

NPFMC December 2009

C-4 (a) Bering Sea Salmon Bycatch Data Collection Motion

Purpose and Need Statement

In April 2009 the Council approved Amendment 91 to the BSAI groundfish fishery FMP to reduce Chinook salmon bycatch in the Bering Sea pollock fleet. Under Amendment 91, the pollock fishery has the option of participating in a NMFS-approved Incentive Plan Agreement (IPA) to access a higher hard cap than is available in the absence of an IPA. The IPAs provide a new and innovative method of bycatch management. A data collection program is needed in conjunction with Amendment 91 to understand the effects and impact of the IPAs. The data collection program will focus on: (1) evaluating the effectiveness of the IPA incentives in times of high and low levels of salmon bycatch abundance, the hard cap, and the performance standard in terms of reducing salmon bycatch, and (2) evaluating how the Council's action affects where, when, and how pollock fishing and salmon bycatch occur. The data collection program will also provide data for the agency to study and verify conclusions drawn by industry in the IPA annual reports. To ensure that a full assessment of the program is possible, the data collection program should be implemented at the time Amendment 91 is implemented or as soon as practicable.

To ensure that a full assessment of the program is possible from the start of the program, the data collection program should be separated into two phases, with a suite of data collection measures implemented at the time Amendment 91 goes into effect and sent to the Comprehensive Economic Data Collection Committee after IPAs have been fully developed and submitted to NMFS. The objective of this collection is to provide an improvement in the amount of data available to evaluate the effectiveness of incentives to minimize Chinook salmon bycatch under Amendment 91.

Preferred Alternative

In addition to the status quo data sources:

- (1) Transaction data for salmon and pollock – quantity and price of salmon transfers (survey will be used to determine whether these are arm's length transactions) and quantity of pollock transfers. Require that IPAs and AFA Cooperatives summarize the assignment of Chinook and pollock to each participating vessel at the start of each fishing season, and that they summarize all in-season transfers of Chinook and pollock regardless of whether the transfers were “compensated” transfers.

For all “compensated” salmon transfers, each party (transferor and recipient) must complete and submit to NMFS a Compensated Transfer Form. A transfer is “compensated” if there is an exchange of dollars (or any currency) for bycatch credits from one party to another.

For all compensated transfers, the transfer form will indicate the amount of any monetary compensation for Chinook salmon and whether any other assets were included in the transaction (e.g., pollock quota or non-monetary compensation).

- (2) Information regarding change in fishing grounds defined via identification of any tow prior to a move that is due primarily to salmon bycatch avoidance (implemented through a logbook check box).
- (3) NMFS will administer annual reporting to collect:
 - Average annual hourly fuel burned fishing and transiting and annual fuel purchases in cost and gallons for each to be used to estimate costs of moving vessels to avoid salmon bycatch (vessel fuel use, transit time, and lost fishing time).

- (4) Post-season surveys of each skipper for each vessel to determine rationale for decision making during the pollock season (fishing location choices and salmon bycatch reduction measures).

The regulations will be developed to provide some flexibility in the information collected on survey forms to respond to data quality and evolving IPA formation and design. The Council will review draft regulations and the initial form structure and any subsequent changes to the form prior to submission to either the Secretary of Commerce or OMB for implementation.

Draft Regulations for 679.65 – new section including Chinook EDR
PART 679—FISHERIES OF THE EXCLUSIVE ECONOMIC ZONE OFF ALASKA
Subpart B—Management Measures

Title 50: Wildlife and Fisheries
§ 679.65 Bering Sea Chinook Salmon
Bycatch Economic Data Report Program
(Chinook Bycatch EDR Program).

(a) General.

Regulations under this section 679.65 were developed by NMFS to implement the Chinook Salmon Bycatch EDR Program. Additional regulations that implement specific portions of the Chinook EDR Program are set out under paragraphs (a)(1) through (a)(4) of this section:

(1) Daily fishing logbook (DFL), catcher vessel trawl gear. See § 679.5(c)(3).

(2) Electronic logbook (ELB), AFA and CDQ trawl catcher/processors. See § 679.5(f) in combination with eLandings pursuant to § 679.5(e).

(3) Incentive Plan Agreement (IPA). See § 679.21(f)(12)(iii).

(4) IPA annual report. See § 679.21(f)(12)(vii).

(b) Chinook salmon PSC Compensated Transfer Report (Chinook CTR).

(1) An owner or leaseholder of an AFA-permitted vessel and the representative of any entity that received an allocation of Chinook PSC from NMFS must submit a CTR, Part 1 each year, for the previous calendar year, and

(2) Any person who paid or received money for a transfer of Chinook salmon PSC allocation after January 20 must submit a completed CTR (Part 1 and Part 2) for the previous calendar year.

(3) The CTR is available through the Internet on the NMFS Alaska Region website at Chinook Bycatch EDR

<http://alaskafisheries.noaa.gov>, or by contacting NMFS at 206-526-6414.

(4) Each year, the completed CTR must be submitted electronically by 1700 A.l.t. June 1, to the NMFS Data Collection Agent.

(c) Vessel Fuel Survey.

(1) An owner or leaseholder of an AFA-permitted vessel must submit all completed Vessel Fuel Surveys for each vessel used to harvest pollock in the Bering Sea in a given year.

(2) The Vessel Fuel Survey is available through the Internet on the NMFS Alaska Region website at <http://alaskafisheries.noaa.gov>, or by contacting NMFS at 206-526-6414.

(3) Each year, the completed Vessel Fuel Survey must be submitted electronically by 1700 A.l.t. June 1, to the NMFS Data Collection Agent.

(d) Vessel Master Survey.

(1) For a given AFA-permitted vessel used to harvest pollock in the Bering Sea in the previous year:

(i) The vessel master must complete the Vessel Master Survey, Part 1A.

(ii) An owner or leaseholder must complete the Vessel Master Survey, Part 1B.

(iii) Each year, an owner or leaseholder must submit all Vessel Master Surveys, Parts 1A and 1B by 1700 A.l.t. June 1, to the NMFS Data Collection Agent

(2) The Vessel Master Survey is available through the Internet on the NMFS Alaska Region website at

October 2010

<http://alaskafisheries.noaa.gov>, or by contacting NMFS at 206-526-6414.

(e) Chinook salmon EDR audit procedures.

NMFS will conduct verification of Chinook EDR information with the owner or leaseholder of an AFA-permitted vessel, the representative of any entity that received an allocation of Chinook salmon PSC, and any person who paid or received money for a transfer of Chinook salmon PSC allocation or their designated representative, if applicable.

(1) The persons identified at §679.65(b)(i), (c)(i), (c)(ii), and (d)(i), must respond to inquiries by NMFS within 20 days of the date of issuance of the inquiry.

(2) The persons identified at §679.65(b)(i), must provide copies of additional data to facilitate verification by NMFS. These paper or electronic copies may include but are not limited to, previously audited or reviewed financial statements, worksheets, tax returns, invoices, receipts, and other original documents substantiating the data submitted.

(3) NMFS may designate a contractor to perform the functions of a NMFS auditor. The NMFS-designated auditor may review and request copies of additional data provided by persons identified at §679.65b(1) and (2) for the CTR (§ 679.65 (c)(i)).

Regulatory markup for 679.21

§ 679.21 *Prohibited species bycatch management.*

(a) *[Reserved]*

(b) *General.*

(c) *Salmon taken in the BS pollock fisheries.*

(d) *GOA halibut PSC limits.*

(e) *BSAI PSC limits*

(f) *BS Chinook Salmon Bycatch Management*

(12) Chinook salmon bycatch incentive plan agreements (IPAs)

(vii) Chinook IPA Annual Report. The representative of each approved IPA must submit a written annual report to the Council at the address specified in §679.61(f). The Council will make the annual report available to the public.

(A) Submission deadline. The IPA Annual Report must be postmarked or received by the Council no later than April 1 of each year following the year in which the IPA is first effective.

(B) Information requirements. The annual report must contain the following information:

(1) A comprehensive description of the incentive measures in effect in the previous year;

(2) A description of how these incentive measures affected individual vessels;

(3) An evaluation of whether incentive measures were effective in achieving salmon savings beyond levels that would have been achieved in absence of the measures; and

(4) A description of any amendments to the terms of the IPA that were approved by NMFS since the last annual report and the reasons that the amendments to the IPA were made.

