


MEMORANDUM

TO: Council, SSC and AP Members

FROM: Clarence G. Pautzke
Executive Director 

DATE: June 9, 1996

SUBJECT: Sablefish and Halibut IFQs

ESTIMATED TIME
1 HOUR

ACTION REQUIRED

Final review of a regulatory amendment to increase halibut use caps in the Bering Sea/Aleutian Islands.

BACKGROUND

At their January 1996 meeting, the Council initiated an analysis to increase halibut use caps for QS holders in the Bering Sea/Aleutian Islands regulatory areas (Area 4). Current regulations stipulate that halibut Area 4 use caps may not exceed ½ percent of the total amount of halibut QS for IFQ regulatory areas 4A, 4B, 4C, 4D, and 4E, combined. QS holders are allowed to harvest the QS received during initial issuance, however, second generation QS holders may not exceed the ½ percent cap.

The use cap was created to address concerns that an unrestricted market for QS could result in a few powerful interests controlling most of the landings and result in excessive decreases in the number of vessels and fishermen participating in the fixed gear halibut fishery. The ½ percent cap limits consolidation to a theoretical minimum of 200 participants. The block cap and vessel category restrictions, however, make the maximum consolidation unlikely.

Industry has reported that the ½ percent cap is insufficient to justify the expense of traveling to remote areas in the western Aleutian Islands and Bering Sea to harvest halibut. The 1996 QS pool totals 33,002,937 QS units for Area 4. The ½ percent cap for all of Area 4 limits QS holders to 165,015 units. The cap amounted to 26,500 lb based on combined Area 4 1994 TACs and 23,610 lb based on 1995 and 1996 TACs. Most QS, however, is distributed among

Area	½% IFQ	1% IFQ	2% IFQ
4A	21,573	43,146	86,292
4B	32,813	65,626	131,252
4C	16,005	32,010	64,020
4D	18,980	37,960	75,920
4E	0	0	0

multiple areas, further exacerbating the problem of low use caps. The status quo QS use cap of 165,015 units converted to 1996 IFQ pounds for each Area 4 subarea is listed above for each of the proposed alternatives.

The draft Environmental Analysis/Regulatory Impact Review was distributed on May 16. The document analyzes the following alternatives:

Alternative 1. Status quo. Halibut QS use will be limited to ½ percent of the total amount of halibut QS for IFQ regulatory areas 4A, 4B, 4C, 4D, and 4E, combined.

Alternative 2. Increase Halibut QS use of the total amount of halibut QS for IFQ regulatory areas 4A, 4B, 4C, 4D, and 4E, combined to:

Option A. 1.0 percent;

Option B. 2.0 percent.

Two alternatives were included in the analysis: (1) status quo of ½ percent; and (2) an increase to either 1 or 2 percent. Alternative 1 is the "no Action" or status quo alternative. Alternative 2, the proposed alternative submitted by representatives of the industry in Area 4, could theoretically reduce the number of QS holders by 50 or 25 percent.

Alternative 2, Option A would allow an additional 32 QS holders (7% of the total) to increase their QS to the proposed 1 percent cap of 333,029 units. This alternative would allow the transfer of a theoretical maximum of 2,536,373 units to 32 currently capped QS holders to reach the higher cap.

Alternative 2, Option B would allow an additional 50 QS holders (10% of the total) to increase their QS to the 2 percent cap of 660,058 QS units. The theoretical maximum QS units required to allow all 50 QS holders to reach the cap under this alternative exceed the available QS units held by the 509 QS holders under the current cap.

Approximately 500 halibut QS holders in Areas 4A-D would benefit from an increase in the Area 4 individual use cap, either as QS buyers or sellers. Over 14 million unblocked QS units in Areas 4A-D held by 198 persons and 17.8 million blocked QS units held by 397 persons are the likely source of QS for those wishing to increase their holdings. Blocked QS are limited by block and vessel category restrictions. The unblocked QS units, more likely to be transferred, equal approximately 2.1 million lb of halibut worth more than \$4.6 million ex-vessel. A review of the economic and socioeconomic impacts of the alternatives indicates that either option under Alternative 2 will provide a net economic benefit to the nation.

None of the alternatives is expected to have a significant impact on endangered, threatened, or candidate species.

**KODIAK
VESSEL
OWNERS'
ASSOCIATION**

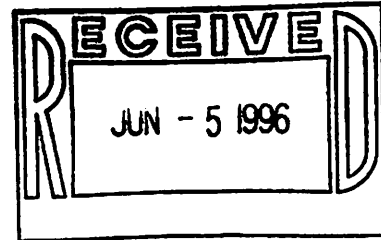


326 Center Avenue, Suite 20
P.O. Box 13
(907) 486-378
Fax (907) 486-247

HALIBUT • SABLEFISH • PACIFIC COD • CRAB

June 5, 1996

Richard B. Lauber, Chairman
North Pacific Fishery Management Council
605 West 4th Avenue
Anchorage, AK 99501-2252



RE: Halibut IFQs - BSAI ownership caps

Dear Rick,

In reference to the increase of halibut quota share use caps in the Bering Sea/Aleutian Island, the KVOA prefers alternative 2 option B which would increase the use cap to 2%. The membership believes 2% would be more reasonable and realistic limitation than the current 1/2% cap. The current cap does not adequately allow initial allocants to harvest in a manner consistent with their historic participation in the fishery.

As noted in the EA/RIR/IRFA the limitations of the current cap are only a part of the problem. The distribution of quota shares among multiple areas is equally significant. The 54 initial allocants identified in the analysis are seeking a means of harvesting their halibut in an economically feasible manner. Although their total area 4 quota share holdings may exceed the current cap, a great deal of that quota remains unharvested because it is small amounts of quota in remote areas. These individuals are seeking the ability to harvest the quota share, awarded to them on the basis of historic participation, in a manner consistent with that history.

The only alternatives currently available to these individuals are to sell the quota share which they cannot economically harvest or retain it and allow it to go unharvested year after year. As stated in the EA/RIR/IRFA any increase in the use caps would result in a net benefit to the nation. Additionally the analysis points out that all currently capped quota share holders would not be expected to increase their holdings and that theoretical consolidation is highly unlikely due to the additional restrictions of vessel class, vessel use caps, and the block cap.

The analysis shows (table 5) 59% of all area 4 permits went unfished. It is unlikely that in these remote areas unfished quota was a result of sweep up limits because a significant portion of the unfished quota in the 0-5,000 lb range was unblocked. Constraining measures, intended to limit consolidation, which are appropriate in the Gulf of Alaska do not necessarily prove to be so in the Bering Sea/Aleutian Islands.

We urge the Council to view the circumstances surrounding area 4 use caps from a fresh perspective and heed the findings of the EA/RIR/IRFA showing: 1) an increase in area 4 use caps would produce a net benefit to the nation; 2) all currently capped quota share holders would not be expected to increase their holdings; 3) theoretical consolidation is improbable with the array of other restrictions (vessel class, vessel use caps,

and the block cap); 4) alternative 2 option B would provide relief to the majority of initial allocants currently constrained.

The impending "buy-down" amendment may also limit the ability of the initial allocants currently in excess of the cap to restructure their quota share ownership in such a way that harvest is feasible. This situation increases the need for meaningful action at this time; an excessively conservative approach to this problem now will result in a change in the historic composition of the fleet - an result the IFQ program was intended to avoid.

We urge the Council to amend the halibut quota share use caps to allow ownership up to 2% of the total area 4 quota share.

Sincerely,


Lisa Polito
Executive Director

FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

ALLIANCE AGAINST IFQS; LADY
BLACKIE, INC.; MAKO HAGGERTY;
MATHEW DONOHOE; NANCY L.
LANDE; ADRIAN LECORNU; HOWARD
CARLOUGH; JERE MURRAY; PAUL K.
SEATON; WILLIAM SULLIVAN; DON
HALL,
Plaintiffs-Appellants,

v.

RONALD H. BROWN, Secretary of
Commerce; CLARENCE G. PAUTZKE,
Executive Director North Pacific
Fishery Management Council;
WESTERN ALASKA FISHERIES
DEVELOPMENT ASSOCIATION,
Defendants-Appellees,

and

PETER M. KNUTSEN; EDWIN
FUGLVOG; ROBERT J. WURM;
ANDREW SCALZI; NANCY PHILLIPS,
et al.,
Defendants-Intervenors-Appellees.

Appeal from the United States District Court
for the District of Alaska
James K. Singleton, District Judge, Presiding

Argued and Submitted
August 9, 1995--Anchorage, Alaska

Filed May 22, 1996

No. 95-35077

D.C. No.
CV-93-00480-JKS
OPINION

6099

Before: Cynthia Holcomb Hall, Charles Wiggins, and
Andrew J. Kleinfeld, Circuit Judges.

Opinion by Judge Kleinfeld

SUMMARY

6100

COUNSEL

Susan E. Reeves, Rubini & Reeves, Anchorage, Alaska, for
the plaintiffs-appellants.

6102

Martin W. Matzen, United States Department of Justice,
Washington, D.C., for the defendants-appellees.

Donald Craig Mitchell, Anchorage, Alaska, for defendants-
appellees Western Alaska Fisheries Development Associa-
tion.

George J. Mannina, Jr., O'Connor & Hannan, Washington,
D.C., for intervenors-defendants Knutsen.

OPINION

KLEINFELD, Circuit Judge:

The only issue in this case is whether regulations for imple-
menting a fishery management plan in and near Alaska waters
was arbitrary and capricious, or violative of the authorizing
statute. We conclude that the regulations were a permissible
exercise of authority by the Secretary of Commerce.

