receive & process applications. Finish programming. Change harvest specifications.

Overview of Central Gulf of Alaska (CGOA) Rockfish Program Implementation

What it does

- Allocates CGOA Pacific ocean perch, pelagic shelf rockfish, and northern rockfish (Rockfish), other secondary species, and halibut PSC. Limits the number of onshore processors that can receive allocated Rockfish. Harvesters can form a cooperative and receive an exclusive cooperative quota (CQ). Harvests can be spread out, and reduce the "race for fish." Sideboard limits protect other fisheries by limiting rockfish harvesters in July.

Who is participating -- Issuance of Rockfish QS

- All applicants known to be eligible for the Rockfish Program applied and received QS or processor eligibility.
- 48 catcher vessels (CV) LLPs
- 15 catcher/processors (C/P) LLPs
- 5 processors
- 8 LLPs contested NMFS's estimate of QS amounts. NMFS will prepare an initial administrative determination (IAD). Applicants can appeal the IAD.
- One applicant (2 LLPs) contested C/P sideboard limits.

Entry Level Fishery (5 % of CGOA Rockfish TAC)

- Anyone not eligible for QS can apply by March 1.
- 2 Entry level trawl vessels applied.
- 1 entry level longline/jig vessel.
- Some jig vessels did not register and may fish in State of Alaska waters during the Federal season.

What participants are doing

CV Sector Participants

- 45 LLPs representing 99% of all the CV Rockfish QS joined cooperatives in association with eligible processors – 5 cooperatives formed.
- CV cooperatives will receive exclusive cooperative quota (CQ) to the following species in the CGOA .... 6,700 mt Rockfish, 390 mt sablefish, 590 mt Pacific cod, 110 mt thornyhead, and 110 mt halibut PSC for use while harvesting their CQ.
- 3 CV LLPs did not join a coop, they will receive 1% of the Rockfish TAC for CVs.

C/P Sector Participants

- 2 cooperatives formed representing 45% of all the C/P Rockfish QS
- C/P cooperatives will receive CQ for.... 3,650 mt Rockfish, 150 mt sablefish, 60 mt shortraker, 200 mt rougheye, 130 mt thronyhead, and 60 mt halibut PSC.
- 5 LLP did not join a cooperative, they will receive 43% of the Rockfish TAC for C/Ps.
- 6 LLPs chose neither to join a cooperative nor the limited access fishery and "opt-out." Vessels using these LLPs cannot fish for Rockfish in the CGOA. Opt-out vessels are relieved from some monitoring and enforcement requirements and sideboard limits, specifically sideboard limits in the Bering Sea.

B-2
Andy Smoker

National Marine Fisheries Service
Alaska Region, Inseason Management Highlights

March 22, 2007

2007 catch is through March 17 unless otherwise stated

Bering Sea and Aleutian Islands

Bering Sea Pollock

The 2007 Chinook Salmon Savings Area (CSSA) limit is 29,000 salmon. The CSSA closed for non CDQ February 6, 2007. A total of 64,268 non-CDQ and 3,119 CDQ Chinook salmon have been caught. In the 2006 A season 57,144 non-CDQ and 1,580 CDQ Chinook salmon were taken. The CSSA closed for non CDQ February 15, 2006.

Catcher/processors

As in the 2006 A season, 16 catcher/processors (c/ps) targeted pollock. The 2007 catch is 94% of the A season allocation. The 2007 catch is 90% of the pollock catch through the same time period in 2006.

Inshore processors

In 2007, 76 catcher vessels targeted pollock (74 in 2006). The 2007 catch is 93% of the A season allocation. The 2007 catch is 90% of the pollock catch through the same time period in 2006.

Motherships

All three motherships participated in the A season. The 2007 is 95% of the A season allocation. The 2007 catch is 90% of the pollock catch through the same time period in 2006.

Flatfish

The rock sole fishery reached the first season halibut mortality limit for the rock sole/flathead sole/"other flatfish" target category on February 17, 2007. The second season allocation becomes available April 1, 2007. The current target for this fleet is yellowfin sole. NMFS expects the yellowfin sole fishery to remain open until the second season allocation becomes available April 1, 2007.

Trawl halibut mortality

Catcher processor

Year	Pcod	Plck	Rsol	Gtrb	Ysol	Total
2007	131	166	565	-	219	1,080
2006	409	70	471	42	81	1,073

Catcher vessel

Year	Pcod	Plck	Total
2007	388	141	529
2006	516	24	539

Atka mackerel

Four c/ps registered for the 2007 A season harvest limitation area (HLA) fisheries in 543 and 542 (6 in 2006). NMFS closed the area 541/Bering Sea subarea fishery February 3, 2007. The HLA fisheries started February 5. The last HLA fishery closed March 7. In the 2007 A season, 48% of the 542 HLA and 1% of the 543 were taken in the HLAs. Outside the HLA, 6,500 mt remains in 542 and 4,176 mt remains in 543. Effort in the Aleutian Islands changed to targeting Pacific cod until it closed. In 2006, the entire area for 542 closed February 18 and for 543 April 15.

Pacific cod

Hook-and-line C/Ps

In 2007, 36 hook-and-line c/ps participated in the Pacific cod fishery (39 in 2006). The A season closed February 12 catching 39,776 mt out of the 38,419 mt TAC. In 2006 the fishery closed February 18.

Hook-and-line catcher vessels

The fishery for hook-and-line catcher vessels > 60 ft LOA closed February 21, 2007 taking 149 mt of the 144 mt A season TAC. In 2006, hook-and-line catcher vessels started fishing Pacific cod during the middle of January and the A season closed for hook-and-line catcher vessels > 60 ft LOA February 24, 2006.

Hook-and-line and pot catcher vessels < 60 feet length overall

NMFS expects this fishery to close during the week ending March 31, 2007.

Pot

The 2007 fishery for pot catcher vessels closed January 26 with 49 vessels taking about 7,958 mt. In 2006, the fishery closed February 3 with 37 vessels taking about 9,756 mt.

In 2007, 3 pot c/ps participated in the Pacific cod fishery (2 in 2006). This fishery closed February 20, 2007 taking 1,691 mt of the 1,586 mt A season TAC. In 2006, effort started during the week ending February 18 and the A season closed April 8.

Trawl

The A season for catcher vessels closed March 12, 2007. A total of 25,205 mt was taken of the 25,977 mt A season TAC. The remaining 772 mt from the A season will be used for incidental catch and what remains will rollover to the B season TAC of 3,711 mt. The B season fishery opens April 1, 2007. In 2006 the B season was open for 5 days and a total of 4,245 mt was taken. Therefore, the B season likely will close around April 6.

The A season for c/ps closed March 17, 2007. A total of 18,010 mt was taken of the 18,555 mt A season TAC. The remaining 545 mt will be used for incidental catch and what remains will rollover to the B season TAC of 11,133 mt. The B season fishery opens April 1, 2007. In 2006, the B season was open until June 8, 2006 when it closed due to reaching the halibut bycatch mortality limit. In the Pacific cod target 519 mt of halibut mortality has been taken leaving 815 mt for the B and C seasons.

Gulf of Alaska

Western GOA Pacific cod

The A season Western GOA inshore Pacific cod fishery closed March 8, 2007. A total of 10,658 mt of the 10,876 mt A season allocation was caught by 80 vessels. The breakout by gear is: 35% from pot gear, 25% from hook-and-line gear, and 40% from trawl gear. The remaining A season allocation of 237 mt is set for incidental catch in other directed fisheries. The offshore component closed February 14, 2007.

Central GOA Pacific cod

The A season Central GOA inshore Pacific cod fishery closed February 27, 2007. A total of 13,864 mt of the 15,339 mt A season allocation was caught by 164 vessels. The breakout by gear is: 38% from pot gear, 29% from hook-and-line gear, 32% from trawl gear, and 1% from jig gear. The remaining A season allocation of 1,482 mt is set for incidental catch in other directed fisheries. The offshore component closed February 14, 2007.

Pollock

The A season fishery in Area 610 opened for three periods of 48 hours each and 3,437 mt was taken. This left 1,074 mt remaining in the A season allocation. Only 902 mt was permitted to be rolled over to the B season. NMFS opened the B season fishery for one period of 72 hours and two periods of 48 hours each. As of March 23, 4,500 mt has been caught.

The A season fishery in Area 620 opened January 20 and remained open until the B season. Only 1,754 mt of the 7,357 mt A season allocation was caught. The A season amount permitted to be rolled over into the B season was 1,785 mt. As of March 23, 5,800 mt has been caught. NMFS expect a closure during the week ending March 31, 2007.

The A season fishery in Area 630 opened the fishery for four periods of 48 hours each. A final opening for the A season was for 24 hours March 1, 2007. In the A season, 3,320 mt was harvested, leaving a 55 mt overage that came off the B season allocation of 1,753. The B season opened for 24 hours and 2,520 mt was caught exceeding the B season allocation by 822 mt.

Deep and Shallow Water Complex Trawl Fisheries

The trawl deep and shallow water complex fisheries remain open in 2007. The second season allocation of halibut mortality becomes available April 1. In addition to the pollock and Pacific cod fisheries some shoreside effort is targeting arrowtooth flounder and shallow-water flatfish and some sea catcher/processors are targeting arrowtooth flounder, rex sole and flathead sole.

Bering Sea Aleutian Islands Catch Report (includes CDQ) **Through:** 17-MAR-07	**National Marine Fisheries Service** **Alaska Region, Sustainable Fisheries** **Catch Accounting**

Bering Sea

Sea-sons	Account	Total Catch	Quota	Remaining Quota	% Taken	Last Wk Catch
	Other Rockfish (includes CDQ)	93	383	290	24%	1
	Pacific Ocean Perch (includes CDQ)	112	1,836	1,724	6%	28
	Sablefish (Hook-and-Line and Pot)	0	1,192	1,192	0%	0
	Sablefish CDQ (Hook-and-Line and Pot)	0	298	298	0%	0
	Sablefish (Trawl)	24	1,266	1,242	2%	0
	Sablefish CDQ (Trawl)	2	112	110	2%	0
	Greenland Turbot	27	1,428	1,401	2%	1
	Greenland Turbot CDQ	8	126	118	6%	0
X	Pollock, AFA Inshore	225,810	609,736	383,926	37%	25,584
X	Pollock, AFA Catcher Processor	184,220	487,788	303,568	38%	20,070
X	Pollock, AFA Mothership	46,140	121,947	75,807	38%	1,540
X	Pollock CDQ	54,320	139,400	85,080	39%	6,300
	Pollock, Incidental Catch, non-Bogoslof (includes CDQ)	12,426	35,129	22,703	35%	641
	Pollock, Incidental Catch, Bogoslof (includes CDQ)	0	10	10	0%	0

Note: All weights are in metric tons.