(5) The number of Chinook salmon and the amount of pollock sub-allocated at the start of each fishing season and number of Chinook salmon PSC caught and amount of pollock (mt) discarded and retained catch at the end of each season (see also §679.61(f)(2)).

(6) In-season transfers

(i) Entity Transfers For in-season transfer of Chinook salmon PSC or pollock among IPAs, AFA cooperatives, entities eligible to receive Chinook salmon PSC allocations, or CDQ groups, provide the following information:

- (A) date of transfer
- (B) name of transferor
- (C) name of transferee
- (D) number of Chinook salmon transferred
- (E) mt of pollock transferred

(ii) Transfers among vessels participating in the IPA provide the following information:

- (A) date of transfer
- (B) name of transferor
- (C) name of transferee
- (D) number of Chinook salmon transferred
- (E) mt of pollock transferred

(C) Voluntary data. The IPA representative may provide additional information on sub-allocations or transfers of Chinook salmon PSC or pollock transfers (see also §679.61(f)(2)).

Regulatory markup for 679.61

§ 679.61 *Formation and operation of fishery cooperatives*

must contain, at a minimum:

(a) *Who is liable for violations by a fishery cooperative and cooperative members?*

(b) *Who must comply this section?*

(c) *Designated representative and agent for service of process.*

(d) *Annual filing requirements.*

(e) *What are the required elements in a cooperative contract?*

(f) *Annual reporting requirements.*

Any fishery cooperative governed by this section must submit preliminary and final annual written reports on fishing activity to the North Pacific Fishery Management Council, 605 West 4th Ave, Suite 306, Anchorage, AK 99501.

The Council will make copies of each report available to the public upon request.

(1) What are the submission deadlines?

You must submit the preliminary report by December 1 of each year. You must submit the final report by April 1 of the following year. Annual reports must be postmarked by the submission deadline or received by a private courier service by the submission deadline.

(2) What information must be included?

The preliminary and final written reports

(i) The cooperative's allocated catch of pollock and sideboard species, and any sub-allocations of pollock and sideboard species made by the cooperative to individual vessels on a vessel-by-vessel basis;

(ii) The cooperative's actual retained and discarded catch of sideboard species and PSC on an area-by-area and vessel-by-vessel basis;

(iii) A description of the method used by the cooperative to monitor fisheries in which cooperative vessels participated;

(iv) A description of any actions taken by the cooperative in response to any vessels that exceed their allowed catch and bycatch in pollock and all sideboard fisheries; and

(v) The total weight of pollock landed outside the State of Alaska on a vessel-by-vessel basis.

(vi) The number of salmon taken by species and season, and list each vessel's number of appearances on the weekly "dirty 20" lists for non-Chinook salmon.

(vii) Unless all information on pollock or Chinook salmon PSC allocation or catch on a vessel by vessel basis is provided in the IPA Annual Report pursuant to 679.21(f)(12), the cooperative must provide any applicable information in 679.21(f)(12)(vii)(B)(5) and (vii)(B)(6).

Regulatory markup for 679.5

§ 679.5 Recordkeeping and reporting

(c) Logbooks.

(4) Trawl gear catcher vessel DFL and catcher/processor DCPL.

(vi) Catch-by-haul information. The operator must record the following information (see paragraphs (c)(4)(vi)(A) through (1) of this section) for each haul (see § 679.2). If no catch occurred for a given day, write "no catch."

(A) Haul number. Number hauls sequentially by year.

(B) Movement to Avoid Chinook Salmon. If a catcher vessel and directed fishing for pollock in the Bering Sea, indicate with a check mark (✓) whether, prior to the haul, the operator moved fishing location to avoid Chinook salmon bycatch.

(C) ~~(B)~~ Gear deployment (or to set gear). Record the following information (see paragraphs (c)(4)(vi)(C)(1) and (2) of this section) for trawl gear deployment:

(1) The time (in military format, A.I.t.) when the trawl net enters the water, and

(2) The position (latitude and longitude to the nearest minute; indicate E or W for longitude) where the trawl net enters the water.

(1)(C) Gear retrieval (or to haul gear). Record the following information (see paragraphs (c)(4)(vi)(D)(1) and (2) of this section) for trawl gear retrieval:

(1) The date (mm/dd) and time (in military format, A.I.t.) when retrieval of trawl gear cable begins.

(2) The position (in latitude and longitude to the nearest minute; indicate E or W for longitude) where retrieval of trawl gear cable begins.

(E) Average sea depth and average gear depth. Average sea depth and average gear depth; indicate whether average is reported to the nearest meter or fathom.

(F) Species codes. The operator must record and report the required information for all groundfish (see Table 2a to this part), prohibited species (see Table 2b to this part), and forage fish (see Table 2c to this part). The operator may also record and report the required information for non-groundfish (see Table 2d to this part).

(G) Target species code. Enter the species code of the species to be harvested. Enter only one target species code.

(H) IR/IU species (see § 679.27). If a catcher/ processor, enter species code of IR/IU species and estimated total round weight for each IR/IU species, if applicable; indicate whether estimated weight is to the nearest pound or the nearest 0.001 mt. Use one line to record information for each IR/IU species, including species code and amount of catch. If more than one IR/IU species are to be recorded, the operator must use a separate line for each species.

(I) Total estimated haul weight.

(e) Interagency Electronic Reporting System (IERS) and eLandings.

(6) Mothership landing report.

(i) Information entered for each groundfish delivery to a mothership. ***

(A) Delivery information.

(12) For deliveries from catcher vessels directed fishing for pollock in the Bering Sea, indicate, whether, prior to the haul, the operator of the catcher vessel moved fishing location to avoid Chinook salmon bycatch.

(f) Electronic logbooks (ELBs).

(1) Responsibility.

(vi) AFA and CDQ trawl catcher/processors.
The operator of an AFA catcher/processor or

any catcher/processor harvesting pollock CDQ must use a combination of NMFS-approved catcher/processor trawl gear ELB and eLandings to record and report groundfish and PSC information. In the ELB, the operator must enter processor identification information, catch-by-haul information, and prohibited species discard or disposition data for all salmon species in each haul, and indicate whether, prior to the haul, the operator moved fishing location to avoid Chinook salmon bycatch. In eLandings, the operator must enter processor identification, groundfish production data, and groundfish and prohibited species discard or disposition data for all prohibited species except salmon.

Revised 06/30/09 COPY DISTRIBUTION: WHITE Vessel Copy Keep in Logbook • GOLDENROD Observer copy • BLUE Discard Report Submit to Processor • YELLOW NMFS Copy Retain

CATCHER VESSEL DFL GROUND FISH TRAWL GEAR		VESSEL NAME		VESSEL NUMBER	
		VESSEL NAME AND STATE, ETC.		VESSEL HOME PORT	
IDENTIFI- CATION	MANAGEMENT PROGRAM	STATE	FEDERAL	REASON	
	<input type="checkbox"/> CDO <input type="checkbox"/> Esempted <input type="checkbox"/> Research <input type="checkbox"/> AIP	DEPARTURE DATE DEPARTURE TIME	ARRIVAL DATE ARRIVAL TIME	FEDERAL REFERENCE AREA COBLZ	STATE REFERENCE AREA RKCSA

*Check if moved to avoid Chinook salmon

CATCH BY HAUL	HAUL NUMBER	TIME OF HAUL	POSITION OF HAUL		AVE DEEP (DEPTH METERS)	AVE DEEP (DEPTH METERS)	DATE AND TIME OF HAUL	VESSEL AND HAUL		VESSEL TO LOG	VESSEL HOME PORT	
			LATITUDE	LONGITUDE				ARTICLE	LOCATION			

For groundfish and Pacific herring circle lbs or nearest 0.001 mt. For Pacific halibut, Pacific salmon, king crab, and Tanner crab record in numbers.