I. FACTS AND REGULATORY FRAMEWORK

Commercial ocean fishing combines difficult and risky
labor with large capital investments to make money from a
resource owned by no one, the fish. Unlimited access tends to
cause declining fisheries. The reason is that to get title to a
fish, a fisherman has to catch it before someone else does.
Pierson v. Post, 3 Caines 175, 2 Am. Dec. 264 (N.Y. 1805).
This gives each fishermen an incentive to invest in a fast,
large boat and to fish as fast as possible. As boats and crews
get more efficient, fewer fish escape the fishermen and live to
reproduce. "The result is lower profits for the too many fish-
ermen investing in too much capital to catch too few fish."
Terry L. Anderson and Donald R. Leal, Free Market Environ-
mentalism, 123 (1991).

6103

Congress made findings in the Magnuson Fishery Conservation and Management Act ("Magnuson Act"), 16 U.S.C. S 1801 et seq., that "certain stocks of such fish have been overfished to the point where their survival is threatened," 16 U.S.C. S 1801(a)(2)(A), and that "[a] national program for the conservation and management of the fishery resources of the United States is necessary to prevent overfishing, to rebuild overfished stocks, to ensure conservation, and to realize the full potential of the Nation's fishery resources." 16 U.S.C. S 1801(a)(6). Among the purposes of the Magnuson Act were providing for "fishery management plans which will achieve and maintain, on a continuing basis, the optimum yield from each fishery," 16 U.S.C. S 1801(b)(4), and "establish[ing] Regional Fishery Management Councils to . . . prepar[e], monitor[] and revis[e] such plans." 16 U.S.C. S 1801(b)(5). The Secretary of Commerce, pursuant to the Magnuson Act and the Northern Pacific Halibut Act of 1982 ("Halibut Act"), 16 U.S.C. S 773 et seq., promulgated regulations to limit access to sablefish and halibut fisheries in the Gulf of Alaska and the Bering Sea and Aleutian Islands area. See 50 C.F.R., Part 676.

The Secretary of Commerce implemented by regulation a management plan for sablefish and pacific halibut fishing. 50 C.F.R. SS 676.10-676.25. The basic scheme is that any boat that fishes commercially for the regulated fish in the regulated area must have an individual quota share (IFQ) permit on board, specifying the individual fishing quota allowed for the vessel, and anyone who receives the regulated fish must possess a "registered buyer permit." 50 C.F.R.S 676.13(a). The regulated area consists of portions of the Gulf of Alaska, Bering Sea, and waters off the Aleutian Islands. 50 C.F.R. S 676.10(b).

The regional director of the National Marine Fisheries Service (NMFS) in the Department of Commerce assigns to each owner or lessee of a vessel which made legal landings of halibut or sablefish during 1988, 1989, or 1990, a quota share

(QS) based on the person's highest total legal landings of halibut and sablefish during 1984 to 1990. 50 C.F.R.S 676.20(b). Each year, the regional director allocates individual fishing quotas (IFQs) by multiplying the person's quota share by the annual allowable catch. 50 C.F.R. S 676.20(f)(1). Subject to some restrictions, the quota shares and individual fishing quotas can be sold, leased and otherwise transferred. 50 C.F.R. S 676.21. If someone who did not fish in the regulated waters during 1988 to 1990 wants a quota share, he has to buy it from someone who did.

Like any governmental regulatory scheme, this one substitutes a governmental decision for myriad individual decisions to determine who shall be permitted to make money in the regulated industry. The plaintiffs are people who suffer from the economic impact of the regulation. Some have invested in fishing vessels and fished in the regulated waters for halibut or sablefish, but not during the critical three years which would give them a quota share. Some have consistently fished for the regulated fish in the regulated waters, but did not own or lease the boats. Of those who acquired quota shares under the scheme, some probably never fished, and just invested in fishing boats to get investment tax credits and depreciation. The regulatory scheme has the practical effect of transferring economic power over the fishery from those who fished to those who owned or leased fishing boats. For these reasons, among others, the case is troubling and difficult.

II. ANALYSIS

The district court granted summary judgment in favor of the government and dismissed the complaint. We review a grant of summary judgment de novo. *Washington Crab Producers, Inc. v. Mosbacher*, 924 F.2d 1438, 1440 (9th Cir. 1991). Where we review regulations promulgated by the Secretary of Commerce under the Magnuson Act, our only function is to determine whether the Secretary "has considered the relevant factors and articulated a rational connection between

the facts found and the choice made." Id. at 1440-41 (quotation omitted). We determine only if the Secretary acted in an arbitrary and capricious manner in promulgating such regulations. Id. at 1441. See also 16 U.S.C. S 1855(b)(1)(B); 5 U.S.C. S 706(2)(A)-(D). We cannot substitute our judgment of what might be a better regulatory scheme, or overturn a regulation because we disagree with it, if the Secretary's reasons for adopting it were not arbitrary and capricious.

Plaintiffs urge us to adopt a more onerous standard of review and cite *Atwood v. Newmont Gold Co., Inc.*, 45 F.3d 1317 (9th Cir. 1995), as support. *Atwood* is distinguishable, because we were reviewing an ERISA plan fiduciary's duty, not those of the Secretary of Commerce, and were doing so in light of facts indicating a conflict of interest.

A. "Present Participation in the Fishery."

[1] Congress erected various conditions on the Secretary's discretion to establish a limited access system for the fishery. Among the factors which the Council and Secretary must "take into account" is "present participation in the fishery." 16 U.S.C. S 1853(b)(6)(A):

(b) Discretionary provisions. Any fishery management plan which is prepared by any Council, or by the Secretary, with respect to any fishery, may--

(6) establish a system for limiting access to the fishery in order to achieve optimum yield if, in developing such system, the Council and the Secretary take into account--

(A) present participation in the fishery,

(B) historical fishing practices in, and dependence on, the fishery,

(C) the economics of the fishery,

(D) the capability of fishing vessels used in the fishery to engage in other fisheries,

(E) the cultural and social framework relevant to the fishery, and

(F) any other relevant considerations;

The Halibut Act provides that limited access regulations "shall be consistent with the limited entry criteria set forth in section [303(b)(6) of the Magnuson Fishery Conservation and Management Act]." 16 U.S.C. S 773c(c).

[2] The final rule was promulgated November 9, 1993. 58 Fed. Reg. 59,375 (1993). But the years during which people had to own or lease vessels and land halibut or sablefish, to obtain qualifying shares, were 1988, 1989 and 1990. 50 C.F.R. S 676.20(a)(1)(i). Plaintiffs argue that this violates the Congressional command to take into account "present" fishing. As they correctly observe, a person who last fished in 1988 would get a qualifying share, but someone who had fished only in 1991, 1992 and 1993 would not. Indeed, the complaint alleges that one of the plaintiffs fished for halibut in the regulated waters in 1975, 1977 through 1987, and 1992, but fished for salmon in Cook Inlet, not part of the regulated waters, during the three quota share years.

Substantial time was taken up between formulation of the plan and promulgation, by such activities as preparing environmental impact statements on the plan. In a 1992 environmental impact statement, the Council gave several reasons for using a 1990 cutoff. Perhaps the most persuasive was that if

participation in the fishery while the rule was under consideration had been considered, then people would have fished and invested in boats in order to obtain quota shares, even though that would have exacerbated overcapacity and made no economic sense independently of the regulatory benefit:

There are two reasons why the end of the qualifying periods is 1990. First, extending it beyond that would have provided an incentive both for additional fishermen to enter the fishery and for previous entrants to adopt extreme fishing methods in order to increase their landings and, therefore, the [quota shares] they would receive if an IFQ program is implemented. This speculative activity would have intensified the race for fish and imposed substantial costs on the fishery in 1991. Second, it would have made it more difficult for a person to calculate what his [quota share] and IFQ would be by area for each of the alternatives being considered.

Extending the qualifying period past 1990 would benefit those who participated in 1991 compared to those who only participated prior to 1991. It would reward those who increased their participation in the 1991 fishery in the hope that the qualifying period would be extended. It could decrease the credibility of the Council process to the extent that potential or actual participants were led to believe that the period would not be extended. It would result in a broader dispersion of [quota shares] and increase the [quota shares] given to current participants. Finally, it would increase the cost of determining the [quota share] to be given to each person because it would require the use of an additional year of landing records and the resolution of the associated additional discrepancies between agency data and vessel owner data.

6108

The Secretary agreed that using a fishing year during the period that the plan was under consideration would exacerbate the overcapitalization problem the scheme was intended to mitigate. Here is his explanation in the Federal Register of November 9, 1993 (the day the final rule was promulgated), under the subtitle "Present participation in the fishery":

Consideration of later years was abbreviated because the Council, which was formulating this policy in 1991, did not want to exacerbate overcapacity in the fishery by allowing speculative fishing in that year and subsequent years to qualify for an initial allocation of [quota share].

C.F.R. Parts 204, 672, 675, and 676.

[3] This explanation does not fully answer the plaintiffs' argument. They point out that the Secretary did not comply with the statutory timetable for issuing regulations. The Secretary of Commerce has statutory deadlines for every step of the process after receipt of a plan from a Council. 16 U.S.C. S 1854(a). The Secretary violated every time requirement except perhaps the first. The Secretary received the plan from the Council October 26, 1992. 16 U.S.C. S 1854(a)(1)(C) requires that after receipt of the plan, the Secretary "immediately publish" in the Federal Register a notice stating that the plan is available and requesting comments. Notice was published on November 3, 1992. See 57 Fed. Reg. 49,676 (1992). On December 3, 1992, thirty-nine days after the receipt date, the Secretary published the proposed regulations, violating the 15-day requirement in 16 U.S.C. S 1854(a)(1)(D). Instead of allowing sixty days for public comment on the proposed plan, 16 U.S.C. S 1854(a)(1)(C), the Secretary only allowed 38 days. 58 Fed. Reg. 59,375 (1993). The final rule was not promulgated until November 9, 1993, 379 days after the receipt date. Cf. 18 U.S.C. S 1855(a) ("[t]he Secretary shall promulgate each regulation that is nec-

essary to carry out a plan . . . within 110 days after the plan . . . was received").