Report run on: March 23, 2007 6:15 AM

Bering Sea Aleutian Islands Catch Report (includes CDQ)
Through: 17-MAR-07

National Marine Fisheries Service
Alaska Region, Sustainable Fisheries
Catch Accounting

Aleutian Islands

Sea-sons	Account	Total Catch	Quota	Remaining Quota	% Taken	Last Wk Catch
	Other Rockfish (includes CDQ)	42	497	455	9%	5
	Pacific Ocean Perch, Eastern	332	4,598	4,266	7%	19
	Pacific Ocean Perch CDQ, Eastern	6	373	367	2%	6
	Pacific Ocean Perch, Central	232	4,672	4,440	5%	0
	Pacific Ocean Perch CDQ, Central	0	379	379	0%	0
	Pacific Ocean Perch, Western	19	7,141	7,122	0%	0
	Pacific Ocean Perch CDQ, Western	0	579	579	0%	0
X	Atka Mackerel, Eastern (Other Gear)	9,720	21,795	12,075	45%	57
	Atka Mackerel, Eastern (Jig)	0	220	220	0%	0
	Atka Mackerel CDQ, Eastern	146	1,785	1,639	8%	146
X	Atka Mackerel, Central	7,210	27,380	20,170	26%	32
	Atka Mackerel CDQ, Central	0	2,220	2,220	0%	0
X	Atka Mackerel, Western	264	8,880	8,616	3%	0
	Atka Mackerel CDQ, Western	0	720	720	0%	0
	Sablefish (Hook-and-Line and Pot)	42	1,686	1,644	2%	42
	Sablefish CDQ (Hook-and-Line and Pot)	0	422	422	0%	0
	Sablefish (Trawl)	1	597	596	0%	0
	Sablefish CDQ (Trawl)	0	52	52	0%	0
	Greenland Turbot (includes CDQ)	16	646	630	2%	10
X	Pollock	400	15,500	15,100	3%	158
X	Pollock CDQ	0	1,900	1,900	0%	0
X	Pollock, Incidental Catch (includes CDQ)	218	1,600	1,382	14%	49

Note: All weights are in metric tons.

Report run on: March 23, 2007 6:15 AM

Bering Sea Aleutian Islands Catch Report (includes CDQ) **Through:** 17-MAR-07	**National Marine Fisheries Service** **Alaska Region, Sustainable Fisheries** **Catch Accounting**

Bering Sea Aleutian Islands

Sea-sons	Account	Total Catch	Quota	Remaining Quota	% Taken	Last Wk Catch
	Alaska Plaice (includes CDQ)	4,771	21,250	16,479	22%	1,347
	Arrowtooth Flounder	2,325	17,000	14,675	14%	92
	Arrowtooth Flounder CDQ	101	1,500	1,399	7%	2
	Flathead Sole	3,877	25,500	21,623	15%	279
	Flathead Sole CDQ	142	2,250	2,108	6%	23
	Northern Rockfish (includes CDQ)	345	7,576	7,231	5%	22
	Other Flatfish (includes CDQ)	1,418	8,500	7,082	17%	17
	Other Species (includes CDQ)	9,404	31,752	22,348	30%	487
X	Pacific Cod, Catcher Processor (Trawl)	18,010	37,110	19,100	49%	3,937
X	Pacific Cod, Catcher Vessel (Trawl)	25,205	37,110	11,905	68%	654
X	Pacific Cod, Catcher Processor (Hook-and-Line)	39,781	64,030	24,249	62%	0
X	Pacific Cod, Catcher Vessel (Hook-and-Line)	149	240	91	62%	0
X	Pacific Cod, Catcher Processor (Pot)	1,691	2,641	950	64%	0
X	Pacific Cod, Catcher Vessel (Pot)	7,958	12,006	4,048	66%	0
X	Pacific Cod (Jig)	3	1,958	1,955	0%	3
	Pacific Cod (Hook-and-Line and Pot < 60 ft)	1,948	2,321	373	84%	478
	Pacific Cod, Incidental Catch (Hook-and-Line and Pot)	56	500	444	11%	0
X	Pacific Cod CDQ	5,088	12,804	7,716	40%	643
	Rock Sole	17,842	46,750	28,908	38%	701
	Rock Sole CDQ	29	4,125	4,096	1%	10
	Rougheye Rockfish (includes CDQ)	6	187	181	3%	0
	Shortraker Rockfish (includes CDQ)	74	392	318	19%	3
	Squid (includes CDQ)	736	1,675	939	44%	40
	Yellowfin Sole	22,742	115,600	92,858	20%	3,164
	Yellowfin Sole CDQ	12	10,200	10,188	0%	0
Total:		**705,543**	**1,969,270**	**1,263,727**	**36%**	**66,592**

Other gear in the Atka mackerel fishery includes all authorized gear types except jig.

Other flatfish: all flatfish species, except for Pacific halibut, flathead sole, Greenland turbot, rock sole, yellowfin sole, arrowtooth flounder, and Alaska plaice.

Other rockfish: all Sebastes and Sebastolobus species except for Pacific ocean perch, northern, shortraker, and rougheye rockfish.

Other species: sculpins, sharks, skates and octopus.

Note: All weights are in metric tons.

Report run on: March 23, 2007 6:15 AM

Bering Sea Aleutian Islands Prohibited Species Report (includes CDQ fisheries)

Through: 17-MAR-07

National Marine Fisheries Service
Alaska Region, Sustainable Fisheries
Catch Accounting

Chinook Salmon

Trawl Gear

Seasons	Account	Units	Total Catch	Limit	Remaining	% Taken	Last Wk Catch
	BS Pollock (Pelagic)	Count	64,202	26,825	-37,377	239%	1,796
	BS Chinook Salmon PSQ	Count	3,119	2,175	-944	143%	141
	AI Pollock (Pelagic)	Count	66	647	581	10%	47
	AI Chinook Salmon PSQ	Count	0	53	53	0%	0
Total:			**67,387**	**29,700**	**-37,687**	**227%**	**1,983**

Halibut Mortality

Non-Trawl Gear

Seasons	Account	Units	Total Catch	Limit	Remaining	% Taken	Last Wk Catch
X	Pacific Cod (Hook-and-Line)	MT	173	775	602	22%	0
	Non-Pacific Cod (Hook-and-Line)	MT	0	58	58	0%	0
Total:			**173**	**833**	**660**	**21%**	**0**

Trawl Gear

Seasons	Account	Units	Total Catch	Limit	Remaining	% Taken	Last Wk Catch
	Pacific Cod	MT	519	1,334	815	39%	26
	Rockfish	MT	0	69	69	0%	0
X	Rock Sole, Flathead Sole, Other Flatfish (Trawl)	MT	565	829	264	68%	0
	Pollock, Atka Mackerel, Other Species	MT	307	232	-75	132%	11
X	Yellowfin Sole (Trawl)	MT	219	936	717	23%	25
	Turbot/Sablefish/Arrowtooth Flounder	MT	0	0	0	0%	0
Total:			**1,609**	**3,400**	**1,791**	**47%**	**62**

Trawl and Hook-and-Line Gear

Seasons	Account	Units	Total Catch	Limit	Remaining	% Taken	Last Wk Catch
	Halibut Mortality PSQ	MT	18	342	324	5%	1
Total:			**18**	**342**	**324**	**5%**	**1**

Report run on: March 23, 2007 6:16 AM

Herring (includes CDQ fisheries)

Trawl Gear

Seasons	Account	Units	Total Catch	Limit	Remaining	% Taken	Last Wk Catch
	Pacific Cod	MT	1	27	26	3%	0
	Rockfish	MT	0	10	10	0%	0
	Rock Sole, Flathead Sole, Other Flatfish	MT	0	27	27	1%	0
	Pollock, Atka Mackerel, Other Species	MT	0	194	194	0%	0
	Pollock Pelagic	MT	11	1,364	1,353	1%	0
	Yellowfin Sole	MT	0	153	153	0%	0
	Greenland Turbot, Arrowtooth, Sablefish	MT	0	12	12	0%	0
Total:			**13**	**1,787**	**1,774**	**1%**	**0**

Opilio (Tanner) Crab - COBLZ

Trawl Gear

Seasons	Account	Units	Total Catch	Limit	Remaining	% Taken	Last Wk Catch
	Pacific Cod	Count	0	120,712	120,712	0%	0
	Rockfish	Count	0	40,237	40,237	0%	0
	Rock Sole, Flathead Sole, Other Flatfish	Count	7,119	643,800	636,681	1%	0
	Pollock, Atka Mackerel, Other Species	Count	163	80,475	80,312	0%	71
	Yellowfin Sole	Count	69,489	3,098,288	3,028,799	2%	10,450
	Greenland Turbot, Arrowtooth, Sablefish	Count	0	40,238	40,238	0%	0
	Opilio Crab PSQ	Count	16	326,250	326,234	0%	0
Total:			**76,787**	**4,350,000**	**4,273,213**	**2%**	**10,521**

Bairdi Crab, Zone 1

Trawl Gear

Seasons	Account	Units	Total Catch	Limit	Remaining	% Taken	Last Wk Catch
	Pacific Cod	Count	24,040	183,112	159,072	13%	1,766
	Rock Sole, Flathead Sole, Other Flatfish	Count	65,148	365,320	300,172	18%	0
	Pollock, Atka Mackerel, Other Species	Count	607	17,224	16,617	4%	139
	Yellowfin Sole	Count	11,488	340,844	329,356	3%	0
	Bairdi Crab PSQ	Count	0	73,500	73,500	0%	0
Total:			**101,283**	**980,000**	**878,717**	**10%**	**1,905**

Bairdi Crab, Zone 2

Trawl Gear

Seasons	Account	Units	Total Catch	Limit	Remaining	% Taken	Last Wk Catch
	Pacific Cod	Count	12,765	324,176	311,411	4%	30
	Rockfish	Count	0	10,988	10,988	0%	0
	Rock Sole, Flathead Sole, Other Flatfish	Count	4,526	596,154	591,628	1%	0
	Pollock, Atka Mackerel, Other Species	Count	405	27,473	27,068	1%	6
	Yellowfin Sole	Count	78,537	1,788,459	1,709,922	4%	21,284
	Bairdi Crab PSQ	Count	3	222,750	222,747	0%	0
Total:			**96,236**	**2,970,000**	**2,873,764**	**3%**	**21,320**

Red King Crab, Zone 1

Trawl Gear

Seasons	Account	Units	Total Catch	Limit	Remaining	% Taken	Last Wk Catch
	Pacific Cod	Count	1,236	26,563	25,327	5%	194
	Rock Sole, Flathead Sole, Other Flatfish	Count	53,287	121,413	68,126	44%	0
	Pollock, Atka Mackerel, Other Species	Count	13	406	393	3%	0
	Yellowfin Sole	Count	6,795	33,843	27,048	20%	0
	Red King Crab PSQ	Count	0	14,775	14,775	0%	0
Total:			**61,331**	**197,000**	**135,669**	**31%**	**194**

"Other flatfish" for PSC monitoring: all flatfish species, except for Pacific halibut (a prohibited species), flathead sole, Greenland turbot, rock sole, yellowfin sole, arrowtooth flounder.

COBLZ: C. Opilio Crab Bycatch Limitation Zone. 50 CFR 679.21(e) and Figure 13.

Zone 1: Federal Reporting Areas 508, 509, 512, 516.

Zone 2: Federal Reporting Areas 513, 517, 521.

Data is based on observer reports extrapolated to total groundfish harvest. Estimates for all weeks may change due to incorporation of late or corrected data.

Gulf of Alaska Catch Report **Through:** 17-MAR-07	**National Marine Fisheries Service** **Alaska Region, Sustainable Fisheries** **Catch Accounting**

Western, Central Pollock

Sea-sons	Account	Total Catch	Quota	Remaining Quota	% Taken	Last Wk Catch
X	Pollock, 610 Shumagin	6,595	25,012	18,417	26%	2,744
X	Pollock, 620 Chirikof	4,720	20,980	16,260	22%	2,755
X	Pollock, 630 Kodiak	5,821	14,850	9,029	39%	431

Western Gulf

Sea-sons	Account	Total Catch	Quota	Remaining Quota	% Taken	Last Wk Catch
	Arrowtooth Flounder	782	8,000	7,218	10%	174
	Deep Water Flatfish	1	420	419	0%	0
	Shallow Water Flatfish	114	4,500	4,386	3%	5
	Flathead Sole	382	2,000	1,618	19%	50
	Rex Sole	127	1,147	1,020	11%	25
	Pacific Ocean Perch	10	4,244	4,234	0%	0
	Rougheye Rockfish	1	136	135	1%	0
	Shortraker Rockfish	4	153	149	3%	2
	Thornyhead Rockfish	19	513	494	4%	4
	Pelagic Shelf Rockfish	4	1,466	1,462	0%	0
	Northern Rockfish	3	1,439	1,436	0%	0
	Other Rockfish	3	577	574	0%	0
X	Pacific Cod, Inshore	10,658	18,127	7,469	59%	25
X	Pacific Cod, Offshore	352	2,014	1,662	17%	3
	Sablefish (Hook-and-Line)	64	1,976	1,912	3%	63
	Sablefish (Trawl)	10	494	484	2%	0
	Big Skate	11	695	684	2%	0
	Longnose Skate	4	65	61	5%	0

Note: All weights are in metric tons.