DISCARD/DISPOSITION	DATE																			
	HAUL NUMBER																			
	DISCARD TYPE																			
	REASON FOR DISCARD																			
	DISCARD WEIGHT																			
	DISCARD SPECIES																			
	DISCARD COMMENTS																			

COMMENTS

* Instruction: If you have moved this vessel prior to this haul to avoid Chinook salmon bycatch, place a check in this box.

DELIVERY	DATE																				
	HAUL NUMBER																				
	DELIVERY LOCATION																				
	DELIVERY COMMENTS																				

Example of Catcher vessel Daily Fishing Log - Trawl Gear, w vessel movement check

DRAFT Revised: 8/10/10

OMB Control No. XXX-XXXX
Expiration Date: XX/XX/XX

ANNUAL
AMENDMENT 91
AFA POLLOCK FISHERY
CHINOOK PSC ALLOCATION IN-SEASON
COMPENSATED TRANSFER REPORT
CALENDAR YEAR 20XX

This form can be downloaded from
<http://www.fakr.noaa.gov>



DRAFT-DRAFT-DRAFT

PUBLIC REPORTING BURDEN STATEMENT

Public reporting burden for this collection of information is estimated to average XX hours per response, including time for reviewing the instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden to Assistant Regional Administrator, Sustainable Fisheries Division, NOAA National Marine Fisheries Service, P.O. Box 21668, Juneau, AK 99802-1668.

ADDITIONAL INFORMATION

Before completing this form, please note the following: 1) Notwithstanding any other provision of law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number; 2) This information is mandatory and is required to manage commercial fishing efforts for groundfish under section 402(a) of the Magnuson-Stevens Act (16 U.S.C. 1801, *et seq.*) as amended by the Magnuson-Stevens Fishery Management and Conservation Reauthorization Act of 2006; 3) Responses to this information request are confidential under section 402(b) of the Magnuson-Stevens Act (16 U.S.C. 1801, *et seq.*) and the Trade Secrets Act (18 U.S.C. 1905). They are also confidential under NOAA Administrative Order 216-100, which sets forth procedures to protect confidentiality of fishery statistics.

ANNUAL CHINOOK PSC COMPENSATED TRANSFER REPORT

Introduction

An owner or leaseholder of an AFA permitted vessel and the representative of any entity that received an allocation of Chinook PSC from NMFS must submit a Compensated Transfer Report (CTR) Part 1 each year, for the previous calendar year. In addition, any person who paid or received money for a transfer of Chinook salmon PSC allocation after January 20 must submit a completed CTR (Part 1 and Part 2) for the previous calendar year. Each year, the completed CTR must be submitted on or before 1700 hours A.I.t. on June 1, The CTR must be submitted to the NMFS Data Collection Agent (DCA), Pacific States Marine Fisheries Commission, at the address below:

Pacific States Marine Fisheries Commission
NMFS Economic Data Reports
205 SE Spokane, Suite 100
Portland, OR 97202
FAX No. 503-595-3450
EMAIL:CTR@psmfc.org
For more information, or if you have questions,
please call toll free 1-877-741-8913

PART 1: CERTIFICATION PAGE – 1 of 2

This is a **required form**. Provide all information requested below.

Entity Information Check the appropriate entity type and record the name and NMFS ID for the entity.		
Reporting Entity Type (Check One)	<input type="checkbox"/> AFA Vessel	<input type="checkbox"/> IPA
	<input type="checkbox"/> Inshore Cooperative	<input type="checkbox"/> Sector-level Entity
	<input type="checkbox"/> CDQ Group	<input type="checkbox"/> Other: describe
Name of Reporting Entity	AFA Permit Number or Entity NMFS ID	

Person Completing this Report	
Check one:	
<input type="checkbox"/> Representative for an IPA, Inshore Cooperative, Sector-Level Entity, or CDQ Group (record the name and NMFS ID of the individual registered with NMFS as the representative)	
<input type="checkbox"/> Vessel Owner/Leaseholder (Provide the name, title, and contact information for the individual submitting the form)	
<input type="checkbox"/> Other Designated Representative (complete all information below)	
Name	Title/NMFS ID
Business Number Telephone	Business FAX Number
Business E-mail address (if available)	

PART 1: CERTIFICATION PAGE – 2 of 2

Provide any requested information. Check one box below.

1. You are the owner or leaseholder of an AFA permitted vessel or are a person or representative of a person that received an allocation of Chinook PSC from NMFS, and must submit a Compensated Transfer Report (CTR) Part 1 each year, for the previous calendar year.

Complete and submit CTR Part 1 form for the 20XX calendar year.

2. You are the owner or leaseholder of an AFA permitted vessel or are a person or representative of a person who paid or received money for a transfer of Chinook salmon PSC allocation after January 20 must submit a completed CTR (Part 1 and Part 2) for the previous calendar year.

Complete and submit CTR Part 1 and Part 2 form for the 20XX calendar year

Read the following statement, and sign and date the box below:

I certify under penalty of perjury that I have reviewed all the information in this report and that it is true and complete to the best of my knowledge.

Signature

Date signed

PART 2: CHINOOK SALMON PSC ALLOCATION TRANSFER INFORMATION

In Table 1, report each transfer of Chinook salmon Prohibited Species Catch (PSC) allocation to or from another person during the calendar year 2009 for which you paid or received monetary compensation. Compensated transfers are those transfers that include monetary compensation for a part of or the whole value of the transferred Chinook PSC allocation:

NMFS ID: identify the other person who paid or received money for each transfer. If the other person was a vessel owner/leaseholder, record the AFA Vessel Permit Number. For other persons, record the NMFS ID. If an AFA Vessel Permit or NMFS ID of entity is unavailable, record the entity name.

Direction of Transfer: using the checkbox, indicate if the Chinook salmon were transferred (sold) to another person by you, or transferred (bought) from another person by you.

Date of transfer: record the date Chinook salmon were transferred to the receiving person. This may not be the date of final settlement on terms of compensation.

Transfer Type: Identify the type(s) of association between you and the other entity in the transfer. Use the following codes to identify the type(s) of association (check all that apply):

Association Type	Association between transfer entities description
1	Transfer is between 2 persons which are affiliated as under AFA as defined in 50 CFR part 679.2
2	Transfer is between 2 persons in the same pollock cooperative but not affiliated under AFA
3	Transfer is between 2 persons in the same AFA sector but not affiliated under AFA or in the same pollock cooperative (inshore only)
4	Transfer is between 2 persons not part of the same AFA sector or pollock cooperative, and not affiliated under AFA

Entity Type: indicate the entity type of the other party in the Chinook salmon PSC allocation transfer. Check one: Vessel Owner/Leaseholder, IPA, Inshore Cooperative, Sector-level Entity, CDQ Group, or other entity type.

Chinook Salmon PSC Allocation Transferred and Compensation

Number of Chinook salmon transferred: for each transfer, record the number of Chinook salmon transferred.

Payment amount: record the total amount of money in U.S. dollars for each transfer. Report all payment as of the date of submission of this form. This includes all money paid for the transfer regardless of whether other assets, such as pollock quota, are included in the transaction. Do not report any compensation made in any form other than monetary compensation.

Other assets included: If the transaction included assets other than Chinook salmon and monetary compensation, indicate this using the checkbox. Other assets could include pollock quota, goods, or services of value. Do not check the box if additional assets included only assets of nominal or no value.

