

## **APPENDIX E**

### **Regulatory Amendment Summaries**

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## **2003 Final Rules**

### **American Fisheries Act**

68 FR 51146, August 25, 2003. Final rule approving AFA collection-of-information requirements in Amendments 61/61/13/8, and Amendment 69. Effective September 24, 2003.

68 FR 49374, August 18, 2003. Correction to 67 FR 79692 (December 30, 2002).

68 FR 17314, April 9, 2003. Correction to a cross reference error in 67 FR 79692 (December 30, 2002).

68 FR 6833, February 11, 2003. BSAI Amendment 69 to allow an inshore cooperative to contract with a non-member vessel to harvest a portion of the cooperative's pollock allocation

### **Community Development Quota (CDQ)**

68 FR 69974, December 16, 2003. Final rule to modify the management of the "other species" CDQ reserve by eliminating specific allocations of "other species" CDQ to individual CDQ groups and, instead, allowing NMFS to manage the "other species."

68 FR 59889, October 20, 2003. Technical amendment to 68 FR 44473 (July 29, 2003).

68 FR 44473, July 29, 2003. Final rule to revise recordkeeping and reporting requirements for the IFQ and CDQ programs - Amendment 72 to the FMP for the Groundfish Fishery of the BSAI and Amendment 64 to the FMP for Groundfish of the GOA.

68 FR 9902, March 3, 2003. Final rule to increase the Area 4E trip limit and modify the Area 4 Catch Sharing Plan to allow CDQ Program participants to harvest allocations of Area 4D halibut CDQ in Area 4E.

### **Groundfish Harvest Specifications and Management**

68 FR 68265, December 8, 2003. Interim final rule for Total Allowable Catch (TAC) amounts for each category of groundfish in the BSAI for 2004. Effective: January 1, 2004.

68 FR 67964, December 5, 2003. Interim final rule for Total Allowable Catch (TAC) amounts for each category of groundfish in the GOA for 2004. Effective: January 1, 2004.

68 FR 67086, December 1, 2003. Final rule to implement Amendment 77, allocation of Pacific cod among fixed gear sectors. Effective: January 1, 2004.

68 FR 59889, October 20, 2003. Technical amendment to 68 FR 44473 (July 29, 2003).

68 FR 58038, October 8, 2003. Final rule to refine requirements for the facilitation of observer data transmission and improve support for observers. Effective January 1, 2004.

68 FR 52142, September 2, 2003. Final rule to implement the partial approval of Amendment 75 to the FMP for the Groundfish Fishery of the BSAI - removal of full retention and utilization requirements (IR/IU) for rock and yellowfin sole. Effective October 2, 2003.

68 FR 44666, July 30, 2003. Amendment to the eligibility criteria for the Pacific cod endorsements for BSAI groundfish licenses issued under the License Limitation Program. Effective August 29, 2003.

68 FR 44473, July 29, 2003. Final rule to revise recordkeeping and reporting requirements for the IFQ and CDQ programs - Amendment 72 to the FMP for the Groundfish Fishery of the BSAI and Amendment 64 to the FMP for Groundfish of the GOA.

68 FR 41725, July 15, 2003. List of Fisheries for 2003.

68 FR 40812, July 9, 2003. Increased roe retention limit for pollock harvested in the BSAI.

68 FR 37095, June 23, 2003. Correction to 68 FR 715 (January 7, 2003).

68 FR 37095, June 23, 2003. Chiniak Gully Research Area opening for the groundfish trawl fisheries of the GOA.

68 FR 31629, May 28, 2003. Final rule to allow use of pot gear in waters around Cape Barnabas and Caton Island in the GOA for directed fishing for Pacific cod.

68 FR 24468, May 9, 2003. Chiniak Gully Research Area opening for the groundfish trawl fisheries of the Gulf of Alaska. Comment period through June 6, 2003.

68 FR 24615, May 8, 2003. Correction to Steller Sea Lion Protection Measures, 68 FR 204 (January 2, 2003).

68 FR 15969, April 2, 2003. Correction to 68 FR 715 (January 7, 2003)

68 FR 14902, March 27, 2003. Correction to a docket number of 68 FR 9907 (March 3, 2003).

68 FR 11004, March 7, 2003. Seasonal closure of a portion of the waters located near Cape Sarichef in the Bering Sea subarea to directed fishing for groundfish by vessels using trawl, pot, or hook-and-line gear to support NMFS research on the effect of fishing on the localized abundance of Pacific cod.