Report run on: March 23, 2007 6:15 AM

Gulf of Alaska Catch Report Through: 17-MAR-07	National Marine Fisheries Service Alaska Region, Sustainable Fisheries Catch Accounting

Central Gulf

Seasons	Account	Total Catch	Quota	Remaining Quota	% Taken	Last Wk Catch
	Arrowtooth Flounder	2,872	30,000	27,128	10%	301
	Deep Water Flatfish	16	4,163	4,147	0%	0
	Shallow Water Flatfish	718	13,000	12,282	6%	3
	Flathead Sole	630	5,000	4,370	13%	27
	Rex Sole	561	5,446	4,885	10%	53
	Pacific Ocean Perch	6	7,612	7,606	0%	0
	Rougheye Rockfish	16	611	595	3%	11
	Shortraker Rockfish	17	353	336	5%	12
	Pelagic Shelf Rockfish	47	3,325	3,278	1%	0
	Northern Rockfish	40	3,499	3,459	1%	3
	Thornyhead Rockfish	0	989	989	0%	0
	Other Rockfish	2	386	384	1%	0
X	Pacific Cod, Inshore	13,864	25,565	11,701	54%	8
X	Pacific Cod, Offshore	0	2,840	2,840	0%	0
	Sablefish (Hook-and-Line)	14	4,952	4,938	0%	10
	Sablefish (Trawl)	1	1,238	1,237	0%	0
	Big Skate	244	2,250	2,006	11%	6
	Longnose Skate	119	1,969	1,850	6%	1

Eastern Gulf

Seasons	Account	Total Catch	Quota	Remaining Quota	% Taken	Last Wk Catch
	Rougheye Rockfish	3	241	238	1%	3
	Shortraker Rockfish	3	337	334	1%	2
	Thornyhead Rockfish	2	707	705	0%	2
	Pacific Cod, Inshore	65	3,346	3,281	2%	0
	Pacific Cod, Offshore	0	372	372	0%	0
	Big Skate	0	599	599	0%	0
	Longnose Skate	0	861	861	0%	0

Note: All weights are in metric tons.

Report run on: March 23, 2007 6:15 AM

Gulf of Alaska Catch Report **Through:** 17-MAR-07	**National Marine Fisheries Service** **Alaska Region, Sustainable Fisheries** **Catch Accounting**

West Yakutat

Seasons	Account	Total Catch	Quota	Remaining Quota	% Taken	Last Wk Catch
	Arrowtooth Flounder	0	2,500	2,500	0%	0
	Deep Water Flatfish	0	2,677	2,677	0%	0
	Shallow Water Flatfish	0	628	628	0%	0
	Flathead Sole	0	2,091	2,091	0%	0
	Rex Sole	0	1,037	1,037	0%	0
	Pacific Ocean Perch	0	1,140	1,140	0%	0
	Pelagic Shelf Rockfish	0	307	307	0%	0
	Other Rockfish	0	319	319	0%	0
	Pollock	0	1,398	1,398	0%	0
	Sablefish (Hook-and-Line)	60	1,997	1,937	3%	60
	Sablefish (Trawl)	0	283	283	0%	0

Southeast

Seasons	Account	Total Catch	Quota	Remaining Quota	% Taken	Last Wk Catch
	Arrowtooth Flounder	1	2,500	2,499	0%	0
	Deep Water Flatfish	0	1,447	1,447	0%	0
	Shallow Water Flatfish	0	1,844	1,844	0%	0
	Flathead Sole	0	57	57	0%	0
	Rex Sole	0	1,470	1,470	0%	0
	Pacific Ocean Perch	0	1,640	1,640	0%	0
	Pelagic Shelf Rockfish	0	444	444	0%	0
	Other Rockfish	0	200	200	0%	0
	Pollock	1	6,157	6,156	0%	0
	Demersal Shelf Rockfish	3	410	407	1%	1
	Sablefish (Hook-and-Line)	228	3,370	3,142	7%	183

Entire Gulf

Seasons	Account	Total Catch	Quota	Remaining Quota	% Taken	Last Wk Catch
	Atka Mackerel	65	1,500	1,435	4%	4
	Other Skates	301	1,617	1,316	19%	14
	Other Species	3,641	4,500	859	81%	124
Total:		**53,228**	**270,002**	**216,774**	**20%**	**7,111**

Deep water flatfish: Dover sole, Greenland turbot, and deepsea sole.

Shallow water flatfish: flatfish not including deep water flatfish, flathead sole, rex sole, or arrowtooth flounder.

Note: All weights are in metric tons.

Report run on: March 23, 2007 6:15 AM

Other rockfish in the Western and Central Regulatory Areas and in the West Yakutat District: slope rockfish and demersal shelf rockfish.

Other rockfish in the Southeast Outside District: slope rockfish.

Slope rockfish: aurora, blackgill, bocaccio, chilipepper, darkblotch, greenstriped, harlequin, pygmy, redbanded, redstripe, sharpchin,shortbelly, silvergrey, splitnose, stripetail, vermilion, and yellowmouth.

In the Eastern GOA only, "slope rockfish" also includes northern rockfish.

Demersal shelf rockfish: canary, china, copper, quillback, rosethorn, tiger, and yelloweye.

"Pelagic shelf rockfish" means Sebastes ciliatus (dark), S. variabilis (dusky), S. entomelas (widow), and S. flavidus (yellowtail).

Other species: sculpins, sharks, squid, and octopus.

For changes to the harvest specifications refer to www.fakr.noaa.gov/2007/hschanges.htm

Gulf of Alaska Halibut Mortality Report **Through:** 17-MAR-07	**National Marine Fisheries Service** **Alaska Region, Sustainable Fisheries** **Catch Accounting**

Trawl Fisheries

Deep Water Species Complex

Season	Begin	End	Total Catch	Limit	Limit Remaining	% Taken
1st Season	20-JAN-07	01-APR-07	69	100	31	69%
2nd Season	01-APR-07	01-JUL-07	0	300	300	0%
3rd Season	01-JUL-07	01-SEP-07	0	400	400	0%
4th Season	01-SEP-07	30-SEP-07	0	0	0	0%
Total:			**69**	**800**	**731**	**9%**

Shallow Water Species Complex

Season	Begin	End	Total Catch	Limit	Limit Remaining	% Taken
1st Season	20-JAN-07	01-APR-07	364	450	86	81%
2nd Season	01-APR-07	01-JUL-07	0	100	100	0%
3rd Season	01-JUL-07	01-SEP-07	0	200	200	0%
4th Season	01-SEP-07	30-SEP-07	0	150	150	0%
Total:			**364**	**900**	**536**	**40%**

Year-To-Date

Account	Total Catch	Limit	Limit Remaining	% Taken	Last Wk Catch
Trawl Fishery	434	2,000	1,566	22%	11

Other Hook-and-Line Fisheries

Season	Begin	End	Total Catch	Limit	Limit Remaining	% Taken
1st Season	01-JAN-07	10-JUN-07	184	250	66	73%
2nd Season	10-JUN-07	01-SEP-07	0	5	5	0%
3rd Season	01-SEP-07	31-DEC-07	0	35	35	0%
			184	**290**	**106**	**63%**

Deep-water species complex: sablefish, rockfish, deep-water flatfish, rex sole and arrowtooth flounder. Shallow-water species complex: pollock, Pacific cod, shallow-water flatfish, flathead sole, Atka mackerel, and 'other species'.

No apportionment between shallow-water and deep-water fishery complexes during October 1 to December 31 (300 mt allocated).

Other hook-and-line fisheries means all hook-and-line fisheries except sablefish and demersal shelf rockfish in the Southeast District.

Halibut mortality for the demersal shelf rockfish fishery. Southeast District is not listed due to insufficient observer coverage.

Note: All weights are in metric tons.

Report run on March 23, 2007 6:17 AM

March 14, 2007 Prepared by: NMFS Office of Sustainable Fisheries, Silver Spring, MD

Annual Catch Limits (ACLs) and Accountability Measures (AMs): Requirements of the 2006 Amendments to the Magnuson-Stevens Act (MSA)

The Magnuson-Stevens Fishery Conservation and Management Act (MSA) was reauthorized and amended on January 12, 2007, by the Magnuson Stevens Fishery Conservation and Management Reauthorization Act (MSRA). The MSRA established **new requirements to end and prevent overfishing**, including Annual Catch Limits (ACLs) and Accountability Measures (AMs). On February 14, 2007, NOAA's National Marine Fisheries Service (NMFS) published a notice of intent to prepare an environmental impact statement (EIS) (72 FR 7016) for proposed guidance on the development and implementation of these new requirements. NMFS is currently in the public scoping process for the EIS and guidance.

The new guidance under development would assist regional fishery management councils in developing ACLs and AMs to **end and prevent overfishing in all U.S. commercial and recreational fisheries in 2010 for stocks subject to overfishing, and 2011 for all others**, as required by the MSRA. NMFS provides guidelines to facilitate consistent application of the MSA's 10 national standards among the nation's fishery managers. NMFS would incorporate new guidance of ACLs and AMs into the guidelines for National Standard 1, also known as the "overfishing standard."

Overfishing still occurs at various levels in 48 fisheries in U.S. waters, although NMFS and the Councils have made significant improvements in recent years. The highest priority in the MSRA was to strengthen the Act to ensure an end to overfishing.

To end overfishing and prevent it from occurring in the future, the new law requires that **federal fishery management plans establish mechanisms for annual catch limits and accountability measures**. The new law also adds **requirements for the role of scientific advice in this process**, specifically through the Councils' Scientific and Statistical Committees (SSCs). The new guidelines will address these provisions as they relate to development of annual catch limits.

This public scoping process provides an opportunity to discuss these and other issues related to National Standard 1, and receive public comments on developing guidance to address the new mandates. **The public comment period ends April 17, 2007.**

Upon consideration of public input that NMFS receives during this scoping period, the agency will develop its proposed guidance, and then will hold another public comment period. The agency aims to finalize its revisions to the National Standard 1 guidelines by the end of 2007.

Requirements to End & Prevent Overfishing

Conservation and management measures shall prevent overfishing while achieving, on a continuing basis, the optimum yield from each fishery for the United States fishing industry.

- *National Standard 1 of the MSA*

Starting July 12, 2009, within 2 years of notification that a stock is overfished or approaching a condition of being overfished, measures must be prepared and implemented to end overfishing immediately and to rebuild

- *MSA Section 304(e)(4) requirements as amended by MSRA Section 104(c) and 104(d)*

Each Council is required to "develop annual catch limits for each of its managed fisheries that may not exceed the fishing level recommendations of its scientific and statistical committee or the peer review process established under subsection (g)"

- *MSA Section 302(h)(6) as amended by MSRA Section 103(c)(3)*

"(g) COMMITTEES AND ADVISORY PANELS.—

(1)(A) Each Council shall establish, maintain, and appoint the members of a scientific and statistical committee to assist it in the development, collection, evaluation, and peer review of such statistical, biological, economic, social, and other scientific information as is relevant to such Council's development and amendment of any fishery management plan.