Plaintiffs do not contend these procedural violations deprived the Secretary of jurisdiction to adopt the plan. Cf. Brock v. Pierce County, 476 U.S. 253, 259-60 (1986); Idaho Farm Bureau Fed'n v. Babbitt, 58 F.3d 1392, 1399-1401 (9th Cir. 1995). They argue, rather, that the Secretary's violations pushed what was supposed to be "present" participation in the fishery further into the past. The Secretary's nine-month delay in promulgating the final regulations, which helped create a three-year period between the last fishing considered and promulgation of those regulations, adds to our concern about whether the Secretary adequately considered "present participation in the fishery," as required by 16 U.S.C. S 1853(b)(6)(A). The question is closer because a portion of this delay is attributable to the Secretary's violation of the statutory timetables.

[4] In the circumstances of this particular regulatory scheme, however, we do not think this delay should change the result. Congress left the Secretary some room for the exercise of discretion, by not defining "present participation," and by listing it as only one of many factors which the Council and the Secretary must "take into account." While the "participation" that the Council actually considered was admittedly in the "past" judged from the time when the final regulations were promulgated, it was roughly "present" with the time when the regulations were first proposed: The Council began its process on this plan in 1990, and considered participation in 1988, 1989, and 1990. The process required to issue a regulation necessarily caused substantial delay. The process of review, publication, public comments, review of public comments, and so forth, had to take a substantial amount of time, see 16 U.S.C. S 1854(a), and the environmental impact review also was lengthy, as it typically is, see 42 U.S.C. S 4332(2)(C). "Present" cannot therefore prudently be

contemporaneous with the promulgation of the final regulations.

[5] We further believe that the Secretary had a good reason for disregarding participation in the fishery during this lengthy process, because the alternative would encourage the speculative over-investment and overfishing which the regulatory scheme was meant to restrain. Under the regulations, eligibility for quota shares depends on fishing during the years 1988, 1989, and 1990. Whatever years are used necessarily recede into the distant past. Even in 2005, assuming the regulatory scheme lasts that long, the quota shares will be based on fishing prior to 1991. Future generations of fishermen will continue to be governed by these pre-1991 allocations. Had the Secretary extended the 1990 cutoff, the incentive to pour money and time into the fishery in order to get a bigger quota share, for those who could afford a long term speculation, would have been enormous.

[6] Thus, while the length of time between the end of the participation period considered and the promulgation of the rule pushed the limits of reasonableness, we are unable to characterize use of a 1988 through 1990 period as so far from "present participation" when the regulation was promulgated in 1993 as to be "arbitrary or capricious." Washington Crab, 924 F.2d at 1441. See also 16 U.S.C. S 1855(b)(1)(B); 5 U.S.C. S 706(2)(A)-(D).

B. The "Fair and Equitable Standard."

[7] Plaintiffs argue that the allocation of quota shares to vessel owners and lessees violates the statutory requirement that allocation be "fair and equitable to all such fishermen." 16 U.S.C. S 1851(a)(4). The statute requires that a fishery management plan comply with a number of national standards:

(a) In general. Any fishery management plan prepared, and any regulation promulgated to imple-

ment any such plan, pursuant to this subchapter [16 U.S.C. SS 1851 et seq.] shall be consistent with the following national standards for fishery conservation and management.

(1) 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.

(2) Conservation and management measures shall be based upon the best scientific information available.

(3) To the extent practicable, an individual stock of fish shall be managed as a unit throughout its range, and interrelated stocks of fish shall be managed as a unit or in close coordination.

(4) Conservation and management measures shall not discriminate between residents of different States. If it becomes necessary to allocate or assign fishing privileges among various United States fishermen, such allocation shall be (A) fair and equitable to all such fishermen; (B) reasonably calculated to promote conservation; and (C) carried out in such manner that no particular individual, corporation, or other entity acquires an excessive share of such privileges.

(5) Conservation and management measures shall, where practicable, promote efficiency in the utilization of fishery resources; except that no such measure

shall have economic allocation as its sole purpose.

(6) Conservation and management measures shall take into account and allow for variations among, and contingencies in, fisheries, fishery resources, and catches.

(7) Conservation and management measures shall, where practicable, minimize costs and avoid unnecessary duplication.

16 U.S.C. S 1851(a) (emphasis added).¹

Plaintiffs make the sensible argument that a crew member is just as much of a fisherman as a vessel owner. If all the quota shares go to vessel owners and lessees during that period, and none to the crew, as the Secretary's approved plan provides, then this violates the statutory command of fairness and equity to "all" the fishermen.

[8] As the quoted section of this statute shows, the Secretary's duty was not solely limited to allocating quota shares fairly and equitably among the fishermen. The plan also had to "prevent overfishing while achieving, on a continuing basis, the optimum yield," 16 U.S.C. S 1851(a) (1), be "reasonably calculated to promote conservation," 16 U.S.C. 1851(a) (4), "promote efficiency," 16 U.S.C.S 1851(a) (5), "minimize costs and avoid unnecessary duplication," 16 U.S.C. 1851(a) (7), and achieve several other criteria. There is a necessary tension, perhaps inconsistency, among these objectives. The tension, for example, between fairness among all fishermen, preventing overfishing, promoting efficiency,

¹ In their reply brief, Plaintiffs argue that the Secretary's final regulations violate SS 1851(a) (1) and 1851(a) (3) as well. Because parties cannot raise a new issue for the first time in their reply brief, *Thompson v. CIR*, 631 F.2d 642, 649 (9th Cir. 1980), we do not consider these arguments.

and avoiding unnecessary duplication, necessarily requires that each goal be sacrificed to some extent to meeting the others.

[9] The Council and Secretary directed their attention to the fairness problem plaintiffs raise, but decided that the other standards imposed by the statute required allocation of quota shares to boat owners and lessees as opposed to all the fishermen. The Council thought that equity to people who had invested in boats, and the greater ease of ascertaining how much fish boats, as opposed to individual fishermen, had taken, favored allocating quota shares according to owner and lessees of boats:

There is no question that the IFQ program will restructure the current fixed gear fishery for halibut and sablefish. Some fishermen will be better off and some will be worse off under the IFQ program. . . . In brief, those persons benefited by receiving an initial allocation are vessel owners or lease holders The Council's rationale for this particular allocation is that vessel owners and lease holders are the participants who supply the means to harvest fish, suffer the financial and liability risks to do so, and direct the fishing operations.

. . . .

The advantaging of one group to the detriment of another is inherent in allocation The Council considered allocating [quota share] to crew members but decided against it because of the practical difficulties of documenting crew shares. Instead, the Council decided to give eligibility for initial allocations only to vessel owners and lease holders because they have a capital investment in the vessel and gear that continues as a cost after crew and vessel shares are paid from a fishing trip.

6114

58 Fed. Reg. 59,375, 59,378, 59,386 (1993) (final rule, codified at 50 C.F.R. Parts 204, 672, 675, and 676).

[10] The Secretary thought that the problem of overfishing resulted more from investment in boats than occupational choices of fishermen, so the administrative remedy should be measured by ownership and leasing of boats:

The Council's consideration of "present participation" also included the form of involvement in the fishery (e.g., as a vessel owner, crew member, or processor). As explained under national standard 4, above, the Council perceived vessel owners and lease holders as the most directly involved persons in terms of capital investment. The conservation and management problems resolved by this program stem largely from excess capital in the fisheries. Therefore, it is reasonable to define the group of persons who make the capital investment decision to either enter or exit a fishery as "present participants" for initial allocation purposes.

58 Fed. Reg. 59,375, 59,380 (1993) (final rule, codified at 50 C.F.R. Parts 204, 672, 675, and 676). The Secretary promulgated a regulation requiring that allocations be "rationally connected with the achievement of [optimum yield] or with the furtherance of a legitimate [fishery management plan] objective." 50 C.F.R. S 602.14(c)(3)(i)(A). In consideration of the fact that "[i]nherent in an allocation is the advantaging of one group to the detriment of another," the regulation provided:

The motive for making a particular allocation should be justified in terms of the [fishery management plan]; otherwise, the disadvantaged user groups or individuals would suffer without cause. . . .

(B) An allocation of fishing privileges may impose a hardship on one group if it is outweighed

by the total benefits received by another group or groups. An allocation need not preserve the status quo in the fishery to qualify as fair and equitable, if a restructuring of fishing privileges would maximize overall benefits.

50 C.F.R. S 602.14(c).

[11] Congress required the Secretary to exercise discretion and judgment in balancing among the conflicting national standards in section 1851. "[U]nless the Secretary acts in an arbitrary and capricious manner promulgating such regulations, they may not be declared invalid." Alaska Factory Trawler Ass'n v. Baldrige, 831 F.2d 1456, 1460 (9th Cir. 1987). Although the Secretary's approval of the plan sacrificed the interest of nonowning crew members to boat owners and lessees, the Secretary had a reason for doing that which was consistent with the statutory standards. Controlling precedent requires that a plan not be deemed arbitrary and capricious, "[e]ven though there may be some discriminatory impact," if the regulations "are tailored to solve a gear conflict problem and to promote the conservation of sablefish." Id. The Secretary is allowed, under this authority, to sacrifice the interests of some groups of fishermen, for the benefit as the Secretary sees it of the fishery as a whole. Id.

The plan adopted will undoubtedly have an adverse impact on the lives of many fishermen who have done nothing wrong. Their entirely legitimate interest in making a living from the fishery has been sacrificed to an administrative judgment about conservation of fish and efficiency of the industry. That is, however, an unavoidable consequence of the statutory scheme. Despite the harshness to the fishermen who were left out, there is no way we can conclude on this record that the Secretary lacked a rational basis for leaving them out. The Secretary considered their interests, "considered the relevant factors and articulated a rational connection between the facts found and the choice made." Washington Crab, 924 F.2d at

1441. Because this standard was met, we do not have the authority to substitute our judgment for the Secretary's with regard to allocation of all the quota shares to boat owners and lessees.