68 FR 9907, March 3, 2003. Final BSAI 2003 Groundfish Harvest Specifications.

68 FR 9924, March 3, 2003. Final GOA 2003 Groundfish Harvest Specifications.

68 FR 1392, January 10, 2003. Correction to 67 FR 72595.

68 FR 715, January 7, 2003. Revisions to observer coverage requirements for vessels and shoreside processors in the North Pacific groundfish fisheries.

68 FR 204, January 2, 2003. Final rule to implement Steller sea lion protection measures to avoid the likelihood that the groundfish fisheries off Alaska will jeopardize the continued existence of the western distinct population segment (DPS) of Steller sea lions or adversely modify its critical habitat.

67 FR 77439, December 18, 2002. Pacific halibut and red king crab bycatch rate standards for the first half of 2003. Comment period through January 2, 2003.

### **Individual Fishing Quota (IFQ)**

68 FR 59889, October 20, 2003. Technical amendment to 68 FR 44473 (July 29, 2003).

68 FR 51711, August 28, 2003. Correction to table errors in 68 FR 44473, (July 29, 2003).

68 FR 44473, July 29, 2003. Final rule to revise recordkeeping and reporting requirements for the IFQ and CDQ programs - Amendment 72 to the FMP for the Groundfish Fishery of the BSAI and Amendment 64 to the FMP for Groundfish of the GOA.

68 FR 7719, February 18, 2003. Directed fishing for sablefish with fixed gear managed under the IFQ program opens March 1, 2003, and closes November 15, 2003.

### **Improved Retention/Improved Utilization (IR/IU)**

68 FR 52142, September 2, 2003. Final rule to implement the partial approval of Amendment 75 to the FMP for the Groundfish Fishery of the BSAI - removal of full retention and utilization requirements (IR/IU) for rock and yellowfin sole. Effective October 2, 2003.

### **License Limitation Program**

68 FR 46117, August 5, 2003. Final rule to amend eligibility for BSAI crab species License Limitation Program licenses. Effective September 4, 2003.

68 FR 44666, July 30, 2003. Amendment to the eligibility criteria for the Pacific cod endorsements for BSAI groundfish licenses issued under the License Limitation Program. Effective August 29, 2003.

### **Marine Mammal Observer Program**

68 FR 41725, July 15, 2003. List of Fisheries for 2003.

### **Observer Program**

68 FR 58038, October 8, 2003. Final rule to refine requirements for the facilitation of observer data transmission and improve support for observers. Effective January 1, 2004.

68 FR 49374, August 18, 2003. Correction to 67 FR 79692 (December 30, 2002).

68 FR 37095, June 23, 2003. Correction to 68 FR 715 (January 7, 2003).

68 FR 17314, April 9, 2003. Correction to a cross reference error in 67 FR 79692 (December 30, 2002).

68 FR 15969, April 2, 2003. Correction to 68 FR 715 (January 7, 2003).

68 FR 1392, January 10, 2003. Correction to 67 FR 72595.

68 FR 715, January 7, 2003. Revisions to observer coverage requirements for vessels and shoreside processors in the North Pacific groundfish fisheries.

### **Recordkeeping and Reporting**

68 FR 62501, November 4, 2003. NOAA information collection requirements; update and corrections.

68 FR 61339, October 28, 2003. Technical amendment for an update and correction to NOAA information collection requirements for the Paperwork Reduction Act.

68 FR 59889, October 20, 2003. Technical amendment to 68 FR 44473 (July 29, 2003).

68 FR 58038, October 8, 2003. Final rule to refine requirements for the facilitation of observer data transmission and improve support for observers. Effective January 1, 2004.

68 FR 44473, July 29, 2003. Final rule to revise recordkeeping and reporting requirements for the IFQ and CDQ programs - Amendment 72 to the FMP for the Groundfish Fishery of the BSAI and Amendment 64 to the FMP for Groundfish of the GOA.