Table 1. Chinook PSC Allocation Transfer Information

NMFS ID or NMFS ID of Entity Transferred To/From	Transfer to other person, or from other person to you	Date of Transfer (mm/dd/yy)	Transfer Type 1, 2, 3, or 4	Entity Type (Check One)						Chinook salmon PSC Allocation Transferred and Compensation		
				Vessel Owner/ Leaseholder	IPA	Inshore Coop	Sector-Level Entity	CDQ Group	Other	Amount of Chinook salmon Transferred (number of salmon)	Payment Amount (\$US)	Nonmonetary assets Included? (Check if Yes)
	<input type="checkbox"/> To <input type="checkbox"/> From			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>
	<input type="checkbox"/> To <input type="checkbox"/> From			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>
	<input type="checkbox"/> To <input type="checkbox"/> From			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>
	<input type="checkbox"/> To <input type="checkbox"/> From			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>
	<input type="checkbox"/> To <input type="checkbox"/> From			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>
	<input type="checkbox"/> To <input type="checkbox"/> From			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>
	<input type="checkbox"/> To <input type="checkbox"/> From			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>
	<input type="checkbox"/> To <input type="checkbox"/> From			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>
	<input type="checkbox"/> To <input type="checkbox"/> From			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>
	<input type="checkbox"/> To <input type="checkbox"/> From			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>
	<input type="checkbox"/> To <input type="checkbox"/> From			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>
	<input type="checkbox"/> To <input type="checkbox"/> From			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>
	<input type="checkbox"/> To <input type="checkbox"/> From			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>
	<input type="checkbox"/> To <input type="checkbox"/> From			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>
	<input type="checkbox"/> To <input type="checkbox"/> From			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>
	<input type="checkbox"/> To <input type="checkbox"/> From			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>
	<input type="checkbox"/> To <input type="checkbox"/> From			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>
	<input type="checkbox"/> To <input type="checkbox"/> From			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>
	<input type="checkbox"/> To <input type="checkbox"/> From			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>
	<input type="checkbox"/> To <input type="checkbox"/> From			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>
	<input type="checkbox"/> To <input type="checkbox"/> From			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>
	<input type="checkbox"/> To <input type="checkbox"/> From			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>
	<input type="checkbox"/> To <input type="checkbox"/> From			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>
	<input type="checkbox"/> To <input type="checkbox"/> From			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>
	<input type="checkbox"/> To <input type="checkbox"/> From			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>
	<input type="checkbox"/> To <input type="checkbox"/> From			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>
	<input type="checkbox"/> To <input type="checkbox"/> From			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>
	<input type="checkbox"/> To <input type="checkbox"/> From			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>
	<input type="checkbox"/> To <input type="checkbox"/> From			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>
	<input type="checkbox"/> To <input type="checkbox"/> From			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>
	<input type="checkbox"/> To <input type="checkbox"/> From			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>
	<input type="checkbox"/> To <input type="checkbox"/> From			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>

ANNUAL
AMENDMENT 91
AFA POLLOCK FISHERY
VESSEL MASTER SURVEY
CALENDAR YEAR 20XX

This form can be downloaded from
<http://www.fakr.noaa.gov>



DRAFT-DRAFT-DRAFT

PUBLIC REPORTING BURDEN STATEMENT

Public reporting burden for this collection of information is estimated to average XX hours per response, including time for reviewing the instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden to Assistant Regional Administrator, Sustainable Fisheries Division, NOAA National Marine Fisheries Service, P.O. Box 21668, Juneau, AK 99802-1668.

ADDITIONAL INFORMATION

Before completing this form, please note the following: 1) Notwithstanding any other provision of law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number; 2) This information is mandatory and is required to manage commercial fishing efforts for groundfish under section 402(a) of the Magnuson-Stevens Act (16 U.S.C. 1801, *et seq.*) as amended by the Magnuson-Stevens Fishery Management and Conservation Reauthorization Act of 2006; 3) Responses to this information request are confidential under section 402(b) of the Magnuson-Stevens Act (16 U.S.C. 1801, *et seq.*) and the Trade Secrets Act (18 U.S.C. 1905). They are also confidential under NOAA Administrative Order 216-100, which sets forth procedures to protect confidentiality of fishery statistics.

ANNUAL AFA POLLOCK VESSEL MASTER SURVEY

Introduction

An owner or leaseholder of an AFA permitted vessel must submit a Vessel Master Survey completed by each master of each vessel used to harvest pollock in the Bering Sea in the previous year. It is the responsibility of the vessel owner/leaseholder to submit all completed surveys to NMFS and fill out Part 1A for each MS. Part 1A must list each Vessel Master who participated in the BS pollock fishery. Each Vessel Master Survey submitted by the owner or leaseholder of an AFA permitted vessel must have Part 1B and Part 2 filled out by the Vessel Master.

This survey is intended to provide information to fishery managers to evaluate the effectiveness of Chinook salmon bycatch management measures. The questions in this survey ask about different aspects of your decision-making during the pollock season, including your incentives, fishing location choices, and salmon bycatch reduction measures.

Please contact Brian Garber-Yonts at the NMFS Alaska Fisheries Science Center with any questions regarding this survey. He can be contacted at (206) 526-6301 or brian.garber-yonts@noaa.gov.

PART 1A: CERTIFICATION PAGE (OWNER AFA PERMITTED VESSEL)

Complete and submit with each vessel master survey for an AFA Permitted Vessel. Provide all information requested below.

Vessel Owner /Leaseholder Name	Vessel Name
	AFA Permit Number

Vessel Master Name	CFEC Gear Operator Permit Number
Vessel Master Name	CFEC Gear Operator Permit Number
Vessel Master Name	CFEC Gear Operator Permit Number
Vessel Master Name	CFEC Gear Operator Permit Number

Read the following statement, and sign and date the box below:

I certify under penalty of perjury that I have reviewed all the information in this report and that it is true and complete to the best of my knowledge.	
Signature (owner or leaseholder of an AFA permitted vessel)	Date signed

PART 1B: CERTIFICATION PAGE (VESSEL MASTER)

This is to be completed by the Vessel Master of each AFA vessel. Provide all information requested below.

Vessel Owner /Leaseholder Name	Vessel Name
	AFA Permit Number

Vessel Master Name	CFEC Gear Operator Permit Number
--------------------	----------------------------------

Read the following statement, and sign and date the box below:

I certify under penalty of perjury that I have reviewed all the information in this report and that it is true and complete to the best of my knowledge.	
Signature (Vessel Master)	Date signed

Part 2: Pollock Fishing and Salmon Bycatch Avoidance

Please consider the following questions carefully and provide the most complete answers you can. Where applicable, please note any differences between the A and B pollock seasons. Please attach extra sheets if more space is needed to complete your answers.

1. If the vessel participated in an Incentive Plan Agreement (IPA), did the IPA affect your fishing strategy? Yes No
If yes, please describe and discuss what incentives had the largest impact on your strategy.

2. Did the amount and/or cost of Chinook PSC allocation available to the vessel lead you to make changes in pollock fishing operations? Yes No
If yes, please describe.

3. How would you compare the Chinook salmon bycatch and pollock conditions during the A and B seasons this year relative to the last two years? Please describe any unique aspects of the season.

4. Did Chinook salmon bycatch conditions cause you to delay the start of your pollock fishing or otherwise alter the timing of your pollock fishing for some period during the past A and/or B season? Yes No

If yes, please describe the Chinook salmon bycatch condition, when it occurred, and any change in your pollock fishing as a result.

5. In the past year, did you end a trip and return to port early because of Chinook salmon bycatch conditions? Please indicate the number of trips that this occurred in each season (use a check to mark the appropriate answer for each season).

Number of trips suspended due to bycatch	Season	
	A	B
0	<input type="checkbox"/>	<input type="checkbox"/>
1-3	<input type="checkbox"/>	<input type="checkbox"/>
4-10	<input type="checkbox"/>	<input type="checkbox"/>
More than 10	<input type="checkbox"/>	<input type="checkbox"/>

6. Please describe how any area closures or restrictions for the purpose of reducing Chinook salmon bycatch affected where and how you fished.

7. Please describe how any regulatory or other area closures or restrictions for a purpose other than reducing Chinook salmon bycatch affected where and how you fished.

8. Compared to a typical year, did weather or sea ice conditions have more, less, or about the same impact on fishing as in a typical year? Please describe especially if there were particularly uncommon conditions at any point this year. If these conditions had an impact on your ability to avoid Chinook salmon bycatch, please describe.

9. Were there exceptional factors that affected your pollock fishing this year? For example, were there unusual market or stock conditions, unusual pollock fishing conditions, or maintenance problems? Please describe.

10. Separate from an Incentive Plan Agreement, were there other incentives for you to reduce Chinook salmon bycatch? Yes No

If yes, please describe.

11. Did actual or potential bycatch of species other than Chinook salmon cause you to change your harvesting decisions during the pollock season? Yes No

If yes, please describe.