(B) Each scientific and statistical committee shall provide its Council ongoing scientific advice for fishery management decisions, including recommendations for acceptable biological catch, preventing overfishing, maximum sustainable yield, and achieving rebuilding targets, and reports on stock status and health, bycatch, habitat status, social and economic impacts of management measures, and sustainability of fishing practices.

(C) Members appointed by the Councils to the scientific and statistical committees shall be Federal employees, State employees, academicians, or independent experts and shall have strong scientific or technical credentials and experience.

(E) The Secretary and each Council may establish a peer review process for that Council for scientific information used to advise the Council about the conservation and management of the fishery. The review process, which may include existing committees or panels, is deemed to satisfy the requirements of the guidelines issued pursuant to section 515 of the Treasury and General Government Appropriations Act for Fiscal year 2001 (Public Law 106–554—Appendix C; 114 Stat. 2763A–153).[...]"

- *MSA Section 302(g) as amended by MSRA Section 103(b)(1)*

Fishery management plans shall "establish a mechanism for specifying annual catch limits in the plan (including a multiyear plan), implementing regulations, or annual specifications, at a level such that overfishing does not occur in the fishery, including measures to ensure accountability."

- *MSA Section 303(a) as amended by MSRA Section 104(a)(10)*

Shall not apply to a fishery for species that have a life cycle of approximately 1 year unless the Secretary has determined the fishery is subject to overfishing of that species

- *MSRA Section 104 (b)(2)*

Shall apply for a fishery unless otherwise provided for under an international agreement in which the U.S. participates

- *MSRA Section 104 (b)(1)*

ACLs must be implemented:

- in fishing year 2010 for fisheries determined by the Secretary to be subject to overfishing
  - *MSRA Section 104 (b)(1)(A)*
- in fishing year 2011 for all other fisheries
  - *MSRA Section 104 (b)(1)(B)*

Key Issues to Consider in Developing Guidance on ACLs & AMs

NMFS has identified the following key issues to consider in developing guidelines on annual catch limits (ACLs) and accountability measures (AMs) and welcomes public comments on these and any other issues related to NS1 during the public scoping process.

- The role of the SSC and other peer review processes in setting ACLs and AMs
- The relationship between ACL and OY
- Revision of existing overfishing definitions to include OFL
- Variability in data currently available for each stock
- Setting ACLs for stocks with little or no data
- Setting ACLs and AMs for fisheries that have a recreational component
- Circumstances in which a numerical ACL can not be set for a stock, and in such situations, recommendations for adequate and appropriate alternatives to setting a numerical ACL (e.g., prohibitions)
- Setting ACLs for stock complexes, stock assemblages, and similar stock groupings
- Variability in the accuracy of management approaches in achieving target fishing levels
- Setting a buffer between ACL and OFL to prevent overfishing, and how to determine the size of the buffer needed
- Establishing the appropriate probability that an ACL and AM measures will prevent overfishing for a stock
- Establishing recommendations for in-season management authority and methods to be used as AMs to prevent overfishing
- Limiting the extent of overfishing, should it occur
- Establishing corrective actions to ensure accountability in a subsequent year for an overage of the OFL for a stock in a previous year
- Considerations for biological relevance of an OFL overage
- Establishing AMs for various sectors, if an ACL is subdivided for a stock, and the need to still prevent exceeding the overall OFL for the stock

Comment Period Ends April 17, 2007

Please E-mail Comments to:
annual.catch.limitDEIS@noaa.gov

Visit Our Website:
http://www.nmfs.noaa.gov/msa2007/

Timeline for Developing and Implementing ACLs & AMs

Estimated Implementation Timeline

Scoping Meetings (see website)	**March-April 2007**
DEIS: Issue NOA and 45-day comment period	**July 2007**
Proposed Rule: Issue rule and 45-day comment period	**July 2007**
FEIS: Issue NOA	**October 2007**
Final Rule	**November 2007**
Councils & NMFS amend FMPs / mgt measures	**Jan 2008 – June 2009**
Secretarial Review of FMP amendments / mgt measures	**June 2009 – Dec 2009**
ACL & AM mechanisms implemented for "overfishing" stocks	**2010**
ACL & AM mechanisms implemented for all other stocks	**2011**

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Schedule of Scoping Meetings

Council	Date	Time	Location
South Atlantic	March 6, 2007	6:30 pm to 7:30 pm	Jekyll Island Club Hotel, Jekyll Island, GA 31527
NMFS	March 9, 2007	9:00 am	NOAA Science Center, 1301 East-West Hwy, Silver Spring, MD
Western Pacific	March 14, 2007	7:30 pm to 9:00 pm	Ala Moana Hotel, Honolulu, HI
Caribbean	March 20, 2007	6:00 pm to 7:00 pm	Ponce Hilton Hotel, Ponce, PR
Gulf of Mexico	March 27, 2007	6:30 pm to 7:30 pm	Embassy Suites Hotel, Destin, FL
North Pacific	March 28-29, 2007**	Morning session	Anchorage Hilton Hotel, Anchorage, AK
Pacific	April 3, 2007**	Afternoon session	Seattle Airport Marriott Hotel, Seattle, WA 98188
New England	April 10, 2007	1:30 pm to 3:00 pm	Mystic Hilton, Mystic, CT
Mid-Atlantic	April 17, 2007	7:00 pm to 8:30 pm	Princess Royale, 9100 Coastal Hwy, Ocean City, MD

Any changes or updates will be published in the Federal Register and posted on our website (see page 3).
**Subject to Council agenda changes during the week of the meeting.

Acronyms

ACL – annual catch limit

AM – accountability measure

B – Biomass

B_{MSY} – long-term average biomass that would be achieved if fishing at a constant fishing mortality rate equal to F_{MSY}.

DEIS – draft environmental impact statement

EA – environmental assessment

EEZ – exclusive economic zone

EIS – environmental impact statement

F – fishing mortality

FEIS – final environmental impact statement

FMP – fishery management plan

F_{MSY} – fishing mortality rate that produces the maximum sustainable yield.

MFMT – maximum fishing mortality threshold

MSA – Magnuson-Stevens Fishery Conservation and Management Act

MSRA – Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006

MSST – Minimum Stock Size Threshold ($B_{threshold}$)

MSY – maximum sustainable yield

NEPA – National Environmental Policy Act

NOA – notice of availability

NOAA – National Oceanic and Atmospheric Administration

NMFS – National Marine Fisheries Service

NOI – notice of intent

NS1 – National Standard One

OFL – overfishing level

OY – optimum yield

SSC – Scientific and Statistical Committee

TAC – total allowable catch

Public Scoping: Guidance for Annual Catch Limits (ACLs) and Accountability Measures (AMs)

Requirements of the Magnuson Stevens Fishery Conservation and Management Reauthorization Act (MSRA) of 2006 to End and Prevent Overfishing

March 2007

Requirements of the 2006 MSRA

Annual catch limits and accountability measures must be implemented:

- in fishing year 2010 for fisheries determined by the Secretary to be subject to overfishing
  - MSRA Section 104 (b)(1)(A)
- in fishing year 2011 for all other fisheries
  - MSRA Section 104 (b)(1)(B)

Accountability Measures (AMs)

- ACLs and AMs work together as a system to ensure that overfishing will not occur

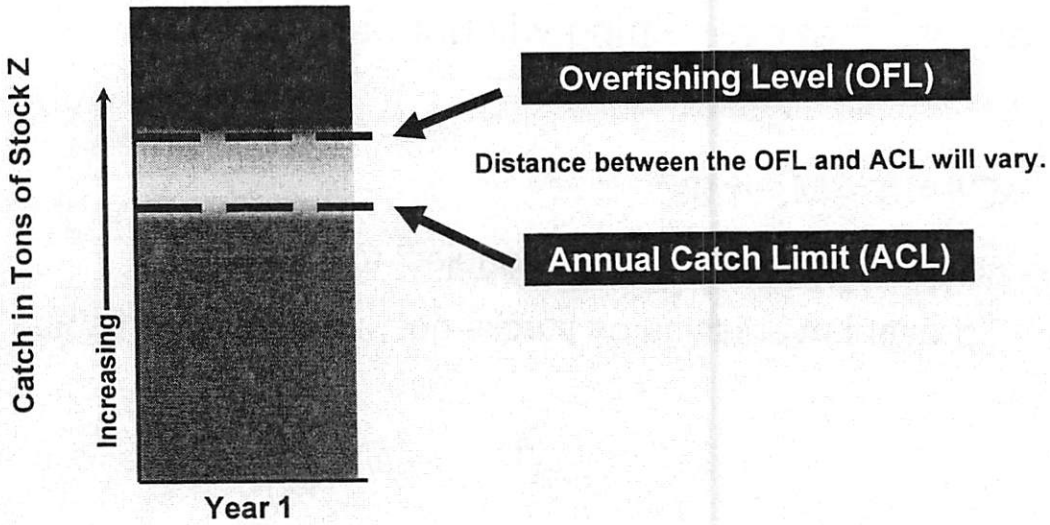
- ACLs & AMs must:
  - end overfishing on stocks subject to overfishing
  - prevent overfishing on stocks not subject to overfishing

Preliminary Interpretation

For each managed stock an:

- Overfishing Level (OFL) should be established
  - An annual numerical amount of catch that would result in overfishing if exceeded
  - Not identified in the Act but it is essential for developing accountability measures and monitoring ACL performance
- Annual Catch Limit (ACL) must be established
  - An annual numerical target catch level
  - Set below the OFL to ensure that overfishing does not occur

Relationship between ACL & OFL



Criteria for ACLs & OFLs

To accurately compare ACLs and OFLs, they need to contain the same criteria.

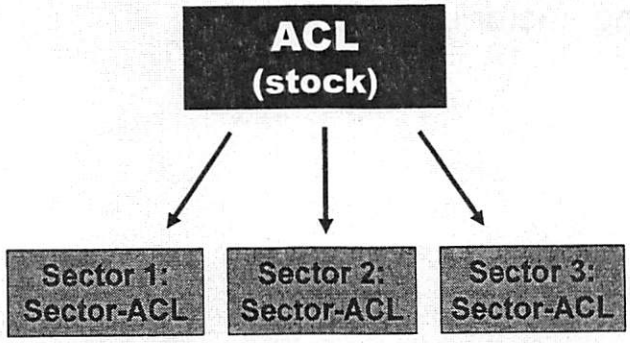
Based on our preliminary interpretation, these criteria would be needed for an ACL and OFL:

- Set for each managed fishery/stock
- Can be set for multiple year periods
- Numerical annual value set in weight or numbers of fish
- Includes all sources of fishing mortality, where possible:
  - Landings
  - Discards/Bycatch
  - All sectors and user groups

Issue: Sector Allocations

Allocation issues between sectors are of concern and can be addressed under ACLs.

- An ACL is required to be set for each managed fishery/stock
- The Councils and NMFS could:
  - Subdivide an ACL (set for each fishery/stock) into "*sector-ACLs*"
  - Develop AMs for each sector



Accountability Measures (AMs)

- Management measures established with ACLs to end and prevent overfishing
- Two basic types:
  - Preventive in-season management actions
    - e.g., in-season fishery closure if the target catch limit has been reached
  - Corrective management actions
    - e.g., overage payback in the next fishing year
- Must be established for each fishery/stock
- Could be established for each sector

Issue: Sector Allocations

Discussion

- What are the issues and concerns about:
  - allocating ACLs among sectors?
  - developing sector specific AMs?