68 FR 23925, May 6, 2003. Correction to the definition of Length Overall in 66 FR 47416 (September 12, 2001) and 68 FR 20083 (April 24, 2003).

68 FR 20083, April 24, 2003. Revisions to definition of Length Overall of a Vessel, correction to 66 FR 47416 (September 12, 2001).

### **Steller Sea Lion Protection Measures**

68 FR 31629, May 28, 2003. Final rule to allow use of pot gear in waters around Cape Barnabas and Caton Island in the GOA for directed fishing for Pacific cod.

68 FR 24468, May 9, 2003. Chiniak Gully Research Area opening for the groundfish trawl fisheries of the Gulf of Alaska. Comment period through June 6, 2003.

68 FR 24615, May 8, 2003. Correction to 68 FR 204 (January 2, 2003).

68 FR 11004, March 7, 2003. Seasonal closure of a portion of the waters located near Cape Sarichef in the Bering Sea subarea to directed fishing for groundfish by vessels using trawl, pot, or hook-and-line gear to support NMFS research on the effect of fishing on the localized abundance of Pacific cod.

68 FR 204, January 2, 2003. Final rule to implement Steller sea lion protection measures to avoid the likelihood that the groundfish fisheries off Alaska will jeopardize the continued existence of the western distinct population segment (DPS) of Steller sea lions or adversely modify its critical habitat.

### **2003 Federal Register Notices**

#### **At-Sea Scales**

68 FR 13279, March 19, 2003. Proposed information collection comment request - Alaska Region scale and catch weighing requirements. Comment period through May 19, 2003.

#### **Bycatch**

**68 FR 40888, July 9, 2003.** Advanced notice of proposed regulations to define the Zero Mortality Rate. Comment period through September 8, 2003.

**68 FR 11501, March 11, 2003.** Notice of decision on Oceana petition for rule-making on bycatch 50 CFR part 600.

## **Constituent Meetings**

68 FR 26291, May 15, 2003. Notice of schedule for a series of eight regional constituent meetings beginning in June 2003 and running through September 2003 to gather public input on ways to improve the effectiveness of NMFS and its management of living marine resources.

## **Essential Fish Habitat**

68 FR 19516, April 22, 2003. NPFMC Essential Fish Habitat Committee to hold a meeting in Juneau, AK, May 5-6, 2003.

68 FR 1050, January 8, 2003. NPFMC Essential Fish Habitat Committee to meet in Seattle, WA. on January 26, 2003.

## **Exempted Fishing Permit**

68 FR 44927, July 31, 2003. Notice of issuance of an Exempted Fishing Permit to conduct an experiment in the Bering Sea on salmon excluder devices.

## **Fur Seals**

68 FR 36539, June 18, 2003. Notice of Intent to analyze the effects of the subsistence taking of northern fur seals on the Pribilof Islands; scoping meetings to be held. Comment period through September 16, 2003.

## **Groundfish Harvest Specifications and Management**

68 FR 70233, December 17, 2003. Proposed Information Collection; Alaska Region Gear Identification Requirements. Comment period through February 17, 2003.

## **Improved Retention/Improved Utilization (IR/IU)**

68 FR 61792, October 30, 2003. Notice of NPFMC Improved Retention/Improved Utilization Technical Committee meeting in Seattle, WA at the Alaska Fisheries Science Center on November 18 and November 19, 2003.

## **Individual Fishing Quota**

68 FR 71036, December 22, 2003. Notice of standard prices and fee percentage for the North Pacific halibut and sablefish IFQ cost recovery program.



68 FR 7719, February 18, 2003. Directed fishing for sablefish with fixed gear managed under the IFQ program opens March 1, 2003, and closes November 15, 2003.

### **Marine Mammals**

68 FR 40888, July 9, 2003. Advanced notice of proposed regulations to define the Zero Mortality Rate. Comment period through September 8, 2003.

68 FR 2751, January 21, 2003. Receipt of applications for new research permits and permit amendments.

### **Marine Protected Areas**

68 FR 43495, July 23, 2003. Solicitation of public comments on proposed criteria for building an Inventory of Marine Managed Areas. Comment period through September 22, 2003.