ANNUAL

AMENDMENT 91

AFA POLLOCK FISHERY

VESSEL FUEL SURVEY

CALENDAR YEAR 20XX

This form can be downloaded from
<http://www.fakr.noaa.gov>



DRAFT-DRAFT-DRAFT

PUBLIC REPORTING BURDEN STATEMENT

Public reporting burden for this collection of information is estimated to average XX hours per response, including time for reviewing the instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden to Assistant Regional Administrator, Sustainable Fisheries Division, NOAA National Marine Fisheries Service, P.O. Box 21668, Juneau, AK 99802-1668.

ADDITIONAL INFORMATION

Before completing this form, please note the following: 1) Notwithstanding any other provision of law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number; 2) This information is mandatory and is required to manage commercial fishing efforts for groundfish under section 402(a) of the Magnuson-Stevens Act (16 U.S.C. 1801, *et seq.*) as amended by the Magnuson-Stevens Fishery Management and Conservation Reauthorization Act of 2006; 3) Responses to this information request are confidential under section 402(b) of the Magnuson-Stevens Act (16 U.S.C. 1801, *et seq.*) and the Trade Secrets Act (18 U.S.C. 1905). They are also confidential under NOAA Administrative Order 216-100, which sets forth procedures to protect confidentiality of fishery statistics.

ANNUAL AFA POLLOCK VESSEL FUEL SURVEY

Introduction

An owner or leaseholder of an AFA permitted vessel must submit a Vessel Fuel Survey for each vessel used to harvest pollock in the Bering Sea in the year listed on this form. It is the responsibility of the vessel owner/leaseholder to submit all completed surveys to NMFS. This survey is intended to provide information to fishery managers to evaluate the effectiveness of Chinook salmon bycatch management measures. The survey collects information on the quantity and cost of all fuel consumed by each AFA vessel harvesting or processing pollock during the calendar year.

Please contact Brian Garber-Yonts at the NMFS Alaska Fisheries Science Center with any questions regarding this survey. He can be contacted at (206) 526-6301 or brian.garber-yonts@noaa.gov.

PART 1: CERTIFICATION PAGE

This is a **required form**. Provide all information requested below.

AFA Vessel Owner or Vessel Leaseholder Information Record the name and NMFS ID for the AFA Vessel Owner/Leaseholder here. NMFS ID for all AFA participating entities can be accessed at http://XXX	
AFA Vessel Owner/Leaseholder Name	Vessel Owner/Leaseholder NMFS ID

Select one of the following statements and provide any requested information. Check one box below.

<input type="checkbox"/> 1. You were the AFA permit holder or leaseholder for one or more AFA vessels that harvested or processed pollock during the calendar year 20XX. Complete and submit <u>entire form</u> for the 20XX calendar year.
<input type="checkbox"/> 2. You were the AFA permit holder for an AFA vessel that did not harvest or process AFA pollock during the calendar year 20XX. Complete and submit the <u>Certification Page only</u> .

Read the following statement, and sign and date the box below:

I certify under penalty of perjury that I have reviewed all the information in this report and that it is true and complete to the best of my knowledge.	
Signature	Date signed

Part 2: Vessel Fuel Consumption and Purchase Cost

In Table 2, for each vessel operated by you in the AFA pollock fishery during calendar year 20XX, report the following information:

1. AFA Vessel Permit Number

2. Average rate of fuel consumption. For each vessel, report the average rate of fuel consumption per hour under average operating conditions during the calendar year. Report the fuel consumption rate separately for operating while towing and operating while transiting (traveling between points on fishing grounds, but not towing). Report fuel consumption rates for the pollock fishery only. For motherships, report the rate of fuel consumption for transiting only. If you do not have equipment on the vessel for actively monitoring the rate of fuel usage, provide the most accurate estimate you can based on the best information you have available.

3. Fuel Purchased During Calendar Year. For each vessel, report the total amount of purchased fuel loaded to the vessel, in gallons, and total purchase cost of fuel loaded to the vessel during the calendar year. Include all fuel that was loaded and invoiced, even if not completely used or paid for during the calendar year. Do not include lubrication and fluids costs other than fuel.

Oct 2010
D-3(b)

Draft Regulations for 679.65 – new section including Chinook EDR
PART 679—FISHERIES OF THE EXCLUSIVE ECONOMIC ZONE OFF ALASKA
Subpart B—Management Measures

Title 50: Wildlife and Fisheries
§ 679.65 Bering Sea Chinook Salmon
Bycatch Economic Data Report Program
(Chinook Bycatch EDR Program).

Internet on the NMFS Alaska Region website
at <http://alaskafisheries.noaa.gov>, or by
contacting NMFS at 206-526-6414.

(a) General.

Regulations under this section 679.65
were developed by NMFS to implement the
Chinook Salmon Bycatch EDR Program.
Additional regulations that implement
specific portions of the Chinook EDR
Program are set out under paragraphs (a)(1)
through (a)(4) of this section:

(4) Each year, the completed CTR must
be submitted electronically by 1700 A.l.t.
June 1, to the NMFS Data Collection Agent.

(c) Vessel Fuel Survey.

(1) Daily fishing logbook (DFL), catcher
vessel trawl gear. See § 679.5(c)(3).

(1) An owner or leaseholder of an AFA-
permitted vessel must submit all completed
Vessel Fuel Surveys for each vessel used to
harvest pollock in the Bering Sea in a given
year.

(2) Electronic logbook (ELB), AFA and
CDQ trawl catcher/processors. See § 679.5(f)
in combination with eLandings pursuant to §
679.5(e).

(2) The Vessel Fuel Survey is available
through the Internet on the NMFS Alaska
Region website at
<http://alaskafisheries.noaa.gov>, or by
contacting NMFS at 206-526-6414.

(3) Incentive Plan Agreement (IPA). See
§ 679.21(f)(12)(iii).

(3) Each year, the completed Vessel Fuel
Survey must be submitted electronically by
1700 A.l.t. June 1, to the NMFS Data
Collection Agent.

(4) IPA annual report. See §
679.21(f)(12)(vii).

(d) Vessel Master Survey.

(b) Chinook salmon PSC Compensated
Transfer Report (Chinook CTR).

(1) For a given AFA-permitted vessel
used to harvest pollock in the Bering Sea in
the previous year:

(1) An owner or leaseholder of an AFA-
permitted vessel and the representative of any
entity that received an allocation of Chinook
PSC from NMFS must submit a CTR, Part 1
each year, for the previous calendar year, and

(i) The vessel master must complete the
Vessel Master Survey, Part 1A.

(2) Any person who paid or received
money for a transfer of Chinook salmon PSC
allocation after January 20 must submit a
completed CTR (Part 1 and Part 2) for the
previous calendar year.

(ii) An owner or leaseholder must
complete the Vessel Master Survey, Part 1B.

(iii) Each year, an owner or leaseholder
must submit all Vessel Master Surveys, Parts
1A and 1B by 1700 A.l.t. June 1, to the NMFS
Data Collection Agent

(2) The Vessel Master Survey is available
through the Internet on the NMFS Alaska

Region website at
<http://alaskafisheries.noaa.gov>, or by
contacting NMFS at 206-526-6414.

(e) Chinook salmon EDR audit
procedures.

NMFS will conduct verification of
Chinook EDR information with the owner or
leaseholder of an AFA-permitted vessel, the
representative of any entity that received an
allocation of Chinook salmon PSC, and any
person who paid or received money for a
transfer of Chinook salmon PSC allocation or
their designated representative, if applicable.

(1) The persons identified at §679.65(b)(i),
(c)(i), (c)(ii), and (d)(i), must respond to
inquiries by NMFS within 20 days of the date
of issuance of the inquiry.

(2) The persons identified at §679.65(b)(i),
must provide copies of additional data to
facilitate verification by NMFS. These paper
or electronic copies may include but are not
limited to, previously audited or reviewed
financial statements, worksheets, tax returns,
invoices, receipts, and other original
documents substantiating the data submitted.

(3) NMFS may designate a contractor to
perform the functions of a NMFS auditor.
The NMFS-designated auditor may review
and request copies of additional data
provided by persons identified at §679.65b(1)
and (2) for the CTR (§ 679.65 (c)(i)).