C. Primary Port:

As part of the enforcement scheme, the Secretary has limited where fish can be unloaded and transferred from the harvest vessels. An "IFQ landing" is defined as "the unloading or transferring of any IFQ halibut, IFQ sablefish, or products thereof from the vessel that harvested such fish." 50 C.F.R. S 676.11. The general scheme for landings involves vessels clearances, with National Marine Fisheries Service inspection of individual fishing quota permits, buyer permits, and regulated halibut and sablefish. "Unless specifically authorized on a case-by-case basis, vessel clearances will be issued only by NMFS enforcement officers at . . . primary ports." 50 C.F.R. S 676.17(a)(4). The regulations list as "primary ports" 16 towns in Alaska, and Bellingham, Washington. Plaintiffs argue that the inclusion of Bellingham, Washington, on the list was inappropriate. Listing Bellingham means, as a practical matter, that some vessels will harvest regulated fish in waters off Alaska, but the National Marine Fisheries Service will not clear the fish for sale until they get to Bellingham.

[12] The regional fishery management council recommended that all clearances be at Alaska ports. Some of the federal fisheries regulators in Alaska, as well as fishermen in Alaska, were concerned that once the boats got away from Alaska, they could cheat by selling fish before they got to a non-Alaskan port. There is a lot of ocean between Alaska and Washington.

[13] The Secretary added Bellingham to the list, despite this concern, for two reasons. First, the Secretary was concerned that if all fish had to be cleared at an Alaskan port, then the second sentence of the Ports Preference Clause of the

United States Constitution would be violated. The Ports Preference Clause says:

No Preference shall be given by any Regulation of Commerce or Revenue to the Ports of one State over those of another: nor shall Vessels bound to, or from, one State be obliged to enter, clear, or pay Duties in another.

Const. art I, S 9, para. 6. The Secretary did not make a finding that the clause would be violated, but rather chose to avoid possible litigation over the question by adding a non-Alaskan port. Second, the Secretary elected to put Bellingham on the list, because it was an historic port for selling Alaskan halibut and sablefish. 58 Fed. Reg. 59,375, 59,392.

Plaintiffs argue that the Secretary had no authority to amend the fishery management plan by adding Bellingham, and could only approve the plan, disapprove it, or partially disapprove it. Under their interpretation, the Secretary should have sent the plan back to the regional council rather than adding a non-Alaskan port on his own.

Congress distinguished the Secretary's powers to alter the "fishery management plan" which the regional council submits, 16 U.S.C. S 1853(a), from his power to alter "regulations which the Council deems necessary or appropriate for purposes of carrying out a plan," 16 U.S.C. S 1853(c). Congress specifically empowered the Secretary to "make such changes in the proposed regulations submitted for the plan . . . as may be necessary for the implementation of the plan." 16 U.S.C. S 1854(a)(1)(D)(i). The Secretary does not have the same powers over the plan: If "the Secretary determines that the plan . . . is not consistent with the criteria, . . . the Secretary shall notify the Council in writing of his disapproval or partial disapproval of the plan," 16 U.S.C. S 1854(b)(2). That way, "the Council may submit a revised plan or amendment, accompanied by appropriately revised proposed regulations,

to the Secretary." 16 U.S.C. S 1854(b)(3)(A). Plaintiffs argue that the Secretary could not add Bellingham as a port because doing so changed the fishery management plan.

[14] We have no difficulty reconciling subsection (b)(3), which empowers the council to submit a revised plan, with subsection (a)(1)(D)(i), which allows the Secretary to make changes on his own in the implementation regulations. Subsection (a)(1)(D)(i) authorizes the Secretary to change regulations which the Secretary deems necessary for implementation, without sending the plan back to the council. Designation of the locations for National Marine Fisheries Service vessel clearance was an enforcement concern which the Secretary could properly control in the implementation regulations. We therefore have no occasion to decide whether the Secretary could change the fishery management plan itself without sending it back to the council.

Plaintiffs argue that the practical effect of adding Bellingham to the implementing regulations is to make enforcement of the plan itself entirely impractical, so that the Secretary's amendment of the regulations should be treated as a change in the plan itself. They cite a memorandum from the Director of the National Marine Fisheries Service, Alaska Enforcement Division, saying that enforcement could not be accomplished if a Washington port were added. This is a matter of judgment entrusted to the Secretary, and although he reached a conclusion contrary to the recommendation of a knowledgeable subordinate in his department, the Secretary's judgment is not arbitrary and capricious.

D. Preemption Hearing.

The statute provides that "nothing in this [Act] shall be construed as extending or diminishing the jurisdiction or authority of any State within its boundaries." 16 U.S.C. S 1856(a). If the Secretary finds "after notice and an opportunity for hearing" that "any state has taken any action . . .

which will substantially and adversely affect the carrying out of [his] fishery management plan," then "the Secretary shall promptly notify such State and the appropriate Council of such finding and of his intention to regulate the applicable fishery within the boundaries of such State." 16 U.S.C.

S 1856(b) (1). This statute also provides that a state may later seek reinstatement of its authority over an area over which the Secretary has previously asserted jurisdiction. 16 U.S.C.

S 1856(b) (2). Plaintiffs argue that the Secretary violated this state sovereignty provision of the statute by not giving notice and holding a preemption hearing before asserting jurisdiction over Alaskan waters.

Plaintiffs argue that the Secretary violated this state sovereignty provision of the statute, by not giving notice and holding a preemption hearing before determining that the fishery was "predominantly within the exclusive economic zone and beyond such zone," 16 U.S.C. S 1856(b) (1) (A), and that the State of Alaska had taken or omitted to take action which would "substantially and adversely affect the carrying out of such fishery management plan." 16 U.S.C. S 1856(b) (1) (B).

Plaintiffs argue that the State of Alaska did not protect the fishermen's rights to a hearing on whether preemption of state authority was proper, so the fishermen should be enabled to enforce this statutory right themselves. In an amicus memorandum filed in district court, the State of Alaska said that it "joins with federal defendants and intervening defendants in countering plaintiffs' attempts to invalidate the [IFQ] program." However, "the state's support of the current federal IFQ program does not represent a waiver of the state's present and future fisheries management interests in state waters." We assume without deciding, for purposes of this portion of the discussion, that the Secretary did violate the State of Alaska's right to notice and a hearing before the federal government preempted the state's authority to regulate fishing in its own waters.

[15] The State of Alaska, as a sovereign, and not the plaintiffs, would be the party affronted by interference with its sovereignty. Federal regulation of fishing in state waters interferes with the state's power to regulate conduct within its borders. The fishermen, being citizens of both the State of Alaska and the United States, and fishing within both, are subject to regulation by both. The invasion of the State of Alaska's sovereign interest in the power to regulate an activity within its own territory is not "an invasion of a legally protected interest," *Lujan v. Defenders of Wildlife*, 504 U.S. 555, 560 (1992), of the fishermen. The state could have, had it prevailed in a preemption hearing, imposed greater burdens on the aggrieved fishermen than did the federal government. We intimate no view on whether the State of Alaska would have been entitled to a hearing under section 1856, had it demanded one. The State of Alaska elected not to take action to protect whatever sovereign rights the state might have in this regulatory regime, and the sovereign rights belong to the state, not the individual fishermen. Failure to hold the statutory preemption hearing created no infirmity of which the fishermen could take advantage in this litigation.

III. CONCLUSION

This is a troubling case. Perfectly innocent people going about their legitimate business in a productive industry have suffered great economic harm because the federal regulatory scheme changed. Alternative schemes can easily be imagined. The old way could have been left in place, where whoever caught the fish first, kept them, and seasons were shortened to allow enough fish to escape and reproduce. Allocation of quota shares could have been on a more current basis, so that fishermen in 1996 would not have their income based upon the fish they had caught before 1991. Quota shares could have been allocated to all fishermen, instead of to vessel owners and lessees, so that the nonowning fishermen would have something valuable to sell to vessel owners. But we are not the regulators of the north pacific halibut and sablefish indus-

try. The Secretary of Commerce is. We cannot overturn the Secretary's decision on the ground that some parties' interests are injured. Government regulation of an industry necessarily transfers economic rewards from some who are more efficient and hardworking to others who are favored by the regulatory scheme. We have authority to overturn the Secretary's decisions only if they are arbitrary and capricious, or contrary to law. In this case, they are not.

AFFIRMED.

6122

the end

National Marine Fisheries Service
P.O. 21668
Juneau Ak 99802-1668

Prepared: 11-APR-96 07:10
Restricted Access Mgmt Division
(800) 304-4846

Individual Fishing Quota (IFQ) Allocations and Landings

From 01-MAR-1996 through 11-APR-1996

Area	Species	Vessel Landings	Total Catch Pounds	<----- Tac ----->		
				Allocation Pounds	Remaining Pounds	Percent Remaining
2C	halibut	317	1,261,414	9,000,000	7,738,586	86
3A	halibut	254	2,112,249	20,000,000	17,887,751	89
3B	halibut	12	53,888	3,700,000	3,646,112	99
4A	halibut	1	12,316	1,950,000	1,937,684	99
4B	halibut	0	0	1,848,000	1,848,000	100
4C	halibut	0	0	385,000	385,000	100
4D	halibut	0	0	539,000	539,000	100
4E	halibut	0	0	0	0	0
Total		584	3,439,867	37,422,000	33,982,133	91
SE	sablefish	105	1,861,236	10,346,188	8,484,952	82
WY	sablefish	33	715,398	6,366,885	5,651,487	89
CG	sablefish	47	924,422	12,169,392	11,244,970	92
YG	sablefish	4	93,388	3,880,096	3,786,708	98
AI	sablefish	0	0	1,587,312	1,587,312	100
BS	sablefish	1	8,392	970,024	961,632	99
Total		190	3,602,836	35,319,897	31,717,061	90

Notes:

1. This report summarizes fixed gear IFQ landings reported by Registered Buyers. At sea discards are not included.
2. Halibut weights are reported in net (headed and gutted) pounds. Sablefish weights are reported in round pounds.
3. "Vessel Landings" include the number of landings by participating vessels reported by IFQ regulatory area. Each such landing may include harvests from more than one IFQ Permit Holder.
4. Due to rounding, percentages may not total to 100%.
5. Data are derived from initial data entry procedures and are preliminary. Future review and editing may result in minor changes.