### **North Pacific Fishery Management Council**

68 FR 65889, November 24, 2003. NPFMC Fur Seal Committee meeting in Anchorage AK, on December 11, 2003.

68 FR 65890, November 24, 2003. NPFMC Joint Protocol Committee meeting in Anchorage, AK on December 8, 2003.

68 FR 65890, November 24, 2003. Meetings of the NPFMC and its advisory committees in Anchorage, AK, December 8-16, 2003.

68 FR 61792, October 30, 2003. NPFMC Improved Retention/Improved Utilization Technical Committee will meet in Seattle, WA at the Alaska Fisheries Science Center on November 18 and November 19, 2003.

68 FR 58315, October 9, 2003. NPFMC Scallop Plan Team meeting October 29 – 30, 2003 in Juneau, AK.

68 FR 53966, September 15, 2003. NPFMC public meeting - the Pacific Northwest Crab Industry Advisory Committee, Seattle, WA, September 29, 2003.

68 FR 53140, September 9, 2003. NPFMC IFQ Implementation and Cost Recovery Committee public meeting October 5, 2003 in Anchorage, AK.

68 FR 53139, September 9, 2003. NPFMC Non-Target Species Committee public meeting October 9, 2003 in Anchorage, AK.

68 FR 53138, September 9, 2003. NPFMC public meetings October 6 - 14, 2003 in Anchorage, AK.

68 FR 48885, August 15, 2003. NPFMC GOA/BSAI groundfish plan teams meeting in Seattle, WA, September 8-11, 2003.

68 FR 47912, August 12, 2003. NPFMC Steller Sea Lion (SSL) Mitigation Committee meeting in Seattle, WA, August 27 - 29, 2003.

68 FR 47912, August 12, 2003. NPFMC Crab Plan Team meeting in Kodiak, AK, September 22 - 24, 2003.

68 FR 44926, July 31, 2003. NPFMC Improved Retention/Improved Utilization Technical Committee will meet in Seattle, WA, August 25, 26 and 27, 2003.

68 FR 41564, July 14, 2003. NPFMC public meetings July 28 - 29, 2003 in Anchorage, AK.

68 FR 27785, May 21, 2003. NPFMC public meetings June 9 - 18, 2003 in Kodiak, AK.

68 FR 26291, May 15, 2003. Notice that NMFS is scheduling a series of eight regional constituent meetings beginning in June and running through September to gather public input on ways to improve the effectiveness of NMFS and its management of living marine resources.

68 FR 23703, May 5, 2003. NPFMC Pacific Northwest Crab Industry Advisory Committee to meet May 27, 2003, Seattle, WA.

68 FR 19516, April 22, 2003. NPFMC Essential Fish Habitat Committee to hold a meeting in Juneau, AK, May 5-6, 2003.

68 FR 12894, March 18, 2003. NPFMC public meetings Monday, March 31, 2003 through Tuesday, April 8, 2003.

68 FR 1050, January 8, 2003. NPFMC's Essential Fish Habitat Committee will meet in Seattle, WA. on January 26, 2003.

68 FR 1050, January 8, 2003. NPFMC's Observer Committee will meet in Seattle, WA. on January 23 and 24, 2003.

### **Recordkeeping and Reporting**

68 FR 70233, December 17, 2003. Proposed Information Collection; Alaska Region Gear Identification Requirements. Comment period through February 17, 2003.

68 FR 64318, November 13, 2003. Submission for OMB review proposed information collection on scale and catch weighing requirements under the provisions of the Paperwork Reduction Act. Comments due within 30 days.

68 FR 57426, October 3, 2003. Continuing information collection comment period for Commercial Operator's Annual Report (COAR). Comment period through December 2, 2003.

68 FR 54716, September 18, 2003. Proposed information collection for annual harvest survey for a subsistence Pacific halibut program. Comment period through October 18, 2003.

68 FR 32012, May 29, 2003. Proposed information collection comment request - American Fisheries Act (OMB control No. 0648-0401). Comment period through June 29, 2003.

68 FR 13279, March 19, 2003. Proposed information collection comment request - Alaska Region scale and catch weighing requirements. Comment period through May 19, 2003.\_\_\_\_\_

68 FR 7107, February 12, 2003. Proposed Information Collection; American Fisheries Act, Vessel and Processor Permit Applications (OMB control No. 0393). Comment period through April 14, 2003.