NMFS' Preliminary Alternatives

- Alternative 1: No action
- Alternative 2: Performance standards that ACL and AM mechanisms have to meet for approval by the Secretary
- Alternative 3: Performance standards *and* specific guidelines on appropriate implementation approaches that would be acceptable to the Secretary

Alternative 1 – No Action

Considerations

- Councils still required to implement ACLs and AMs
- The Act does not provide a definition of these terms or detailed explanations for implementation

Alternative 2 – Performance Standards

Considerations

- Specified performance standards would be used by NMFS and the Councils to:
  - design ACL & AM mechanisms
  - establish criteria for Secretarial approval
  - evaluate their success after implementation
  - ensure that ACLs in all fisheries meet national performance standards

& Guidelines on Approaches

Considerations

- Performance standards would be developed, as under Alternative 2.
- Guidance on specific ACL and AM mechanisms would be developed.
  - e.g. establish best practices for several different tiers of stocks based on varying data quality and past management performance

Overarching Issue: Diverse Fisheries

- U.S. fisheries are biologically & ecologically diverse
  - 530 stocks and stock complexes: range from Arctic to tropical regions
- Management approaches vary
  - 46 FMPs: some use hard TACs, some use effort controls
- Data available for each stock vary

ACL and AM guidance must address diversity in the fisheries to develop effective strategies able to meet the requirements of the Act.

Creating Accountability Standards

Discussion

- Given that knowledge and management of stocks is imperfect and uncertain:
  - What level of risk of overfishing would be tolerated in designing ACL & AM mechanisms?
  - What frequency and amount of overfishing would indicate that ACL and AM mechanisms are ineffective and must be revised?

Implementation of ACLs & AMs

- Management / Regulatory Approach
  - Some approaches are more effective than others at achieving actual catch levels close to targets
- Monitoring / Catch Data Availability
- Scientific Knowledge of Stocks
- Uncertainty

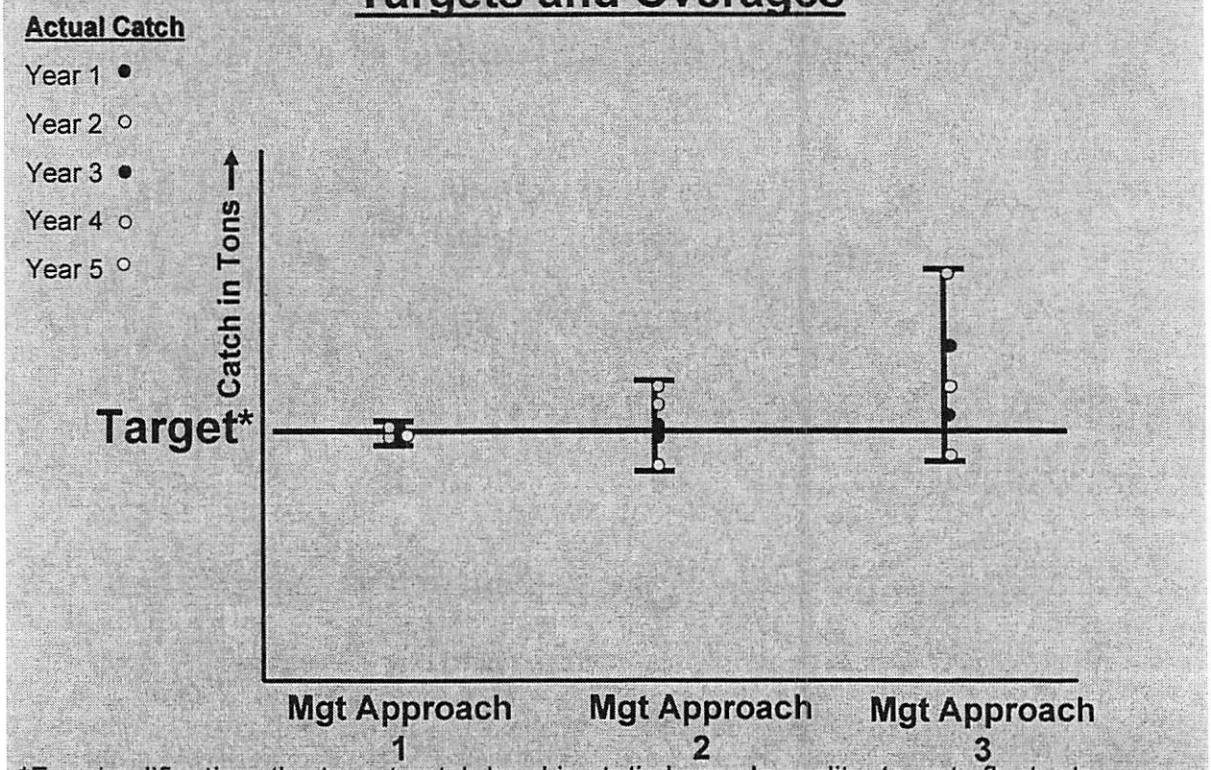
All these factors combined affect fisheries management success and the feasibility of designing ACLs and AMs.

Issue: Management Precision

Discussion

- Given variability in managing to target catch levels, where should the ACL be set in relation to the OFL?

Conceptual Illustration of Management Precision: Targets and Overages



*For simplification, the target catch level is static here. In reality, targets fluctuate.

Conceptual Illustration of Management Precision: Targets and Overages

Actual Catch

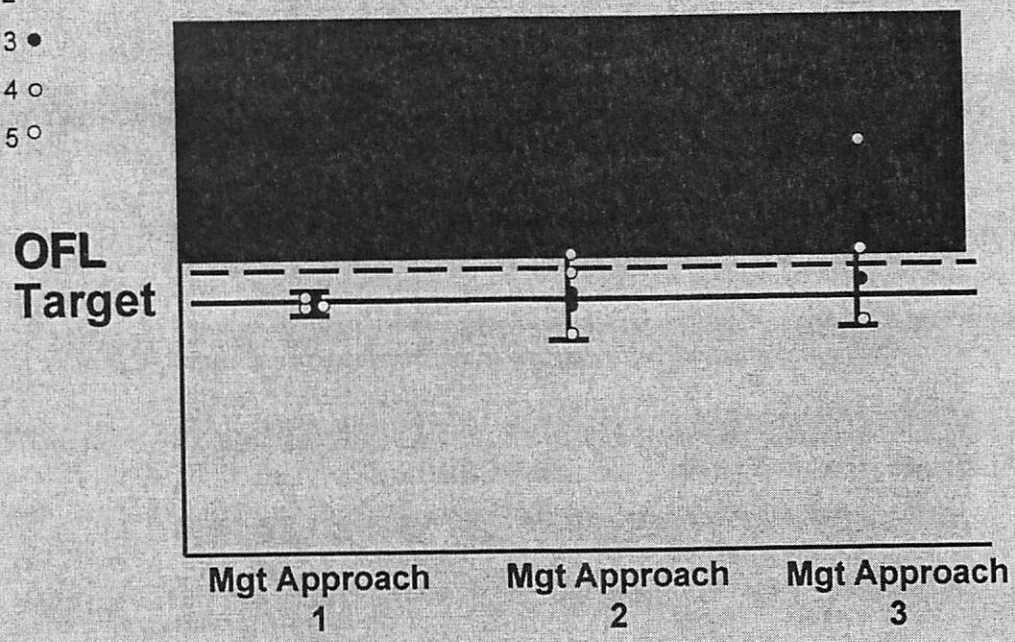
Year 1 ●

Year 2 ○

Year 3 ●

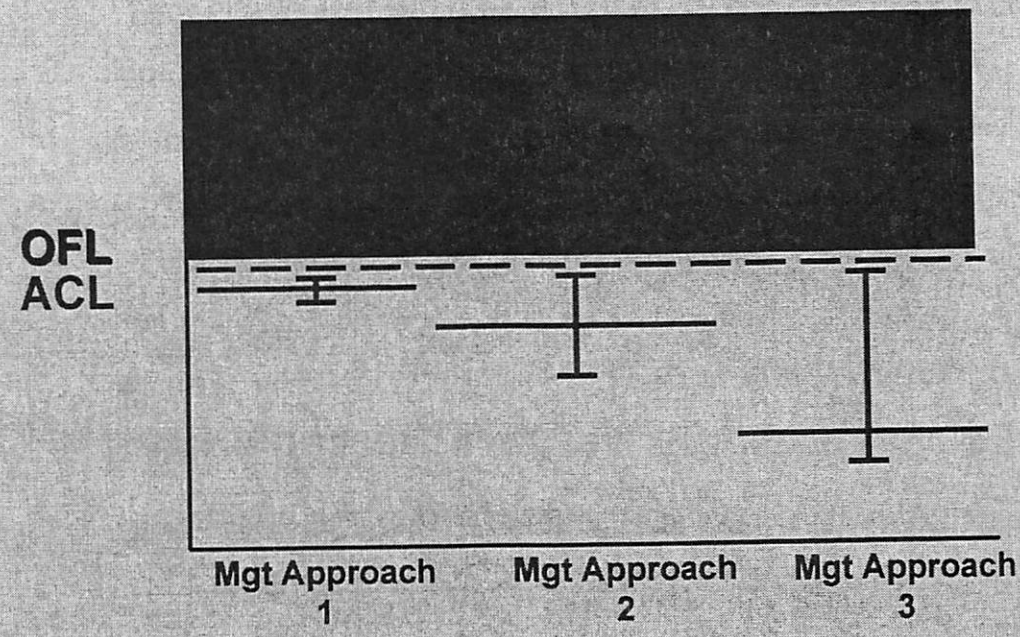
Year 4 ○

Year 5 ○



Setting Annual Catch Limits to Prevent Overfishing:

Accounting for Uncertainty and Past Performance



Stocks Varies

Considerations

- Quality of catch data varies
  - Completeness of catch data
    - Landings and discards data from all sectors & user groups
    - Landings data only, no discards
    - No catch data at all
  - Precision of catch data estimates
    - e.g. size of confidence intervals, statistical methods used
  - Many different data collection methods are used and each have different data quality issues
    - Commercial: logbooks, port sampling, landings reports, processor/dealer reports, observers
    - Recreational: MRFSS, other surveys

Stocks Varies

Considerations (continued)

- Biomass and fishing mortality estimates are not known for every stock
- Stock status varies: Known, Unknown, Undefined
  - Subject to overfishing
  - Overfished
  - Approaching overfished
- Existence of other academic research varies
- Existence of anecdotal information varies
- No information exists on the stock

Issue: Timeliness of Catch Data Varies

Considerations

- Timing of catch data availability (including analysis time):
  - in-season allows for in-season adjustments to catch
  - in time to make adjustments to next year's target catch
  - in time to make adjustments to target catch two or more years later
- No catch data at all

Issue: Data Varies

Discussion

- For stocks with little or no data, how could ACLs and AMs be developed?
- For fisheries where catch data is not timely or does not exist, what types of AMs can be developed?