National Marine Fisheries Service
P.O. 21668
Juneau Ak 99802-1668

Prepared: 11-APR-96 07:10
Restricted Access Mgmt Division
(800) 304-4846

Community Development Quota (CDQ) Allocations and Landings

From 01-MAR-1996 through 11-APR-1996

<----- Tac ----->

Area	Species	Vessel Landings	Total Catch Pounds	Allocation Pounds	Remaining Pounds	Percent Remaining
4B	halibut	0	0	462,000	462,000	100
4C	halibut	0	0	385,000	385,000	100
4D	halibut	0	0	231,000	231,000	100
	halibut	0	0	120,000	120,000	100
Total		0	0	1,198,000	1,198,000	100
AI	sablefish	0	0	396,828	396,828	100
BS	sablefish	0	0	242,506	242,506	100
Total		0	0	639,334	639,334	100

Notes:

1. This report summarizes fixed gear CDQ landings reported by Registered Buyers. At sea discards are not included.
2. Halibut weights are reported in net (headed and gutted) pounds. Sablefish weights are reported in round pounds.
3. "Vessel Landings" include the number of landings by participating vessels reported by IFQ regulatory area. Each such landing may include harvests from more than one CDQ Permit Holder.
4. Due to rounding, percentages may not total to 100%.
5. Data are derived from initial data entry procedures and are preliminary. Future review and editing may result in minor changes.

Individual Fishing Quota (IFQ) Halibut Harvest by Port of Landing

From 01-MAR-1996 To 11-APR-1996

Harvest Area	Port of Landing	Vessel Landings	Total Catch Pounds	% of Area
2C	ALASKA			
	CRAIG	34	64,012	5.07
	GUSTAVUS	4	13,340	1.06
	HOMER	1	887	0.07
	HOONAH	44	126,762	10.05
	JUNEAU	18	112,741	8.94
	KETCHIKAN	16	78,677	6.24
	PETERSBURG	82	483,326	38.32
	SEWARD	2	5,280	0.42
	SITKA	92	255,945	20.29
	WRANGELL	19	86,834	6.88
	CALIFORNIA			
	WASHINGTON			
	BELLINGHAM	3	15,250	1.21
	CANADA			
	PRINCE RUPERT	1	11,128	0.88
	UNKNOWN			
	UNKNOWN	2	7,232	0.57
	Area Total	318	1,261,414	100.00
3A	ALASKA			
	CORDOVA	17	160,784	7.61
	HOMER	56	439,428	20.80
	HOONAH	11	85,720	4.06
	JUNEAU	4	23,233	1.10
	KODIAK	54	527,278	24.96
	NIKISKI	1	754	0.04
	PETERSBURG	5	129,747	6.14
	SEWARD	58	574,537	27.20
	SITKA	4	5,582	0.26
	WHITTIER	1	6,487	0.31
	YAKUTAT	40	78,520	3.72
	CALIFORNIA			
	WASHINGTON			
	BELLINGHAM	3	80,179	3.80
	Area Total	254	2,112,249	100.00
3B	ALASKA			
	HOMER	4	16,265	30.18
	KODIAK	8	37,623	69.82

Individual Fishing Quota (IFQ) Halibut Harvest by Port of Landing

From 01-MAR-1996 To 11-APR-1996

Harvest Area	Port of Landing	Vessel Landings	Total Catch Pounds	% of Area
3B	CALIFORNIA			
	Area Total	12	53,888	100.00
4A	ALASKA			
	DUTCH HBR/UNALASKA	1	12,316	100.00
	Area Total	1	12,316	100.00
	Halibut Total	585	3,439,867	

Notes:

1. This report summarizes fixed gear IFQ landings reported by Registered Buyers. At sea discards are not included.
2. Halibut weights are reported in net (headed and gutted) pounds. Sablefish weights are reported in round pounds.
3. "Vessel Landings" include the number of landings by participating vessels reported by IFQ regulatory area. Each such landing may include harvests from more than one IFQ Permit Holder.
4. Landings at different harbors in the same general location (e.g. "Juneau, Douglas, and Auke Bay") have been combined to report landings to the main port (e.g. "Juneau").
5. Due to rounding, percentages may not total to 100%.
6. Data are derived from initial data entry procedures and are preliminary. Future review and editing may result in minor changes.

National Marine Fisheries Service
P.O. 21668
Juneau Ak 99802-1668

Prepared: 11-Apr-96 07:31
Restricted Access Mgmt Division
(800) 304-4846

Individual Fishing Quota (IFQ) Sablefish Harvest by Port of Landing

From 01-MAR-1996 To 11-APR-1996

Harvest Area	Port of Landing	Vessel Landings	Total Catch Pounds	% of Area
BS	ALASKA			
	DUTCH HBR/UNALASKA	1	8,392	100.00
	Area Total	1	8,392	100.00
CG	ALASKA			
	DUTCH HBR/UNALASKA	2	197,411	21.36
	HOMER	6	92,244	9.98
	KODIAK	19	344,992	37.32

SEWARD	20	289,775	31.35
CALIFORNIA			

Area Total	47	924,422	100.00

SE	ALASKA			
	CORDOVA	2	43,230	2.32
	CRAIG	7	71,520	3.84
	DUTCH HBR/UNALASKA	1	29,902	1.61
	HOONAH	12	164,068	8.82
	JUNEAU	5	74,374	4.00
	KETCHIKAN	5	52,930	2.84
	PELICAN	1	8,413	0.45
	PETERSBURG	8	361,517	19.42
	SEWARD	2	10,859	0.58
	SITKA	54	852,130	45.78
	YAKUTAT	4	81,204	4.36
	CALIFORNIA			
	WASHINGTON			
	BELLINGHAM	3	109,960	5.91
	CANADA			
	PRINCE RUPERT	1	1,129	0.06

	Area Total	105	1,861,236	100.00

WG	ALASKA			
	DUTCH HBR/UNALASKA	2	44,282	47.42
	HOMER	1	11,638	12.46
	KODIAK	1	37,468	40.12

National Marine Fisheries Service
P.O. 21668
Juneau Ak 99802-1668

Prepared: 11-Apr-96 07:31
Restricted Access Mgmt Division
(800) 304-4846

Individual Fishing Quota (IFQ) Sablefish Harvest by Port of Landing

From 01-MAR-1996 To 11-APR-1996

Harvest Area	Port of Landing	Vessel Landings	Total Catch Pounds	% of Area
-----	-----	-----	-----	-----
WG				
	Area Total	4	93,388	100.00

WY	ALASKA			
	CORDOVA	5	53,327	7.45
	DUTCH HBR/UNALASKA	1	18,624	2.60
	HOMER	2	23,915	3.34
	HOONAH	2	7,783	1.09
	KODIAK	1	26,984	3.77
	PETERSBURG	1	3,200	0.45
	SEWARD	15	437,461	61.15
	SITKA	1	100,976	14.11
	YAKUTAT	4	37,572	5.25
	CALIFORNIA			
	WASHINGTON			
	BELLINGHAM	1	5,556	0.78

Area Total 33 715,398 100.00

Sablefish Total 190 3,602,836 "

AS:

1. This report summarizes fixed gear IFQ landings reported by Registered Buyers. At sea discards are not included.
2. Halibut weights are reported in net (headed and gutted) pounds. Sablefish weights are reported in round pounds.
3. "Vessel Landings" include the number of landings by participating vessels reported by IFQ regulatory area. Each such landing may include harvests from more than one IFQ Permit Holder.
4. Landings at different harbors in the same general location (e.g. "Juneau, Douglas, and Auke Bay") have been combined to report landings to the main port (e.g. "Juneau").
5. Due to rounding, percentages may not total to 100%.
6. Data are derived from initial data entry procedures and are preliminary. Future review and editing may result in minor changes.

•&l00 (8U•(s0p12.00h10.0v0s0b3T

National Marine Fisheries Service
P.O. 21668
Juneau Ak 99802-1668

Prepared: 11-Apr-96 07:31
Restricted Access Mgmt Division
(800) 304-4846

Total IFQ Landings - Pounds and Percentages by Port

From 01-MAR-1996 To 11-APR-1996

Port	Halibut			Sablefish		
	Vessel Landings	Pounds Landed	% of Total	Vessel Landings	Pounds Landed	% of Total
ALASKA						
CORDOVA	17	160,784	4.67	7	96,557	2.68
CRAIG	34	64,012	1.86	7	71,520	1.99
DUTCH HBR/UNALASKA	1	12,316	0.36	7	298,611	8.29
GUSTAVUS	4	13,340	0.39			
HOMER	61	456,580	13.27	9	127,797	3.55
HOONAH	55	212,482	6.18	14	171,851	4.77
JUNEAU	22	135,974	3.95	5	74,374	2.06
KETCHIKAN	16	78,677	2.29	5	52,930	1.47
KODIAK	62	564,901	16.42	21	409,444	11.36
NIKISKI	1	754	0.02			
PELICAN				1	8,413	0.23
PETERSBURG	87	613,073	17.82	9	364,717	10.12
SEWARD	60	579,817	16.86	37	738,095	20.49
SITKA	96	261,527	7.60	55	953,106	26.45
WHITTIER	1	6,487	0.19			
WRANGELL	19	86,834	2.52			
YAKUTAT	40	78,520	2.28	8	118,776	3.30
WASHINGTON						
BELLINGHAM	6	95,429	2.77	4	115,516	3.21
CANADA						
PRINCE RUPERT	1	11,128	0.32	1	1,129	0.03
UNKNOWN						
UNKNOWN	2	7,232	0.21			
Total	585	3,439,867	99.98	190	3,602,836	100.00

Notes:

1. This report summarizes fixed gear IFQ landings reported by Registered Buyers. At sea discards are not included.
2. Halibut weights are reported in net (headed and gutted) pounds. Sablefish weights are reported in round pounds.
3. "Vessel Landings" include the number of landings by participating vessels reported by IFQ regulatory area. Each such landing may include harvests from more than one IFQ Permit Holder.
4. Landings at different harbors in the same general location (e.g. "Juneau, Douglas, and Auke Bay") have been combined to report landings to the main port (e.g. "Juneau").
5. Due to rounding, percentages may not total to 100%.
6. Data are derived from initial data entry procedures and are preliminary. Future review and editing may result in minor changes.