68 FR 6417, February 7, 2003. Proposed information collection for the AFA fisheries (OMB control No. 0648-0401). Comment period through April 8, 2003.

### **Stock Assessments**

68 FR 17920, April 14, 2003. Notice of completion and availability of final marine mammal stock assessment reports; response to comments.

### **2004 Final Rules**

#### **American Fisheries Act (AFA)**

69 FR 7876, February 20, 2004. Final rule to make effective the collection of information contained in the following AFA-related amendments: Amendment 61 to the FMP for the Groundfish Fishery of the BSAI Area, Amendment 61 to the FMP for Groundfish of the GOA, Amendment 13 to the FMP for BSAI King and Tanner Crab, and Amendment 8 to the FMP for the Scallop Fishery off Alaska.

69 FR 6198, February 10, 2004. Final rule to remove the expiration date of regulations (67 FR 79692, December 30, 2002), implementing the AFA.

## **Groundfish Harvest Specifications and Management**

69 FR 9261, February 27, 2004. Final 2004 Harvest Specifications for GOA Groundfish. Effective February 27, 2004.

69 FR 9242, February 27, 2004. Final 2004 Harvest Specifications for BSAI Groundfish. Effective February 27, 2004.

68 FR 68265, December 8, 2003. Interim final rule for Total Allowable Catch (TAC) amounts for each category of groundfish in the BSAI for 2004. Effective: January 1, 2004.

68 FR 67964, December 5, 2003. Interim final rule for Total Allowable Catch (TAC) amounts for each category of groundfish in the GOA for 2004. Effective: January 1, 2004.

## **Observer Program**

69 FR 1951, January 13, 2004. Final rule to amend regulations governing the North Pacific Groundfish Observer Program to provide added flexibility in the deployment of observers in the EEZ off the coast of Alaska. Effective on February 12, 2004.

## **Salmon**

69 FR 875, January 7, 2004. Final rule implementing Amendment 3 of the Salmon FMP. Effective February 6, 2004.

## **Seabird Avoidance Measures**

69 FR 1930, January 13, 2004. Final rule to revise regulations requiring seabird avoidance measures in the hook-and-line fisheries off Alaska to further mitigate interactions with the Short-tailed albatross. Effective on February 12, 2004.

## **2004 Federal Register Notices**

69 FR 7421, February 17, 2004. Notice to inform persons whom NMFS invites to bid in the fishing capacity reduction program for the crab species covered by the FMP for BSAI king and Tanner crabs.

## **Exempted Fishing Permit**

69 FR 5509, February 5, 2004. Notice of receipt of an application for an exempted fishing permit from the Alaska Fisheries Development Foundation, Inc. to support a project that investigates and develops hook-and-line techniques specific to the harvest of various rockfish species in the GOA.

## **Habitat**

69 FR 11837, March 12, 2004. Correction to Seattle meeting time in 69 FR 10428, (March 5, 2004).

69 FR 10428, March 5, 2004. Notice of public meetings for the Draft Environmental Impact Statement (DEIS) for Essential Fish Habitat (EFH) Identification and Conservation in Alaska.

## **Halibut Charter Harvest Levels**

69 FR 6946, February 12, 2004. Notice of Guideline Harvest Levels for the guided recreational halibut fishery.

## **Individual Fishing Quota (IFQ)**

69 FR 6199, February 10, 2004. Notice that NMFS is opening directed fishing for sablefish with fixed gear managed under the IFQ program. The season will open 1200 hrs, Alaska local time (A.l.t.), February 29, 2004, and will close 1200 hrs, A.l.t., November 15, 2004.

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## **North Pacific Fishery Management Council**

69 FR 8178, February 23, 2004. Notice that the NPFMC GOA and BSAI, King and Tanner, Scallop, plan teams will meet via video conference in 4 locations and by teleconference on March 8 and 9, 2004.

69 FR 2579, January 16, 2003. NPFMC advisory committee public meetings February 2 through February 10, 2004.

69 FR 51, January 2, 2004. NPFMC Steller Sea Lion Mitigation Committee meeting in Seattle WA, on January 20, 2004.

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