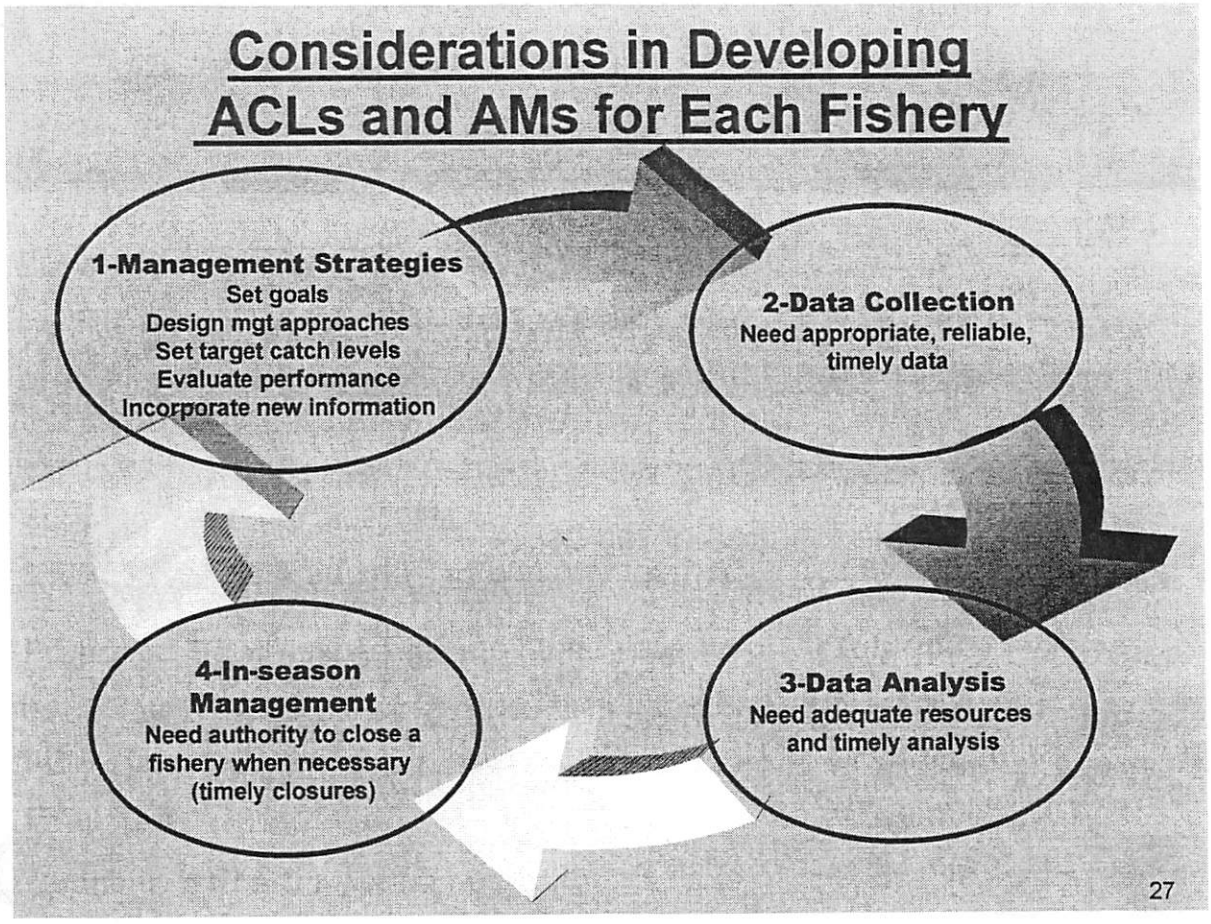
Summary

Developing ACL and AM Guidance

Development of national ACL and AM guidance must account for:

- Diversity in U.S. fisheries:
  - Biological and ecological
  - Management approaches
  - Monitoring capabilities
  - Scientific information available
- Uncertainty

All these factors work together and will affect our ability to develop, implement, and evaluate ACLs and AMs.



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Seeking Comments

- NMFS is seeking comments on:
  - ACLs and AMs
  - Creating national performance standards and/or guidance for ACLs and AMs that account for various characteristics of each fishery
  - Other related issues or topics
    - Do any other issues related to NS1 guidelines need to be addressed during this process?

Email Comments to:

annual.catch.limitDEIS@noaa.gov

Visit Our Website:

http://www.nmfs.noaa.gov/msa2007/

B-2
Galen Tromble

Public Scoping: Guidance for Annual Catch Limits (ACLs) and Accountability Measures (AMs)

Requirements of the Magnuson Stevens Fishery Conservation and Management Reauthorization Act (MSRA) of 2006 to End and Prevent Overfishing

March 2007

Requirements of the 2006 MSRA

Annual catch limits and accountability measures must be implemented:

- in fishing year 2010 for fisheries determined by the Secretary to be subject to overfishing
  - MSRA Section 104 (b)(1)(A)
- in fishing year 2011 for all other fisheries
  - MSRA Section 104 (b)(1)(B)

2

Annual Catch Limits (ACLs) & Accountability Measures (AMs)

- ACLs and AMs work together as a system to ensure that overfishing will not occur
- ACLs & AMs must:
  - end overfishing on stocks subject to overfishing
  - prevent overfishing on stocks not subject to overfishing

3

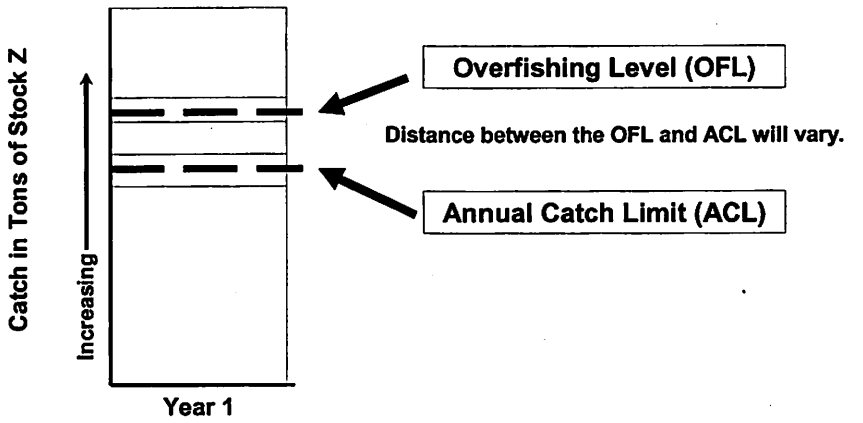
Preliminary Interpretation

For each managed stock an:

- Overfishing Level (OFL) should be established
  - An annual numerical amount of catch that would result in overfishing if exceeded
  - Not identified in the Act but it is essential for developing accountability measures and monitoring ACL performance
- Annual Catch Limit (ACL) must be established
  - An annual numerical target catch level
  - Set below the OFL to ensure that overfishing does not occur

4

Relationship between ACL & OFL



5

Criteria for ACLs & OFLs

To accurately compare ACLs and OFLs, they need to contain the same criteria.

Based on our preliminary interpretation, these criteria would be needed for an ACL and OFL:

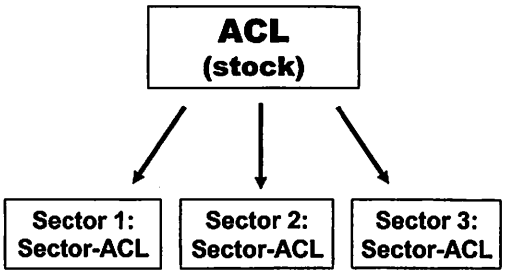
- Set for each managed fishery/stock
- Can be set for multiple year periods
- Numerical annual value set in weight or numbers of fish
- Includes all sources of fishing mortality, where possible:
  - Landings
  - Discards/Bycatch
  - All sectors and user groups

6

Issue: Sector Allocations

Allocation issues between sectors are of concern and can be addressed under ACLs.

- An ACL is required to be set for each managed fishery/stock
- The Councils and NMFS could:
  - Subdivide an ACL (set for each fishery/stock) into "*sector-ACLs*"
  - Develop AMs for each sector



7

Accountability Measures (AMs)

- Management measures established with ACLs to end and prevent overfishing
- Two basic types:
  - Preventive in-season management actions
    - e.g., in-season fishery closure if the target catch limit has been reached
  - Corrective management actions
    - e.g., overage payback in the next fishing year
- Must be established for each fishery/stock
- Could be established for each sector

8

Issue: Sector Allocations

Discussion

- What are the issues and concerns about:
  - allocating ACLs among sectors?
  - developing sector specific AMs?

9

NMFS' Preliminary Alternatives

- Alternative 1: No action
- Alternative 2: Performance standards that ACL and AM mechanisms have to meet for approval by the Secretary
- Alternative 3: Performance standards *and* specific guidelines on appropriate implementation approaches that would be acceptable to the Secretary

10

Alternative 1 – No Action

Considerations

- Councils still required to implement ACLs and AMs
- The Act does not provide a definition of these terms or detailed explanations for implementation

11

Alternative 2 – Performance Standards

Considerations

- Specified performance standards would be used by NMFS and the Councils to:
  - design ACL & AM mechanisms
  - establish criteria for Secretarial approval
  - evaluate their success after implementation
  - ensure that ACLs in all fisheries meet national performance standards

12

Alternative 3 – Performance Standards & Guidelines on Approaches

Considerations

- Performance standards would be developed, as under Alternative 2.
- Guidance on specific ACL and AM mechanisms would be developed.
  - e.g. establish best practices for several different tiers of stocks based on varying data quality and past management performance

13

Overarching Issue: Diverse Fisheries

- U.S. fisheries are biologically & ecologically diverse
  - 530 stocks and stock complexes: range from Arctic to tropical regions
- Management approaches vary
  - 46 FMPs: some use hard TACs, some use effort controls
- Data available for each stock vary

ACL and AM guidance must address diversity in the fisheries to develop effective strategies able to meet the requirements of the Act.

14

Creating Performance Standards

Discussion

- Given that knowledge and management of stocks is imperfect and uncertain:
  - What level of risk of overfishing would be tolerated in designing ACL & AM mechanisms?
  - What frequency and amount of overfishing would indicate that ACL and AM mechanisms are ineffective and must be revised?

15

Key Factors in Design and Implementation of ACLs & AMs

- Management / Regulatory Approach
  - Some approaches are more effective than others at achieving actual catch levels close to targets
- Monitoring / Catch Data Availability
- Scientific Knowledge of Stocks
- Uncertainty

All these factors combined affect fisheries management success and the feasibility of designing ACLs and AMs.

16

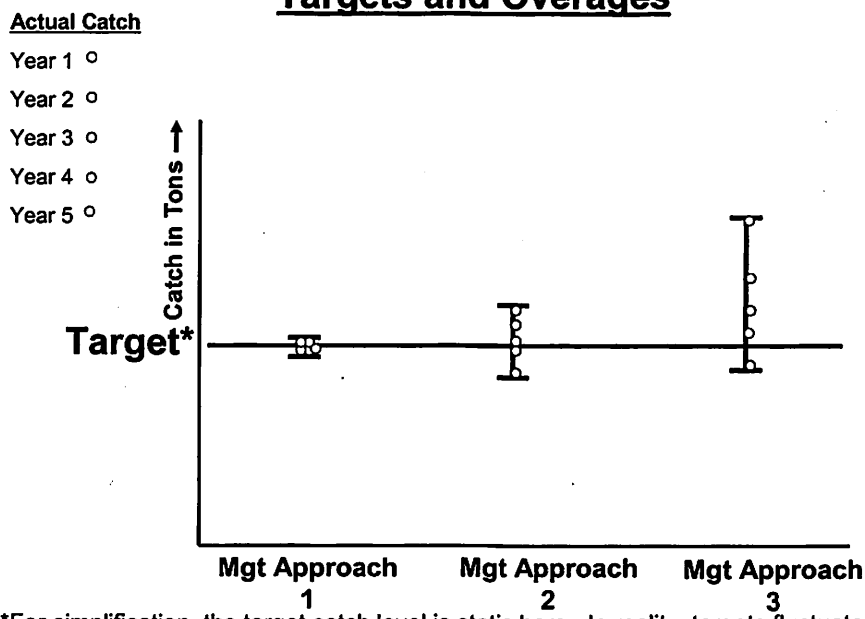
Issue: Management Precision

Discussion

- Given variability in managing to target catch levels, where should the ACL be set in relation to the OFL?