•(8U•(s0p12.00h10.0v0s0b3T
 National Marine Fisheries Service
 P.O. 21668
 Juneau Ak 99802-1668

Prepared: 11-Apr-96
 Restricted Access Mgmt Division
 (800) 304-4846

for Transfers Between Nov-94 and Apr-96
 sablefish

Transfers of Quota Shares and Individual
 Fishing Quota Between Alaskans and Non-Alaskans

Area	To Alaska		From Alaska		Inside Alaska		Outside Alaska		Area Totals	
	Count	QS Units	Count	QS Units	Count	QS Units	Count	QS Units	Count	QS Units
SE	20	1,068,280	23	647,956	82	3,777,230	42	1,915,376	167	7,408,842
WY	13	770,127	12	627,150	35	1,144,656	29	1,170,547	89	3,712,480
CG	20	2,014,580	9	372,806	61	4,068,317	30	3,154,660	120	9,610,363
WG	5	367,779	4	316,325	11	693,383	8	1,685,896	28	3,063,383
AI	4	213,314	1	338,045	5	50,337	7	2,070,733	17	2,672,429
BS	2	85,938	1	11,880	4	572,501	6	502,434	13	1,172,753
TI	64	4,520,018	50	2,314,162	198	10,306,424	122	10,499,646	434	27,640,250

Leases of Quota Shares and Individual
 Fishing Quota Between Alaskans and Non-Alaskans

Area	To Alaska		From Alaska		Inside Alaska		Outside Alaska		Area Totals	
	Count	QS Units	Count	QS Units	Count	QS Units	Count	QS Units	Count	QS Units
SE	9	573,995	1	110,053	1	8,684	6	608,309	17	1,301,041
WY	6	277,347	0	0	1	37,325	9	1,089,692	16	1,404,364
CG	8	1,656,834	0	0	1	90,688	9	1,847,033	18	3,594,555
WG	3	577,971	1	43,416	0	0	9	3,101,284	13	3,722,671
AI	2	290,855	0	0	0	0	10	6,202,648	12	6,493,503
BS	2	772,055	0	0	0	0	7	1,359,355	9	2,131,410
TI	30	4,149,057	2	153,469	3	136,697	50	14,208,321	85	18,647,544

•(8U•(s0p12.00h10.0v0s0b3T
 National Marine Fisheries Service
 P.O. 21668
 Juneau Ak 99802-1668

Prepared: 11-Apr-96
 Restricted Access Mgmt Division
 (800) 304-4846

for Transfers Between Nov-94 and Apr-96
 sablefish

Fishing Quota Between Alaskans and Non-Alaskans

Area	To Alaska		From Alaska		Inside Alaska		Outside Alaska		Area Totals	
	Count	QS Units	Count	QS Units	Count	QS Units	Count	QS Units	Count	QS Units
SE	0	0	2	4,095	9	8,411	0	0	11	12,506
WY	0	0	0	0	1	678	1	2,529	2	3,207
CG	0	0	1	1,121	3	17,752	1	6,356	5	25,229
WG	0	0	0	0	0	0	0	0	0	C
AI	0	0	0	0	0	0	0	0	0	C
BS	0	0	0	0	0	0	0	0	0	C
T1	0	0	3	5,216	13	26,841	2	8,885	18	40,942

•&100

•(8U•(s0p12.00h10.0v0s0b3T

National Marine Fisheries Service
P.O. 21668
Juneau Ak 99802-1668

Prepared: 11-Apr-96
Restricted Access Mgmt Division
(800) 304-4846

for Transfers Between Nov-94 and Apr-96
halibut

**Transfers of Quota Shares and Individual
Fishing Quota Between Alaskans and Non-Alaskans**

Area	To Alaska		From Alaska		Inside Alaska		Outside Alaska		Area Totals	
	Count	QS Units	Count	QS Units	Count	QS Units	Count	QS Units	Count	QS Units
2C	69	2,004,228	58	1,598,943	377	8,770,055	58	1,551,759	562	13,924,985
3A	102	6,151,073	60	3,972,495	421	20,036,302	76	5,710,344	659	35,870,214
3B	23	1,390,849	43	1,174,499	115	4,898,755	19	1,496,476	200	8,960,579
4A	12	351,063	37	369,752	41	1,012,093	6	129,314	96	1,862,222
4B	3	53,080	0	0	8	424,080	3	72,746	14	549,906
4C	1	18,876	0	0	2	86,454	0	0	3	105,330
4D	0	0	0	0	1	39,715	1	69,848	2	109,563
4E	0	0	0	0	0	0	0	0	0	C
T1	210	9,969,169	198	7,115,689	965	35,267,454	163	9,030,487	1536	61,382,799

**Leases of Quota Shares and Individual
Fishing Quota Between Alaskans and Non-Alaskans**

Area	To Alaska		From Alaska		Inside Alaska		Outside Alaska		Area Totals	
	Count	QS Units	Count	QS Units	Count	QS Units	Count	QS Units	Count	QS Units
2C	2	29,720	2	116,027	2	67,043	2	11,159	8	223,949
3A	4	321,258	0	0	4	192,425	7	1,896,753	15	2,410,436
3B	2	294,821	0	0	1	27,468	4	339,551	7	661,840
4A	2	118,108	0	0	0	0	3	161,514	5	279,622
4B	0	0	0	0	1	34,428	2	189,889	3	224,317
4C	0	0	0	0	0	0	0	0	0	C
4D	0	0	0	0	0	0	0	0	0	C
4E	0	0	0	0	0	0	0	0	0	C
T1	10	763,907	2	116,027	8	321,364	18	2,598,866	38	3,800,164

•(8U•(s0p12.00h10.0v0s0b3T

National Marine Fisheries Service
P.O. 21668
Juneau Ak 99802-1668

Prepared: 11-Apr-96
Restricted Access Mgmt Division
(800) 304-4846

for Transfers Between Nov-94 and Apr-96
halibut

Sweep-ups of Quota Shares and Individual
Fishing Quota Between Alaskans and Non-Alaskans

Area	To Alaska		From Alaska		Inside Alaska		Outside Alaska		Area Totals	
	Count	QS Units	Count	QS Units	Count	QS Units	Count	QS Units	Count	QS Units
2C	3	4,226	1	3,999	10	16,775	0	0	14	25,000
3A	2	5,941	0	0	20	42,336	1	2,399	23	50,676
3B	0	0	2	2,970	1	3,964	0	0	3	6,934
4A	0	0	0	0	2	9,068	0	0	2	9,068
4B	0	0	0	0	0	0	0	0	0	C
4C	0	0	0	0	0	0	0	0	0	C
4D	0	0	0	0	0	0	0	0	0	C
4E	0	0	0	0	0	0	0	0	0	C
T1	5	10,167	3	6,969	33	72,143	1	2,399	42	91,788

•(8U•(s0p12.00h10.0v0s0b3T

National Marine Fisheries Service
P.O. 21668
Juneau Ak 99802-1668

Prepared: 11-APR-96
Restricted Access Mgmt Division
(800) 304-4846

Count of Alaskans/Non-Alaskans obtaining Transfer Eligibility
Certificates by demonstrating IFQ Crew Member (crewmember) status,
and entering the fishery by receiving QS by transfer. These are
individuals who did not receive QS by initial issuance.