§ 679.21 Prohibited species bycatch management.

(a) *[Reserved]*

(b) *General.*

(c) *Salmon taken in the BS pollock fisheries.*

(d) *GOA halibut PSC limits.*

(e) *BSAI PSC limits*

(f) *BS Chinook Salmon Bycatch Management*

* * * * *

(12) Chinook salmon bycatch incentive plan agreements (IPAs)

(vii) Chinook IPA Annual Report. The representative of each approved IPA must submit a written annual report to the Council at the address specified in §679.61(f). The Council will make the annual report available to the public.

(A) Submission deadline. The IPA Annual Report must be postmarked or received by the Council no later than April 1 of each year following the year in which the IPA is first effective.

(B) Information requirements. The annual report must contain the following information:

(1) A comprehensive description of the incentive measures in effect in the previous year;

(2) A description of how these incentive measures affected individual vessels;

(3) An evaluation of whether incentive measures were effective in achieving salmon

savings beyond levels that would have been achieved in absence of the measures; and

(4) A description of any amendments to the terms of the IPA that were approved by NMFS since the last annual report and the reasons that the amendments to the IPA were made.

(5) The number of Chinook salmon and the amount of pollock sub-allocated at the start of each fishing season and number of Chinook salmon PSC caught and amount of pollock (mt) discarded and retained catch at the end of each season (see also §679.61(f)(2)).

(6) In-season transfers

(i) Entity Transfers For in-season transfer of Chinook salmon PSC or pollock among IPAs, AFA cooperatives, entities eligible to receive Chinook salmon PSC allocations, or CDQ groups, provide the following information:

- (A) dat of transfer
- (B) name of transferor
- (C) name of transferee
- (D) number of Chinook salmon transferred
- (E) mt of pollock transferred

(ii) Transfers among vessels participating in the IPA provide the following information:

- (A) date of transfer
- (B) name of transferor
- (C) name of transferee
- (D) number of Chinook salmon transferred
- (E) mt of pollock transferred

(C) Voluntary data. The IPA representative may provide additional information on sub-allocations or transfers of Chinook salmon PSC or pollock transfers (see also §679.61(f)(2)).

Regulatory markup for 679.61

§ 679.61 Formation and operation of fishery cooperatives

must contain, at a minimum:

(a) Who is liable for violations by a fishery cooperative and cooperative members?

(i) The cooperative's allocated catch of pollock and sideboard species, and any sub-allocations of pollock and sideboard species made by the cooperative to individual vessels on a vessel-by-vessel basis;

(b) Who must comply this section?

(ii) The cooperative's actual retained and discarded catch of sideboard species and PSC on an area-by-area and vessel-by-vessel basis;

(c) Designated representative and agent for service of process.

(iii) A description of the method used by the cooperative to monitor fisheries in which cooperative vessels participated;

(d) Annual filing requirements.

(iv) A description of any actions taken by the cooperative in response to any vessels that exceed their allowed catch and bycatch in pollock and all sideboard fisheries; and

(e) What are the required elements in a cooperative contract?

(v) The total weight of pollock landed outside the State of Alaska on a vessel-by-vessel basis.

(f) Annual reporting requirements.

Any fishery cooperative governed by this section must submit preliminary and final annual written reports on fishing activity to the North Pacific Fishery Management Council,
605 West 4th Ave, Suite 306,
Anchorage, AK 99501.

(vi) The number of salmon taken by species and season, and list each vessel's number of appearances on the weekly "dirty 20" lists for non-Chinook salmon.

The Council will make copies of each report available to the public upon request.

(1) What are the submission deadlines?

You must submit the preliminary report by December 1 of each year. You must submit the final report by April 1 of the following year. Annual reports must be postmarked by the submission deadline or received by a private courier service by the submission deadline.

(vii) Unless all information on pollock or Chinook salmon PSC allocation or catch on a vessel by vessel basis is provided in the IPA Annual Report pursuant to 679.21(f)(12), the cooperative must provide any applicable information in 679.21(f)(12)(vii)(B)(5) and (vii)(B)(6).

(2) What information must be included?

The preliminary and final written reports

Regulatory markup for 679.5

§ 679.5 Recordkeeping and reporting

(c) *Logbooks.*

(4) Trawl gear catcher vessel DFL and catcher/processor DCPL.

(vi) Catch-by-haul information. The operator must record the following information (see paragraphs (c)(4)(vi)(A) through (1) of this section) for each haul (see § 679.2). If no catch occurred for a given day, write "no catch."

(A) Haul number. Number hauls sequentially by year.

(B) Movement to Avoid Chinook Salmon. If a catcher vessel and directed fishing for pollock in the Bering Sea, indicate with a check mark (✓) whether, prior to the haul, the operator moved fishing location to avoid Chinook salmon bycatch.

(C) ~~(B)~~ Gear deployment (or to set gear). Record the following information (see paragraphs (c)(4)(vi)(C)(1) and (2) of this section) for trawl gear deployment:

(1) The time (in military format, A.l.t.) when the trawl net enters the water, and

(2) The position (latitude and longitude to the nearest minute; indicate E or W for longitude) where the trawl net enters the water.

(D)(C) Gear retrieval (or to haul gear). Record the following information (see paragraphs (c)(4)(vi)(D)(1) and (2) of this section) for trawl gear retrieval:

(1) The date (mm/dd) and time (in military format, A.l.t.) when retrieval of trawl gear cable begins.

(2) The position (in latitude and longitude to the nearest minute; indicate E or W for longitude) where retrieval of trawl gear cable begins.

(E) Average sea depth and average gear depth. Average sea depth and average gear depth; indicate whether average is reported to the nearest meter or fathom.

(F) Species codes. The operator must record and report the required information for all groundfish (see Table 2a to this part), prohibited species (see Table 2b to this part), and forage fish (see Table 2c to this part). The operator may also record and report the required information for non-groundfish (see Table 2d to this part).

(G) Target species code. Enter the species code of the species to be harvested. Enter only one target species code.

(H) IR/IU species (see § 679.27). If a catcher/ processor, enter species code of IR/IU species and estimated total round weight for each IR/IU species, if applicable; indicate whether estimated weight is to the nearest pound or the nearest 0.001 mt. Use one line to record information for each IR/IU species, including species code and amount of catch. If more than one IR/IU species are to be recorded, the operator must use a separate line for each species.

(I) Total estimated haul weight.

(e) Interagency Electronic Reporting System (IERS) and eLandings.

(6) Mothership landing report.

(i) Information entered for each groundfish delivery to a mothership. * * *

(A) Delivery information.

* * * * *

(12) For deliveries from catcher vessels directed fishing for pollock in the Bering Sea, indicate, whether, prior to the haul, the operator of the catcher vessel moved fishing location to avoid Chinook salmon bycatch.

* * * * *

(f) Electronic logbooks (ELBs).

(1) Responsibility.

* * * * *

(vi) AFA and CDQ trawl catcher/processors. The operator of an AFA catcher/processor or any catcher/processor harvesting pollock CDQ must use a combination of NMFS-approved catcher/processor trawl gear ELB and eLandings to record and report groundfish and PSC information. In the ELB, the operator must enter processor identification information, catch-by-haul information, and prohibited species discard or disposition data for all salmon species in each haul. **and indicate whether, prior to the haul, the operator moved fishing location to avoid Chinook salmon bycatch.** In eLandings, the operator must enter processor identification, groundfish production data, and groundfish and prohibited species discard or disposition data for all prohibited species except salmon.