17

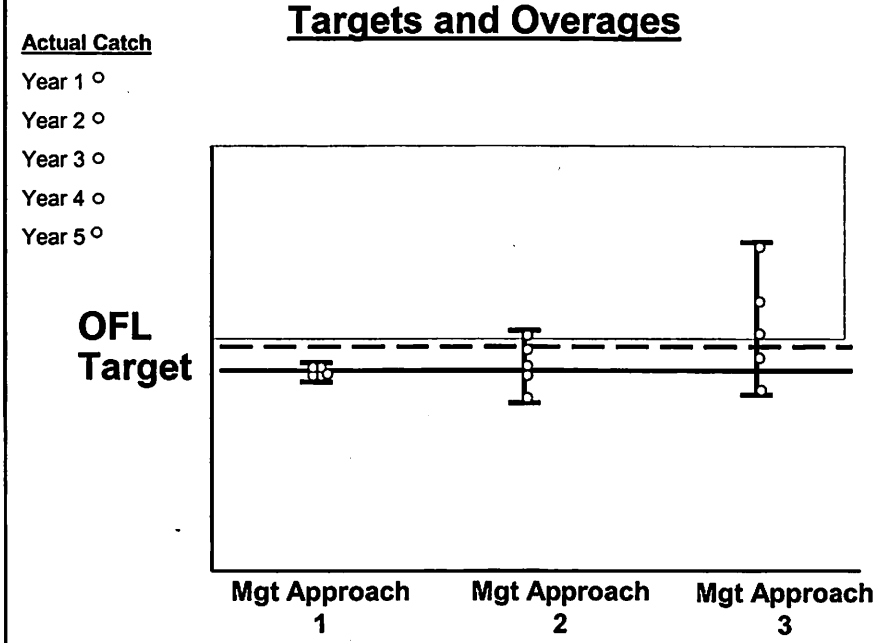
Conceptual Illustration of Management Precision: Targets and Overages



*For simplification, the target catch level is static here. In reality, targets fluctuate.

18

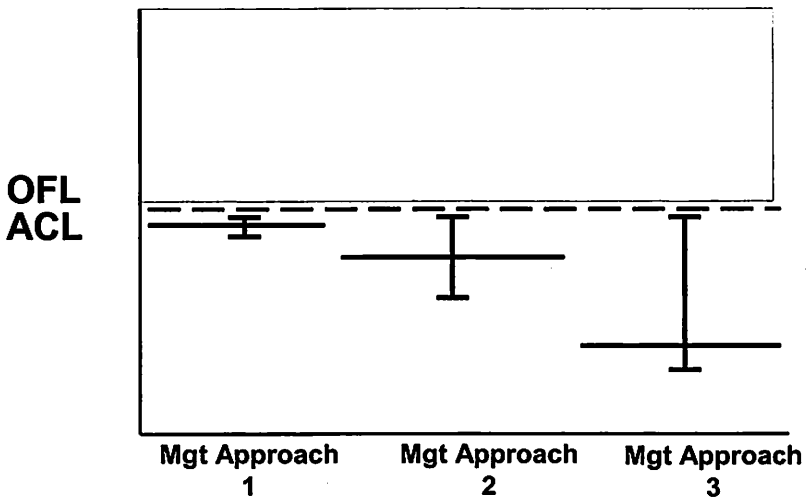
Conceptual Illustration of Management Precision: Targets and Overages



19

Setting Annual Catch Limits to Prevent Overfishing:

Accounting for Uncertainty and Past Performance



20

Issue: Scientific Knowledge of Stocks Varies

Considerations

- Quality of catch data varies
  - Completeness of catch data
    - Landings and discards data from all sectors & user groups
    - Landings data only, no discards
    - No catch data at all
  - Precision of catch data estimates
    - e.g. size of confidence intervals, statistical methods used
  - Many different data collection methods are used and each have different data quality issues
    - Commercial: logbooks, port sampling, landings reports, processor/dealer reports, observers
    - Recreational: MRFSS, other surveys

21

Issue: Scientific Knowledge of Stocks Varies

Considerations (continued)

- Biomass and fishing mortality estimates are not known for every stock
- Stock status varies: Known, Unknown, Undefined
  - Subject to overfishing
  - Overfished
  - Approaching overfished
- Existence of other academic research varies
- Existence of anecdotal information varies
- No information exists on the stock

22

Issue: Timeliness of Catch Data Varies

Considerations

- Timing of catch data availability (including analysis time):
  - in-season allows for in-season adjustments to catch
  - in time to make adjustments to next year's target catch
  - in time to make adjustments to target catch two or more years later
- No catch data at all

23

Issue: Data Varies

Discussion

- For stocks with little or no data, how could ACLs and AMs be developed?
- For fisheries where catch data is not timely or does not exist, what types of AMs can be developed?

24

Summary

25

Developing ACL and AM Guidance

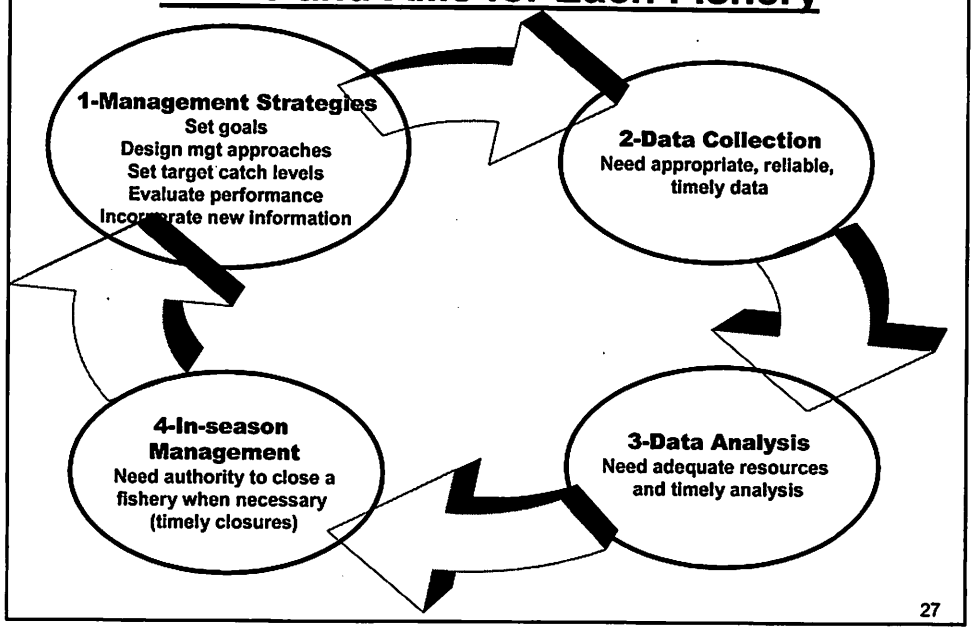
Development of national ACL and AM guidance must account for:

- Diversity in U.S. fisheries:
  - Biological and ecological
  - Management approaches
  - Monitoring capabilities
  - Scientific information available
- Uncertainty

All these factors work together and will affect our ability to develop, implement, and evaluate ACLs and AMs.

26

Considerations in Developing ACLs and AMs for Each Fishery



27

Estimated Implementation Timeline

Scoping Meetings (see website)	**March-April 2007**
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Annual Catch Limits (ACLs) and Accountability Measures (AMs): Requirements of the 2006 Amendments to the Magnuson-Stevens Act (MSA)

The Magnuson-Stevens Fishery Conservation and Management Act (MSA) was reauthorized and amended on January 12, 2007, by the Magnuson Stevens Fishery Conservation and Management Reauthorization Act (MSRA). The MSRA established **new requirements to end and prevent overfishing**, including Annual Catch Limits (ACLs) and Accountability Measures (AMs). On February 14, 2007, NOAA's National Marine Fisheries Service (NMFS) published a notice of intent to prepare an environmental impact statement (EIS) (72 FR 7016) for proposed guidance on the development and implementation of these new requirements. NMFS is currently in the public scoping process for the EIS and guidance.

The new guidance under development would assist regional fishery management councils in developing ACLs and AMs to **end and prevent overfishing in all U.S. commercial and recreational fisheries in 2010 for stocks subject to overfishing, and 2011 for all others**, as required by the MSRA. NMFS provides guidelines to facilitate consistent application of the MSA's 10 national standards among the nation's fishery managers. NMFS would incorporate new guidance of ACLs and AMs into the guidelines for National Standard 1, also known as the "overfishing standard."

Overfishing still occurs at various levels in 48 fisheries in U.S. waters, although NMFS and the Councils have made significant improvements in recent years. The highest priority in the MSRA was to strengthen the Act to ensure an end to overfishing.

To end overfishing and prevent it from occurring in the future, the new law requires that **federal fishery management plans establish mechanisms for annual catch limits and accountability measures**. The new law also adds **requirements for the role of scientific advice in this process**, specifically through the Councils' Scientific and Statistical Committees (SSCs). The new guidelines will address these provisions as they relate to development of annual catch limits.

This public scoping process provides an opportunity to discuss these and other issues related to National Standard 1, and receive public comments on developing guidance to address the new mandates. **The public comment period ends April 17, 2007.**

Upon consideration of public input that NMFS receives during this scoping period, the agency will develop its proposed guidance, and then will hold another public comment period. The agency aims to finalize its revisions to the National Standard 1 guidelines by the end of 2007.

Requirements to End & Prevent Overfishing

Conservation and management measures shall prevent overfishing while achieving, on a continuing basis, the optimum yield from each fishery for the United States fishing industry.

- National Standard 1 of the MSA

Starting July 12, 2009, within 2 years of notification that a stock is overfished or approaching a condition of being overfished, measures must be prepared and implemented to end overfishing immediately and to rebuild

- MSA Section 304(e)(4) requirements as amended by MSRA Section 104(c) and 104(d)

Each Council is required to "develop annual catch limits for each of its managed fisheries that may not exceed the fishing level recommendations of its scientific and statistical committee or the peer review process established under subsection (g)"

- MSA Section 302(h)(6) as amended by MSRA Section 103(c)(3)

"(g) COMMITTEES AND ADVISORY PANELS.—

(1)(A) Each Council shall establish, maintain, and appoint the members of a scientific and statistical committee to assist it in the development, collection, evaluation, and peer review of such statistical, biological, economic, social, and other scientific information as is relevant to such Council's development and amendment of any fishery management plan.

(B) Each scientific and statistical committee shall provide its Council ongoing scientific advice for fishery management decisions, including recommendations for acceptable biological catch, preventing overfishing, maximum sustainable yield, and achieving rebuilding targets, and reports on stock status and health, bycatch, habitat status, social and economic impacts of management measures, and sustainability of fishing practices.

(C) Members appointed by the Councils to the scientific and statistical committees shall be Federal employees, State employees, academicians, or independent experts and shall have strong scientific or technical credentials and experience.

(E) The Secretary and each Council may establish a peer review process for that Council for scientific information used to advise the Council about the conservation and management of the fishery. The review process, which may include existing committees or panels, is deemed to satisfy the requirements of the guidelines issued pursuant to section 515 of the Treasury and General Government Appropriations Act for Fiscal year 2001 (Public Law 106–554—Appendix C; 114 Stat. 2763A–153).[...]"

- MSA Section 302(g) as amended by MSRA Section 103(b)(1)

Fishery management plans shall "establish a mechanism for specifying annual catch limits in the plan (including a multiyear plan), implementing regulations, or annual specifications, at a level such that overfishing does not occur in the fishery, including measures to ensure accountability."