Number of Alaskan "crewmembers" receiving Transfer Eligibility Certificate:	770
Number of non-Alaskan "crewmembers" receiving Transfer Eligibility Certificate:	256
Total Transfer Eligibility Certificates Issued:	1026

Number of "crewmembers" who have received sablefish QS by transfer
(by IFQ area)

Area	Alaskans	non-Alaskans
AI	2	2
BS	0	3
CG	15	8
SE	23	28

WG	1	2
WY	14	11

Number of "crewmembers" who have received halibut QS by transfer
(by IFQ area)

Area	Alaskans	non-Alaskans
-----	-----	-----
2C	119	43
3A	162	40
3B	42	13
4A	16	5
4B	3	0
4C	1	0
4D	0	1

Number of "crewmembers" who have received QS by transfer (sablefish)

Alaskan	:	42
non-Alaskan:		39

Number of "crewmembers" who have received QS by transfer (halibut)

Alaskan	:	292
non-Alaskan:		75

Number of "crewmembers" who have received QS by transfer (both species, all areas)

Alaskan	:	306
non-Alaskan:		92

1996 GULF OF ALASKA APPORTIONMENTS TO DOMESTIC
ANNUAL PROCESSING (DAP) AND PRELIMINARY CATCH IN ROUND METRIC TONS
Data are from Weekly Production and Observer Reports through 04/06/96

	TOTAL CATCH	DAP APPORT.	REMAINING FOR DAP	% TAKEN	LAST WK CATCH
WEST, CENT PLCK					
Pollock 610	8,329	6,370	-1,959	131	0
Pollock 620	3,842	3,210	-632	120	12
Pollock 630	6,546	3,420	-3,126	191	23
WESTERN GULF					
Atka Mackerel	3	2,310	2,307	0	0
Arrowtooth Flounder	1,400	5,000	3,600	28	0
Deep Water Flatfish	1	460	459	0	0
Shallow Water Flatfish	131	4,500	4,369	3	0
Flathead Sole	568	2,000	1,432	28	0
Rex Sole	452	800	348	57	0
Pacific Ocean Perch	15	1,260	1,245	1	0
Shortraker/Rougheye	6	170	164	4	0
Pelagic Shelf Rockfish	32	910	878	4	5
Northern Rockfish	36	640	604	6	0
Other Rockfish	0	100	100	0	0
Pacific Cod - Inshore	19,094	16,965	-2,129	113	0
Pacific Cod - Offshore	1,669	1,885	216	89	2
Sablefish (Hook & Line)	40	1,760	1,720	2	12
Sablefish (Trawl)	3	440	437	1	0
CENTRAL GULF					
Atka Mackerel	5	925	920	1	0
Arrowtooth Flounder	4,707	25,000	20,293	19	1,977
Deep Water Flatfish	779	7,500	6,721	10	732
Shallow Water Flatfish	3,180	12,950	9,770	25	519
Flathead Sole	609	5,000	4,391	12	76
Rex Sole	2,029	7,050	5,021	29	620
Pacific Ocean Perch	145	3,333	3,188	4	23
Shortraker/Rougheye	100	1,210	1,110	8	19
Pelagic Shelf Rockfish	93	3,200	3,107	3	8
Northern rockfish	117	4,610	4,493	3	23
Other Rockfish	35	1,170	1,135	3	2
Pacific Cod - Inshore	38,411	38,610	199	99	242
Pacific Cod - Offshore	4,181	4,290	109	97	92
Sablefish (Hook & Line)	272	5,520	5,248	5	113
Sablefish (Trawl)	141	1,380	1,239	10	99
EASTERN GULF					
Atka Mackerel	0	5	5	0	0
Arrowtooth Flounder	37	5,000	4,963	1	2
Deep Water Flatfish	1	3,120	3,119	0	0
Shallow Water Flatfish	0	1,180	1,180	0	0
Flathead Sole	4	2,740	2,736	0	2
Rex Sole	0	1,840	1,840	0	0
Pacific Ocean Perch	1	2,366	2,365	0	0
Shortraker/Rougheye	40	530	490	8	4
Other Rockfish	16	750	734	2	2
Pelagic Shelf Rockfish	46	1,080	1,034	4	13

Pacific Cod - Inshore	230	2,925	2,695	8	21
Pacific Cod - Offshore	0	325	325	0	0
Pollock	539	2,810	2,271	19	0
Northern Rockfish	0	20	20	0	0

ST YAKUTAT

Sablefish (Hook & Line)	425	2,888	2,463	15	172
Sablefish (Trawl)	0	152	152	0	0

SOUTHEAST

Demersal Shelf Rockfish	271	950	679	29	1
Sablefish (Hook & Line)	1,282	4,693	3,411	27	274
Sablefish (Trawl)	0	247	247	0	0

ENTIRE GULF OF ALASKA

Thornyhead	147	1,248	1,101	12	84
Other Species	1,677	12,390	10,713	14	269

TOTALS:	101,687	221,207	119,520	46	5,447
----------------	----------------	----------------	----------------	-----------	--------------

1996 GULF OF ALASKA APPORTIONMENTS TO DOMESTIC
ANNUAL PROCESSING (DAP) AND PRELIMINARY CATCH IN ROUND METRIC TONS
Data are from Weekly Production and Observer Reports through 04/06/96

	TOTAL CATCH	DAP APPORT.	REMAINING FOR DAP	% TAKEN	LAST WK CATCH
WEST, CENT PLCK					
Pollock 610	8,329	6,370	-1,959	131	0
Pollock 620	3,842	3,210	-632	120	12
Pollock 630	6,546	3,420	-3,126	191	23
WESTERN GULF					
Atka Mackerel	3	2,310	2,307	0	0
Arrowtooth Flounder	1,400	5,000	3,600	28	0
Deep Water Flatfish	1	460	459	0	0
Shallow Water Flatfish	131	4,500	4,369	3	0
Flathead Sole	568	2,000	1,432	28	0
Rex Sole	452	800	348	57	0
Pacific Ocean Perch	15	1,260	1,245	1	0
Shortraker/Rougheye	6	170	164	4	0
Pelagic Shelf Rockfish	32	910	878	4	5
Northern Rockfish	36	640	604	6	0
Other Rockfish	0	100	100	0	0
Pacific Cod - Inshore	19,094	16,965	-2,129	113	0
Pacific Cod - Offshore	1,669	1,885	216	89	2
Sablefish (Hook & Line)	40	1,760	1,720	2	12
Sablefish (Trawl)	3	440	437	1	0
CENTRAL GULF					
Atka Mackerel	5	925	920	1	0
Arrowtooth Flounder	4,707	25,000	20,293	19	1,977
Deep Water Flatfish	779	7,500	6,721	10	732
Shallow Water Flatfish	3,180	12,950	9,770	25	519
Flathead Sole	609	5,000	4,391	12	76
Rex Sole	2,029	7,050	5,021	29	620
Pacific Ocean Perch	145	3,333	3,188	4	23
Shortraker/Rougheye	100	1,210	1,110	8	19
Pelagic Shelf Rockfish	93	3,200	3,107	3	8
Northern rockfish	117	4,610	4,493	3	23
Other Rockfish	35	1,170	1,135	3	2
Pacific Cod - Inshore	38,411	38,610	199	99	242
Pacific Cod - Offshore	4,181	4,290	109	97	92
Sablefish (Hook & Line)	272	5,520	5,248	5	113
Sablefish (Trawl)	141	1,380	1,239	10	99
EASTERN GULF					
Atka Mackerel	0	5	5	0	0
Arrowtooth Flounder	37	5,000	4,963	1	2
Deep Water Flatfish	1	3,120	3,119	0	0
Shallow Water Flatfish	0	1,180	1,180	0	0
Flathead Sole	4	2,740	2,736	0	2
Rex Sole	0	1,840	1,840	0	0
Pacific Ocean Perch	1	2,366	2,365	0	0
Shortraker/Rougheye	40	530	490	8	4
Other Rockfish	16	750	734	2	2
Pelagic Shelf Rockfish	46	1,080	1,034	4	13

Pacific Cod - Inshore	230	2,925	2,695	8	21
Pacific Cod - Offshore	0	325	325	0	0
Pollock	539	2,810	2,271	19	0
Northern Rockfish	0	20	20	0	0

WEST YAKUTAT

Sablefish (Hook & Line)	425	2,888	2,463	15	172
Sablefish (Trawl)	0	152	152	0	0

SOUTHEAST

Demersal Shelf Rockfish	271	950	679	29	1
Sablefish (Hook & Line)	1,282	4,693	3,411	27	274
Sablefish (Trawl)	0	247	247	0	0

ENTIRE GULF OF ALASKA

Thornyhead	147	1,248	1,101	12	84
Other Species	1,677	12,390	10,713	14	269

TOTALS:	101,687	221,207	119,520	46	5,447
---------	---------	---------	---------	----	-------

1996 BERING SEA & ALEUTIANS REPORT ON DAP HARVEST
BY GEAR TYPE

Data are from Weekly Production and Observer Reports through 04/06/96

	TRAWL	H&L	POT	OTHER	TOTAL
BERING SEA					
Other Rockfish	6	6	1	0	13
Pacific Ocean Perch	36	1	0	0	37
Other Red Rockfish	37	6	0	0	43
Sablefish (Fixed Gear)	0	26	0	0	26
Sablefish (Trawl)	3	0	0	0	3
Greenland Turbot	6	29	0	0	35
Pollock - Inshore	165,247	53	148	0	165,448
Pollock - Offshore	316,099	1,434	1	0	317,534
ALEUTIAN ISLANDS					
Other Rockfish	55	11	0	0	66
Pacific Ocean Perch, East	2,848	0	0	0	2,848
Pacific Ocean Perch, Cent	2,653	0	0	0	2,653
Pacific Ocean Perch, West	3,679	0	0	0	3,679
Sharpchin/Northern	1,666	6	0	0	1,672
Shortraker/Rougheye	567	14	0	0	581
Atka Mackerel - Eastern	20,547	3	6	0	20,556
Atka Mackerel - Central	26,882	0	0	0	26,882
Atka Mackerel - Western	1,588	2	0	0	1,590
Sablefish (Fixed Gear)	0	13	0	0	13
Sablefish (Trawl)	13	0	0	0	13
Greenland Turbot	538	17	0	0	555
Pollock - Inshore	10,404	0	0	0	10,404
Pollock - Offshore	15,164	6	0	0	15,170
BERING SEA & ALEUTIANS					
Arrowtooth Flounder	4,091	721	0	0	4,812
Flathead Sole	5,216	150	3	0	5,369
Other Flatfish	5,479	11	0	0	5,490
Other Species	5,745	4,394	207	0	10,346
Pacific Cod (Trawl)	71,043	0	0	0	71,043
Pacific Cod (Fixed Gear)	0	54,096	9,865	0	63,961
Pacific Cod (Jig)	0	27	0	0	27
Rock Sole	28,849	31	3	0	28,883
Squid	502	0	0	0	502
Yellowfin Sole	37,128	27	27	0	37,182
BOGOSLOF					
Pollock - Inshore	0	0	0	0	0
Pollock - Offshore	382	2	0	0	384
<hr/>					
TOTALS:	726,473	61,086	10,261	0	797,820