* * *

Revised: 05/30/09 COPY DISTRIBUTION: WHITE Vessel Copy: Keep in Logbook • GOLDENROD Observer copy • BLUE Discard Report Submit to Processor • YELLOW NMFS Copy: Retain CAB Certificate: 02452013 Expiration Date: 01/01/2010

CATCHER VESSEL DFL GROUND FISH TRAWL GEAR		VESSEL NAME		Date (M-D-Y)	PAGE				
		OPERATOR NAME AND SIGNATURE		ADFMS Vessel No	Federal Fisheries Permit No				
IDENTIFICATION	MANAGEMENT PROGRAM <small>(Check if applicable and enter number)</small> CDQ <input type="checkbox"/> Exempted <input type="checkbox"/> Research <input type="checkbox"/> AIP <input type="checkbox"/>		INACTIVE	START	END	REASON	OBSERVER INFORMATION OBSERVER NAME AND CRUISE # OBSERVER NAME AND CRUISE #		NUMBER OF CHINOOK SALMON BYCATCH
	GEAR TYPE (circle one) Non-selective trawl _____ Pacific herring trawl _____		CREW SIZE	FEDERAL REPORTING AREA		TRAWL GEAR ONLY (circle one) COBLZ _____ RKCSA _____			
	NON-SELECTIVE TRAWL _____		SELECTIVE TRAWL _____		OTHER TRAWL _____		OTHER TRAWL _____		
	OTHER TRAWL _____		OTHER TRAWL _____		OTHER TRAWL _____		OTHER TRAWL _____		

*Check if moved to avoid Chinook salmon

CATCH BY HAUL	HAUL NO	TIME OF GEAR DEPLOYMENT	BEGIN POSITION OF HAUL		AVE SEA DEPTH (Circle M or FM)	AVE GEAR DEPTH (Circle M or FM)	DATE AND TIME OF GEAR RETRIEVAL	END POSITION OF HAUL		TARGET SPECIES CODE	TOTAL HAIL WEIGHT (lbs. or mt)
			LATITUDE	LONGITUDE				LATITUDE	LONGITUDE		

For groundfish and Pacific herring, circle lbs. or nearest 0.001 mt. For Pacific halibut, Pacific salmon, king crab, and Tanner crab, record in numbers

DISCARD POSITION	DATE												
	SPECIES CODE												
	FACILITY CODE												
	BALANCE FORWARD												
	CUMULATIVE TOTAL SINCE LAST DELIVERY												

COMMENTS

* Instruction: If you have moved this vessel prior to this haul to avoid Chinook salmon bycatch, place a check in this box.

DELIVERY	DELIVERY DATE	ADFMS FISH TICKET NO	RECIPIENT'S NAME	ADFMS PROCESSOR CODE

Example of Catcher vessel Daily Fishing Log - Trawl Gear, w vessel movement check

derived from the *C. bairdi* crab abundance estimate being in excess of the 270 million animals for the Zone 1 allocation and 290 million animals for the Zone 2 allocation, but less than 400 million animals for both Zone allocations. These limits are specified in § 679.21(e)(1)(ii).

Pursuant to § 679.21(e)(1)(iii), the PSC limit for snow crab (*C. opilio*) is based on total abundance as indicated by the NMFS annual bottom trawl survey. The *C. opilio* crab PSC limit is set at 0.1133 percent of the BS abundance index if left unadjusted. However, if the abundance is less than 4.5 million animals, the minimum PSC limit will be 4,350,000 animals pursuant to § 679.21(e)(1)(iii)(A) and (B). Based on the 2009 survey estimate of 3.06 billion animals, the calculated limit is 4,350,000 animals.

Pursuant to § 679.21(e)(1)(v), the PSC limit of Pacific herring caught while conducting any trawl operation for BSAI groundfish is 1 percent of the annual eastern BS herring biomass. The best estimate of 2010 and 2011 herring biomass is 197,400 mt. This amount was derived using 2009 survey data and an age-structured biomass projection model developed by the Alaska Department of Fish and Game. Therefore, the herring PSC limit for 2010 and 2011 is 1,974 mt for all trawl gear as presented in Tables 8a and b.

Section 679.21(e)(3)(A) requires PSQ reserves to be subtracted from the total trawl PSC limits. The amounts of 2010 PSC limits assigned to the Amendment 80 and BSAI trawl limited access sectors are specified in Table 35 to part 679. The resulting allocation of PSC to CDQ PSQ, the Amendment 80 sector, and the BSAI trawl limited access fisheries are listed in Table 8a. Pursuant to § 679.21(e)(1)(iv) and § 679.91(d)

through (f), crab and halibut trawl PSC assigned to the Amendment 80 sector is then sub-allocated to Amendment 80 cooperatives as PSC cooperative quota (CQ) and to the Amendment 80 limited access fishery as presented in Tables 8d and 8e. PSC CQ assigned to Amendment 80 cooperatives is not allocated to specific fishery categories. The 2011 PSC allocations between Amendment 80 cooperatives and the Amendment 80 limited access sector will not be known until eligible participants apply for participation in the program by November 1, 2010. Section 679.21(e)(3)(i)(B) requires the apportionment of each trawl PSC limit not assigned to Amendment 80 cooperatives into PSC bycatch allowances for seven specified fishery categories.

Section 679.21(e)(4)(i) authorizes the apportionment of the non-trawl halibut PSC limit into PSC bycatch allowances among six fishery categories. Table 8c lists the fishery bycatch allowances for the trawl and non-trawl fisheries.

Pursuant to section 3.6 of the BSAI FMP, the Council recommends and NMFS agrees, that certain specified non-trawl fisheries be exempt from the halibut PSC limit. As in past years after consultation with the Council, NMFS exempts pot gear, jig gear, and the sablefish IFQ hook-and-line gear fishery categories from halibut bycatch restrictions because (1) the pot gear fisheries have low halibut bycatch mortality, (2) halibut mortality for the jig gear fleet is assumed to be negligible because of the small size of the fishery and the selectivity of the gear, and (3) the sablefish and halibut IFQ fisheries have low halibut bycatch mortality because the IFQ program requires legal-size halibut to be retained by vessels using hook-and-line gear if a halibut IFQ

permit holder or a hired master is aboard and is holding unused halibut IFQ (subpart D of 50 CFR part 679). In 2009, total groundfish catch for the pot gear fishery in the BSAI was approximately 16,160 mt, with an associated halibut bycatch mortality of about 1.3 mt. The 2009 jig gear fishery harvested about 44 mt of groundfish. Most vessels in the jig gear fleet are less than 60 ft (18.3 m) LOA and thus are exempt from observer coverage requirements. As a result, observer data are not available on halibut bycatch in the jig gear fishery. However, a negligible amount of halibut bycatch mortality is assumed because of the selective nature of jig gear and the low mortality rate of halibut caught with jig gear and released.

Section 679.21(e)(5) authorizes NMFS, after consultation with the Council, to establish seasonal apportionments of PSC amounts for the BSAI trawl limited access and Amendment 80 limited access sectors in order to maximize the ability of the fleet to harvest the available groundfish TAC and to minimize bycatch. The factors to be considered are (1) Seasonal distribution of prohibited species, (2) seasonal distribution of target groundfish species, (3) PSC bycatch needs on a seasonal basis relevant to prohibited species biomass, (4) expected variations in bycatch rates throughout the year, (5) expected start of fishing effort, and (6) economic effects of seasonal PSC apportionments on industry sectors. The Council recommended and NMFS approves the seasonal PSC apportionments in Tables 8c and 8e to maximize harvest among gear types, fisheries, and seasons while minimizing bycatch of PSC based on the above criteria.