- MSA Section 303(a) as amended by MSRA Section 104(a)(10)

Shall not apply to a fishery for species that have a life cycle of approximately 1 year unless the Secretary has determined the fishery is subject to overfishing of that species

- MSRA Section 104 (b)(2)

Shall apply for a fishery unless otherwise provided for under an international agreement in which the U.S. participates

- MSRA Section 104 (b)(1)

ACLs must be implemented:

- in fishing year 2010 for fisheries determined by the Secretary to be subject to overfishing

  - MSRA Section 104 (b)(1)(A)

- in fishing year 2011 for all other fisheries

  - MSRA Section 104 (b)(1)(B)

Key Issues to Consider in Developing Guidance on ACLs & AMs

NMFS has identified the following key issues to consider in developing guidelines on annual catch limits (ACLs) and accountability measures (AMs) and welcomes public comments on these and any other issues related to NS1 during the public scoping process.

- The role of the SSC and other peer review processes in setting ACLs and AMs
- The relationship between ACL and OY
- Revision of existing overfishing definitions to include OFL
- Variability in data currently available for each stock
- Setting ACLs for stocks with little or no data
- Setting ACLs and AMs for fisheries that have a recreational component
- Circumstances in which a numerical ACL can not be set for a stock, and in such situations, recommendations for adequate and appropriate alternatives to setting a numerical ACL (e.g., prohibitions)
- Setting ACLs for stock complexes, stock assemblages, and similar stock groupings
- Variability in the accuracy of management approaches in achieving target fishing levels
- Setting a buffer between ACL and OFL to prevent overfishing, and how to determine the size of the buffer needed
- Establishing the appropriate probability that an ACL and AM measures will prevent overfishing for a stock
- Establishing recommendations for in-season management authority and methods to be used as AMs to prevent overfishing
- Limiting the extent of overfishing, should it occur
- Establishing corrective actions to ensure accountability in a subsequent year for an overage of the OFL for a stock in a previous year
- Considerations for biological relevance of an OFL overage
- Establishing AMs for various sectors, if an ACL is subdivided for a stock, and the need to still prevent exceeding the overall OFL for the stock

Comment Period Ends April 17, 2007

Please E-mail Comments to:
annual.catch.limitDEIS@noaa.gov

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Timeline for Developing and Implementing ACLs & AMs

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28

Schedule of Scoping Meetings

Council	Date	Time	Location
South Atlantic	March 6, 2007	6:30 pm to 7:30 pm	Jekyll Island Club Hotel, Jekyll Island, GA 31527
NMFS	March 9, 2007	9:00 am	NOAA Science Center, 1301 East-West Hwy, Silver Spring, MD
Western Pacific	March 14, 2007	7:30 pm to 9:00 pm	Ala Moana Hotel, Honolulu, HI
Caribbean	March 20, 2007	6:00 pm to 7:00 pm	Ponce Hilton Hotel, Ponce, PR
Gulf of Mexico	March 27, 2007	6:30 pm to 7:30 pm	Embassy Suites Hotel, Destin, FL
North Pacific	March 28-29, 2007**	Morning session	Anchorage Hilton Hotel, Anchorage, AK
Pacific	April 3, 2007**	Afternoon session	Seattle Airport Marriott Hotel, Seattle, WA 98188
New England	April 10, 2007	1:30 pm to 3:00 pm	Mystic Hilton, Mystic, CT
Mid-Atlantic	April 17, 2007	7:00 pm to 8:30 pm	Princess Royale, 9100 Coastal Hwy, Ocean City, MD

Any changes or updates will be published in the Federal Register and posted on our website (see page 3).
**Subject to Council agenda changes during the week of the meeting.

Acronyms

ACL – annual catch limit

AM – accountability measure

B – Biomass

B_{MSY} – long-term average biomass that would be achieved if fishing at a constant fishing mortality rate equal to F_{MSY}.

DEIS – draft environmental impact statement

EA – environmental assessment

EEZ – exclusive economic zone

EIS – environmental impact statement

F – fishing mortality

FEIS – final environmental impact statement

FMP – fishery management plan

F_{MSY} – fishing mortality rate that produces the maximum sustainable yield.

MFMT – maximum fishing mortality threshold

MSA – Magnuson-Stevens Fishery Conservation and Management Act

MSRA – Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006

MSST – Minimum Stock Size Threshold ($B_{threshold}$)

MSY – maximum sustainable yield

NEPA – National Environmental Policy Act

NOA – notice of availability

NOAA – National Oceanic and Atmospheric Administration

NMFS – National Marine Fisheries Service

NOI – notice of intent

NS1 – National Standard One

OFL – overfishing level

OY – optimum yield

SSC – Scientific and Statistical Committee

TAC – total allowable catch

B-2
Susan Auer
Garland Walker

NOAA Office of the General Counsel for Enforcement and Litigation, Alaska Region

Report to North Pacific Fishery Management Council

A. Cases referred to GCEL/AK between October 1 and December 31, 2006: **23**

B. Aggregate Penalties Assessed in NOVAs issued between October 1 and December 31, 2006: **$271,007**

C. Cases settled by GCEL/AK between October 1 and December 31, 2006: **19**

D. NOVAs issued between Nov. 1, 2006 and Feb. 28, 2007: **38**

1) NOVA issued charging a respondent with pursuit of a group of Cook Inlet Beluga whales (a species designated as depleted pursuant to 50 C.F.R. 215.15(g)) in a manner that had the potential to disturb and did disturb said whales by causing disruption of their behavioral patterns, including disruption of breathing and swimming, in violation of the Marine Mammal Protection Act (MMPA).

2) NOVA issued to Respondent charging respondent with submitting an application for IFQ/CDQ halibut Landing Card which contained the statement that his partner held an ownership interest of at least 20% in his vessel. This statement was not correct because the partner had signed a bill of sale conveying his interest prior to submitting the application for the Landing Cards. Submission of such inaccurate information is a violation of the Northern Pacific Halibut Act (NPHA).

3) NOVA issued to Respondent charging respondent with two submitting an application for IFQ/CDQ halibut Landing Card which contained the statement that his partner held an ownership interest of at least 20% in his vessel. This statement was not correct because the partner had signed a bill of sale conveying his interest prior to submitting the application for the Landing Cards. Submission of such inaccurate information is a violation of the NPHA.

4) NOVA issued charging a respondent with failing to maintain an approved logbook on board said vessel and failing to update an approved logbook not later than 24 hours after midnight local time for each day fished and prior to the offloading or sale of halibut taken during that fishing trip, in violation of the NPHA.

5) NOVA issued charging the owner and operator of a vessel with retaining on board said Vessel during a trip more than 300,000 pounds of unprocessed pollock, in violation of the Magnuson Stevens Fishery Conservation and Management Act (MSA).

6) NOVA issued charging the IFQ permit holder with commencing an IFQ landing of 730 pounds of IFQ halibut without a Prior Notice of Landing, in violation of the NPHA.

7) NOVA issued charging respondent with harvesting 2,424 pounds of IFQ sablefish in the West Yakutat District when he had only 34 pounds of unharvested quota for the area,

resulting in an overage in the amount of 2,390 pounds, and for fishing for groundfish without a Federal Fisheries Permit, in violation of the MSA.

8) NOVA issued charging respondent vessel owner and operator with making an IFQ crab landing without holding either a crab IFQ permit or a crab IFQ hired master permit and retaining IFQ crab on a vessel in excess of the total amount of unharvested crab IFQ for a crab QS fishery that was held by all crab IFQ permit holders or crab IFQ hired masters aboard that vessel, in violation of the MSA.

9) NOVA issued to owner and operator of vessel charging that they retained Atka mackerel in the Gulf of Alaska when such retention was prohibited by a Notice of Inseason Action, in violation of the MSA.

10) NOVA issued to crab permit holder charging that he retained 1,464 pounds in excess of the total amount of unharvested crab IFQ available on his permits, in violation of the MSA.

11) NOVA issued to operator of a pleasure craft charging that he did fillet, mutilate, or otherwise disfigure a halibut in any manner that prevented the determination of minimum size or the number of fish caught, possessed, or landed, in violation of the NPHA.

12) NOVA issued to owner and operator of fishing vessel charging that they allowed the vessel to approach within 3 nm (approximately 1.1 nm) of the Marmot Island Steller sea lion rookery site, in violation of the Endangered Species Act, and also charged the operator of the vessel for failing to update the International Pacific Halibut Commission logbook not later than 24 hours after midnight local time for each day fished and prior to the offloading or sale of halibut taken during that fishing trip, in violation of the NPHA.

13) NOVA issued charging the owner and operator of a fishing vessel with failing to provide a safe ladder for the U.S Coast Guard boarding officer and his team to come aboard, in violation of the MSA.

14) NOVA issued for harassment of whale by commercial whale watching operation, in violation of the MMPA.

15) NOVA issued charging registered buyer for failure to properly submit IFQ product transfer reports, in violation of the MSA..

16) NOVA issued for failure to have seabird avoidance plan on board, in violation of the MSA.

17) NOVA issued for failure to have seabird avoidance plan on board, in violation of the MSA.

18) NOVA issued for failure to have a seabird avoidance plan on board, in violation of the MSA.

19) NOVA issued for illegally harvesting prohibited species, in violation of the MSA.

20) NOVA issued to owner of vessel for failure to have a safe boarding ladder for use during at-sea boarding, in violation of the MSA.

21) NOVA issued charging owner and operator of vessel with a bycatch overage, in violation of the MSA. The assessed penalty was for the value of the processed fish.

22) NOVA issued charging harassment of whale by commercial whale watching operation, in violation of the MMPA.

23) NOVA issued charging operator and owner of vessel with transit and harvest within closed area around Steller sea lion rookery, in violation of MSA and Endangered Species Act (ESA).

24) NOVA issued charging failure to obtain clearance prior to commencing halibut fishing in area 4 and failure to have adequate observer coverage in first quarter of 2005, in violation of the NPHA.

25) NOVA issued charging respondent with submission of inaccurate information on a subsistence halibut permit application, in violation of the NPHA.

26) NOVA issued charging operator and owner of vessel with failure to have a copy of FFP on board vessel, in violation of the MSA.

27) NOVA issued against IFQ permit holder for failure to properly log IFQ catch, in violation of MSA/NPHA.

28) NOVA issued against subsistence permit holder for using unauthorized gear to conduct subsistence harvest, in violation of NPHA.

29) NOVA issued for failure to have seabird avoidance plan on board, in violation of MSA.

30) NOVA issued for failure to have seabird avoidance plan on board, in violation of MSA.

31) NOVA issued for failure to have seabird avoidance plan on board, in violation of MSA.

32) NOVA issued charging IFQ permit holder for failure to complete IFQ landing report, in violation of MSA/NPHA.

33) NOVA issued for failure to submit IFQ landing report, in violation of MSA/NPHA.

34) NOVA issued charging operator and owner of vessel with retaining overage of

bycatch species, in violation of MSA.

35) NOVA issued charging IFQ permit holder with failure to timely log/record IFQ halibut harvest, in violation of NPHA.35)NOVA issued charging IFQ permit holder with failure to obtain clearance prior to commencing halibut fishing in area 4 and failure to have adequate observer coverage in first quarter of 2005, in violation of NPHA.

36) NOVA issued charging IFQ permit holder with moving vessel from landing site prior to completion of landing report, in violation of MSA/NPHA.

37) NOVA issued charging IFQ permit holder with leaving landing site prior to conclusion of landing, in violation of MSA/NPHA.

38) NOVA issued charging operator and owner of vessel with submitting false information on required report, in violation of MSA.