National Marine Fisheries Service
P.O. Box 21668
Juneau, Alaska 99802-1668

Prepared: 04/12/96 at 11:38 AM
NMFS/AKR Fish Management
(907) 586-7229

1996 BERING SEA & ALEUTIANS APPORTIONMENTS TO DOMESTIC
ANNUAL PROCESSING (DAP) AND PRELIMINARY CATCH IN ROUND METRIC TONS
Data are from Weekly Production and Observer Reports through 04/06/96

	TOTAL CATCH	DAP APPORT.	REMAINING FOR DAP	% TAKEN	LAST WK CATCH
BERING SEA					
Other Rockfish	13	380	367	3	1
Pacific Ocean Perch	37	1,530	1,493	2	1
Other Red Rockfish	43	1,071	1,028	4	8
Sablefish (Fixed Gear)	25	440	415	6	19
Sablefish (Trawl)	2	468	466	0	0
Greenland Turbot	35	3,967	3,932	1	10
Pollock - Inshore	165,447	159,311	-6,136	104	1,451
Pollock - Offshore	317,534	295,864	-21,670	107	1,532
ALEUTIAN ISLANDS					
Other Rockfish	66	728	662	9	15
Pacific Ocean Perch, East	2,848	2,571	-277	111	0
Pacific Ocean Perch, Cent	2,653	2,571	-82	103	268
Pacific Ocean Perch, West	3,678	5,143	1,465	72	0
Sharpchin/Northern	1,672	4,445	2,773	38	399
Shortraker/Rougheye	581	956	375	61	26
Atka Mackerel - Eastern	20,556	22,695	2,139	91	1
Atka Mackerel - Central	26,881	28,560	1,679	94	6,200
Atka Mackerel - Western	1,590	38,978	37,388	4	2
Sablefish (Fixed Gear)	13	720	707	2	0
Sablefish (Trawl)	13	330	317	4	0
Greenland Turbot	555	1,983	1,428	28	0
Pollock - Inshore	10,404	10,591	187	98	0
Pollock - Offshore	15,170	19,669	4,499	77	18
BERING SEA & ALEUTIANS					
Arrowtooth Flounder	4,812	7,650	2,838	63	281
Flathead Sole	5,369	25,500	20,131	21	600
Other Flatfish	5,490	29,750	24,260	18	709
Other Species	10,347	17,106	6,759	60	1,230
Pacific Cod (Trawl)	71,042	123,930	52,888	57	8,125
Pacific Cod (Fixed Gear)	63,961	80,000	16,039	80	9,281
Pacific Cod (Jig)	27	4,590	4,563	1	1
Rock Sole	28,883	59,500	30,617	49	1,122
Squid	502	850	348	59	7
Yellowfin Sole	37,182	170,000	132,818	22	9,840
BOGOSLOF					
Pollock - Inshore	0	298	298	0	0
Pollock - Offshore	384	552	168	70	0

TOTALS:	797,815	1,122,697	324,882	71	41,149

1996 GULF OF ALASKA REPORT ON DAP HARVEST
BY GEAR TYPE

Data are from Weekly Production and Observer Reports through 04/06/96

	TRAWL	H&L	POT	OTHER	TOTAL
WEST, CENT PLCK					
Pollock 610	8,319	9	1	0	8,329
Pollock 620	3,839	0	2	0	3,841
Pollock 630	6,509	32	5	0	6,546
WESTERN GULF					
Atka Mackerel	4	0	0	0	4
Arrowtooth Flounder	1,385	15	0	0	1,400
Deep Water Flatfish	1	0	0	0	1
Shallow Water Flatfish	129	2	0	0	131
Flathead Sole	568	0	0	0	568
Rex Sole	451	0	0	0	451
Pacific Ocean Perch	15	0	0	0	15
Shortraker/Roughey	5	1	0	0	6
Pelagic Shelf Rockfish	24	8	0	0	32
Northern Rockfish	36	0	0	0	36
Other Rockfish	0	0	0	0	0
Pacific Cod - Inshore	13,635	3,796	1,663	0	19,094
Pacific Cod - Offshore	933	733	2	0	1,668
Sablefish (Hook & Line)	0	40	0	0	40
Sablefish (Trawl)	3	0	0	0	3
CENTRAL GULF					
Atka Mackerel	5	0	0	0	5
Arrowtooth Flounder	4,634	68	5	0	4,707
Deep Water Flatfish	721	59	0	0	780
Shallow Water Flatfish	3,004	175	0	0	3,179
Flathead Sole	592	17	0	0	609
Rex Sole	2,029	0	0	0	2,029
Pacific Ocean Perch	145	0	0	0	145
Shortraker/Roughey	90	10	0	0	100
Pelagic Shelf Rockfish	67	26	0	0	93
Northern rockfish	116	0	1	0	117
Other Rockfish	5	30	0	0	35
Pacific Cod - Inshore	22,757	5,461	10,195	0	38,413
Pacific Cod - Offshore	4,145	0	36	0	4,181
Sablefish (Hook & Line)	0	271	0	0	271
Sablefish (Trawl)	141	0	0	0	141
EASTERN GULF					
Atka Mackerel	0	0	0	0	0
Arrowtooth Flounder	2	35	0	0	37
Deep Water Flatfish	0	0	0	0	0
Shallow Water Flatfish	0	0	0	0	0
Flathead Sole	4	0	0	0	4
Rex Sole	0	0	0	0	0
Pacific Ocean Perch	1	0	0	0	1
Shortraker/Roughey	0	40	0	0	40
Other Rockfish	0	17	0	0	17
Pelagic Shelf Rockfish	0	46	0	0	46

Pacific Cod - Inshore	2	59	168	0	229
Pacific Cod - Offshore	0	0	0	0	0
Pollock	539	0	0	0	539
Northern Rockfish	0	0	0	0	0

WEST YAKUTAT

Sablefish (Hook & Line)	0	400	25	0	425
Sablefish (Trawl)	0	0	0	0	0

SOUTHEAST

Demersal Shelf Rockfish	0	271	0	0	271
Sablefish (Hook & Line)	0	1,282	0	0	1,282
Sablefish (Trawl)	0	0	0	0	0

ENTIRE GULF OF ALASKA

Thornyhead	114	34	0	0	148
Other Species	1,099	407	171	0	1,677

TOTALS:	76,068	13,344	12,274	0	101,686
---------	--------	--------	--------	---	---------

1996 GULF OF ALASKA REPORT ON DAP HARVEST
BY GEAR TYPE

Data are from Weekly Production and Observer Reports through 04/06/96

	TRAWL	H&L	POT	OTHER	TOTAL
WEST, CENT PLCK					
Pollock 610	8,319	9	1	0	8,329
Pollock 620	3,839	0	2	0	3,841
Pollock 630	6,509	32	5	0	6,546
WESTERN GULF					
Atka Mackerel	4	0	0	0	4
Arrowtooth Flounder	1,385	15	0	0	1,400
Deep Water Flatfish	1	0	0	0	1
Shallow Water Flatfish	129	2	0	0	131
Flathead Sole	568	0	0	0	568
Rex Sole	451	0	0	0	451
Pacific Ocean Perch	15	0	0	0	15
Shortraker/Rougheye	5	1	0	0	6
Pelagic Shelf Rockfish	24	8	0	0	32
Northern Rockfish	36	0	0	0	36
Other Rockfish	0	0	0	0	0
Pacific Cod - Inshore	13,635	3,796	1,663	0	19,094
Pacific Cod - Offshore	933	733	2	0	1,668
Sablefish (Hook & Line)	0	40	0	0	40
Sablefish (Trawl)	3	0	0	0	3
CENTRAL GULF					
Atka Mackerel	5	0	0	0	5
Arrowtooth Flounder	4,634	68	5	0	4,707
Deep Water Flatfish	721	59	0	0	780
Shallow Water Flatfish	3,004	175	0	0	3,179
Flathead Sole	592	17	0	0	609
Rex Sole	2,029	0	0	0	2,029
Pacific Ocean Perch	145	0	0	0	145
Shortraker/Rougheye	90	10	0	0	100
Pelagic Shelf Rockfish	67	26	0	0	93
Northern rockfish	116	0	1	0	117
Other Rockfish	5	30	0	0	35
Pacific Cod - Inshore	22,757	5,461	10,195	0	38,413
Pacific Cod - Offshore	4,145	0	36	0	4,181
Sablefish (Hook & Line)	0	271	0	0	271
Sablefish (Trawl)	141	0	0	0	141
EASTERN GULF					
Atka Mackerel	0	0	0	0	0
Arrowtooth Flounder	2	35	0	0	37
Deep Water Flatfish	0	0	0	0	0
Shallow Water Flatfish	0	0	0	0	0
Flathead Sole	4	0	0	0	4
Rex Sole	0	0	0	0	0
Pacific Ocean Perch	1	0	0	0	1
Shortraker/Rougheye	0	40	0	0	40
Other Rockfish	0	17	0	0	17
Pelagic Shelf Rockfish	0	46	0	0	46

Pacific Cod - Inshore	2	59	168	0	229
Pacific Cod - Offshore	0	0	0	0	0
Pollock	539	0	0	0	539
Northern Rockfish	0	0	0	0	0
WEST YAKUTAT					
Sablefish (Hook & Line)	0	400	25	0	425
Sablefish (Trawl)	0	0	0	0	0
SOUTHEAST					
Demersal Shelf Rockfish	0	271	0	0	271
Sablefish (Hook & Line)	0	1,282	0	0	1,282
Sablefish (Trawl)	0	0	0	0	0
ENTIRE GULF OF ALASKA					
Thornyhead	114	34	0	0	148
Other Species	1,099	407	171	0	1,677

TOTALS:	76,068	13,344	12,274	0	101,686