TABLE 8A—FINAL 2010 AND 2011 APPORTIONMENT OF PROHIBITED SPECIES CATCH ALLOWANCES TO NON-TRAWL GEAR, THE EDQ PROGRAM, AMENDMENT 80, AND THE BSAI TRAWL LIMITED ACCESS SECTORS

PSC species	Total non-trawl PSC	Non-trawl PSC remaining after CDQ PSQ ¹	Total trawl PSC	Trawl PSC remaining after CDQ PSQ ¹	CDQ PSQ reserve ¹	Amendment 80 sector		BSAI trawl limited access fishery
						2010	2011	
Halibut mortality (mt)								
BSAI	900	832	3,675	3,349	393	2,425	2,375	875
Herring (mt) BSAI	n/a	n/a	1,974	n/a	n/a	n/a	n/a	n/a
Red king crab (animals)								
Zone 1 ¹	n/a	n/a	197,000	175,921	21,079	98,920	93,432	53,797
<i>C. opilio</i> (animals)								
COBLZ ²	n/a	n/a	4,350,000	3,884,550	465,450	2,148,156	2,028,512	1,248,494
<i>C. bairdi</i> crab (animals)								
Zone 1 ²	n/a	n/a	830,000	741,190	88,810	351,176	331,608	348,285

TABLE 8A—FINAL 2010 AND 2011 APPORTIONMENT OF PROHIBITED SPECIES CATCH ALLOWANCES TO NON-TRAWL GEAR, THE EDQ PROGRAM, AMENDMENT 80, AND THE BSAI TRAWL LIMITED ACCESS SECTORS—Continued

PSC species	Total non-trawl PSC	Non-trawl PSC remaining after CDQ PSQ ¹	Total trawl PSC	Trawl PSC remaining after CDQ PSQ ¹	CDQ PSQ reserve ¹	Amendment 80 sector		BSAI trawl limited access fishery
						2010	2011	
<i>C. bairdi</i> crab (animals) Zone 2	n/a	n/a	2,520,000	2,250,360	269,640	599,271	565,966	1,053,394

¹ Section 679.21(e)(3)(i)(A)(2) allocates 326 mt of the trawl halibut mortality limit and § 679.21(e)(4)(i)(A) allocates 7.5 percent, or 67 mt, of the non-trawl halibut mortality limit as the PSQ reserve for use by the groundfish CDQ program. The PSQ reserve for crab species is 10.7 percent of each crab PSC limit.

² Refer to § 679.2 for definitions of zones.

TABLE 8B—FINAL 2010 AND 2011 HERRING AND RED KING CRAB SAVINGS SUBAREA PROHIBITED SPECIES CATCH ALLOWANCES FOR ALL TRAWL SECTORS

Fishery categories	Herring (mt) BSAI	Red king crab (animals) Zone 1
Yellowfin sole	169	n/a
Rock sole/flathead sole/other flatfish ¹	29	n/a
Turbot/arrowtooth/sablefish ²	14	n/a
Rockfish	10	n/a
Pacific cod	29	n/a
Midwater trawl pollock	1,508	n/a
Pollock/Atka mackerel/other species ²	214	n/a
Red king crab savings subarea non-pelagic trawl gear ³	n/a	49,250
Total trawl PSC	1,974	197,000

¹ "Other flatfish" for PSC monitoring includes all flatfish species, except for halibut (a prohibited species), flathead sole, Greenland turbot, rock sole, yellowfin sole, and arrowtooth flounder.

² Pollock other than pelagic trawl pollock, Atka mackerel, and "other species" fishery category.

³ In December 2009 the Council recommended that the red king crab bycatch limit for non-pelagic trawl fisheries within the RKCSS be limited to 25 percent of the red king crab PSC allowance (see § 679.21(e)(3)(ii)(B)(2)).

TABLE 8C—FINAL 2010 AND 2011 PROHIBITED SPECIES BYCATCH ALLOWANCES FOR THE BSAI TRAWL LIMITED ACCESS SECTOR AND NON-TRAWL FISHERIES

BSAI trawl limited access fisheries	Prohibited species and area ¹				
	Halibut mortality (mt) BSAI	Red king crab (animals) Zone 1	<i>C. opilio</i> (animals) COBLZ	<i>C. bairdi</i> (animals)	
				Zone 1	Zone 2
Yellowfin sole	167	47,397	1,176,494	293,234	1,005,879
Rock sole/flathead sole/other flatfish ²	0	0	0	0	0
Turbot/arrow tooth/sablefish ³	0	0	0	0	0
Rockfish April 15–December 31	5	0	2,000	0	848
Pacific cod	453	6,000	50,000	50,816	42,424
Pollock/Atka mackerel/other species	250	400	20,000	4,235	4,242
Total BSAI trawl limited access PSC	875	53,797	1,248,494	348,285	1,053,394
Non-trawl fisheries	Catcher processor	Catcher vessel			
Pacific cod-Total	760	15			
January 1–June 10	314	10			
June 10–August 15	0	3			
August 15–December 31	446	2			
Other non-trawl-Total		58			
May 1–December 31		58			
Groundfish pot and jig		Exempt			
Sablefish hook-and-line		Exempt			
Total non-trawl PSC		833			

¹ Refer to § 679.2 for definitions of areas.

² "Other flatfish" for PSC monitoring includes all flatfish species, except for halibut (a prohibited species), flathead sole, Greenland turbot, rock sole, yellowfin sole, and arrowtooth flounder.

³Greenland turbot, arrowtooth flounder, and sablefish fishery category.

TABLE 8D—FINAL 2010 PROHIBITED SPECIES BYCATCH ALLOWANCE FOR THE BSAI AMENDMENT 80 COOPERATIVES

Year	Prohibited species and zones ¹				
	Halibut mortality (mt) BSAI	Red king crab (animals) Zone 1	C. opilio (animals) COBLZ	C. bairdi (animals)	
				Zone 1	Zone 2
2010	1,754	70,237	1,461,309	257,715	440,277

¹ Refer to § 679.2 for definitions of zones.

TABLE 8E—FINAL 2010 PROHIBITED SPECIES BYCATCH ALLOWANCES FOR THE BSAI AMENDMENT 80 LIMITED ACCESS FISHERIES

Amendment 80 limited access fisheries	Prohibited species and area ¹				
	Halibut mortality (mt) BSAI	Red king crab (animals) Zone 1	C. opilio (animals) COBLZ	C. bairdi (animals)	
				Zone 1	Zone 2
Yellowfin sole	440	9,690	633,544	51,561	128,794
Jan 20—Jul 1	293	9,500	617,709	46,515	102,242
Jul 1—Dec 31	147	190	15,835	5,046	26,552
Rock sole/other flat/flathead sole ²	139	18,947	53,203	41,799	30,099
Jan 20—Apr 1	108	18,685	51,204	37,500	27,000
Apr 1—Jul 1	16	130	1,000	2,150	1,550
July 1—Dec 31	15	132	999	2,149	1,549
Turbot/arrowtooth/sablefish ³	6	45	100	100	100
Rockfish	45	n/a	n/a	n/a	n/a
Pacific cod	1	1	1	1	1
Pollock/Atka mackerel/other species ⁴	40	0	0	0	0
Total Amendment 80 trawl limited access PSC	671	28,683	686,848	93,461	158,994

¹ Refer to § 679.2 for definitions of areas.

²“Other flatfish” for PSC monitoring includes all flatfish species, except for halibut (a prohibited species), flathead sole, Greenland turbot, rock sole, yellowfin sole, and arrowtooth flounder.

³Greenland turbot, arrowtooth flounder, and sablefish fishery category.

⁴Pollock other than pelagic trawl pollock, Atka mackerel, and “other species” fishery category. “Other species” for PSC monitoring includes sculpins, sharks, skates, and octopus.

Halibut DMRs

To monitor halibut bycatch mortality allowances and apportionments, the Regional Administrator uses observed halibut bycatch rates, DMRs, and estimates of groundfish catch to project when a fishery’s halibut bycatch mortality allowance or seasonal apportionment is reached. The DMRs are based on the best information

available, including information contained in the annual SAFE report.

NMFS approves the halibut DMRs developed and recommended by the International Pacific Halibut Commission (IPHC) and the Council for the 2010 and 2011 BSAI groundfish fisheries for use in monitoring the 2010 and 2011 halibut bycatch allowances (see Tables 8a–e). The IPHC developed these DMRs for the 2010 and 2011 BSAI

fisheries using the 10-year mean DMRs for those fisheries. The IPHC will analyze observer data annually and recommend changes to the DMRs when a fishery DMR shows large variation from the mean. The document justifying these DMRs is available in Appendix 2 in the final 2009 SAFE report dated November 2009 (see ADDRESSES). Table 9 lists the 2010 and 2011 DMRs.

TABLE 9—FINAL 2010 AND 2011 PACIFIC HALIBUT DISCARD MORTALITY RATES FOR THE BSAI

Gear	Fishery	Halibut discard mortality rate (percent)
Non-CDQ hook-and-line	Greenland turbot	11
	Other species	10
	Pacific cod	10
	Rockfish	9
	Arrowtooth flounder	76
Non-CDQ trawl	Atka mackerel	76
	Flathead sole	74
	Greenland turbot	67
	Non-pelagic pollock	73
	Pelagic pollock	89
	Other flatfish	72