

Dated: December 16, 2003.

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Regulatory Programs, National Marine  
Fisheries Service.*

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric  
Administration**

**50 CFR Part 679**

[Docket No. 991207325-0063-02; I.D.  
100699A]

**Fisheries of the Exclusive Economic  
Zone off Alaska; North Pacific Halibut  
and Sablefish IFQ Cost Recovery  
Program**

**AGENCY:** National Marine Fisheries  
Service (NMFS), National Oceanic and  
Atmospheric Administration (NOAA),  
Commerce.

**ACTION:** Notice of standard prices and  
fee percentage for North Pacific halibut  
and sablefish Individual Fishing Quota  
(IFQ) cost recovery program.

**SUMMARY:** The National Marine  
Fisheries Service publishes IFQ  
standard prices and notification of  
adjustment of the IFQ fee percentage for  
the IFQ Cost Recovery Program in the  
halibut and sablefish fisheries of the  
North Pacific. This action is required by  
regulations and is intended to provide  
holders of halibut and sablefish IFQ  
permits information to calculate the  
payments required for IFQ cost recovery  
fees due by January 31, 2004.

**DATES:** Effective December 22, 2003.

**FOR FURTHER INFORMATION CONTACT:**  
Jennifer Hayes, Fee Coordinator, 907-  
586-7344.

**SUPPLEMENTARY INFORMATION:**

**Background**

NMFS, Alaska Region, administers  
the halibut and sablefish IFQ programs  
in the North Pacific. The IFQ Programs  
are limited access systems authorized by  
section 303(b) of the Magnuson-Stevens  
Fishery Conservation and Management  
Act (Magnuson-Stevens Act) and the  
Northern Pacific Halibut Act of 1982.  
Fishing under the IFQ Programs began  
in March 1995. Regulations

implementing the IFQ Program are set  
forth at 50 CFR part 679.

In 1996, the Magnuson-Stevens Act  
was amended (by Pub. L. 104-297) to  
require the Secretary of Commerce to,  
among other things, “collect a fee to  
recover the actual costs directly related  
to the management and enforcement of  
any . . . individual fishing quota  
program” (section 304(d)(2)(A)). Section  
304(d)(2) of the Magnuson-Stevens Act  
specifies an upper limit on these fees,  
when the fees must be collected, and  
where the fees must be deposited.  
Section 303(d)(4) of the Magnuson-  
Stevens Act allows NMFS to reserve up  
to 25 percent of the fees collected for  
use in an IFQ loan program to aid in  
financing the purchase of IFQ or quota  
share (QS) by entry-level and small-  
vessel fishermen.

On March 20, 2000, NMFS published  
regulations implementing the IFQ Cost  
Recovery Program (65 FR 14919), which  
are set forth at 50 CFR 679.45. Under the  
regulations, an IFQ permit holder incurs  
a cost recovery fee liability for every  
pound of IFQ halibut and IFQ sablefish  
that is landed on his or her IFQ  
permit(s). The IFQ permit holder is  
responsible for self-collecting the fee  
liability for all IFQ halibut and IFQ  
sablefish landings on his or her  
permit(s). The IFQ permit holder is also  
responsible for submitting a fee liability  
payment to NMFS on or before the due  
date of January 31 following the year in  
which the IFQ landings were made. The  
dollar amount of the fee due is  
determined by multiplying the annual  
IFQ fee percentage (3 percent or less) by  
the ex-vessel value of each IFQ landing  
made on a permit and summing the  
totals of each permit (if more than one).

**Fee Percentage**

Three percent of the ex-vessel value of  
IFQ halibut and IFQ sablefish harvested  
is the maximum fee amount allowed by  
section 304(d)(2)(B) of the Magnuson-  
Stevens Act. Regulations at § 679.45(d)  
allow the Administrator, Alaska Region,  
NMFS (Regional Administrator) to  
reduce the fee percentage if actual  
management and enforcement costs  
could be recovered through a lesser  
percentage. In this event, the Regional  
Administrator will publish a  
notification of any adjustment of the  
IFQ fee percentage in the **Federal  
Register** pursuant to § 679.45(d)(4).

For 2003, the Regional Administrator  
has determined that a fee of 1.4 percent  
is necessary to recover the actual  
management and enforcement costs.  
Therefore, the Regional Administrator is  
adjusting the cost recovery fee  
applicable to year 2003 IFQ landings  
from 3.0 percent to 1.4 percent.

**Standard Prices**

The fee liability is based on the sum  
of all payments of monetary worth made  
to fishermen for the sale of the fish  
during the year. This includes any retro-  
payments (e.g., bonuses, delayed partial  
payments, post-season payments) made  
to the IFQ permit holder for previously  
landed IFQ halibut or sablefish.

For purposes of calculating IFQ cost  
recovery fees, NMFS distinguishes  
between two types of ex-vessel value:  
“actual ex-vessel value” and “standard  
ex-vessel value.” “Actual ex-vessel  
value” is the amount of all  
compensation, monetary or non-  
monetary, that an IFQ permit holder  
received as payment for his or her IFQ  
fish sold. “Standard ex-vessel value” is  
the default value on which to base fee  
liability calculations. However, IFQ  
permit holders have the option of using  
“IFQ actual ex-vessel value” if they can  
satisfactorily document those values.

Regulations at § 679.45(c)(2)(i) require  
the Regional Administrator to publish  
IFQ standard prices during the last  
quarter of each calendar year. These  
standard prices are used, along with  
estimates of IFQ halibut and IFQ  
sablefish landings, to calculate standard  
values. The standard prices are  
described in U.S. dollars per IFQ  
equivalent pound for IFQ halibut and  
IFQ sablefish landings made during the  
year. IFQ equivalent pound(s) means the  
weight amount, recorded in pounds, for  
an IFQ landing and calculated as round  
weight for sablefish and headed and  
gutted (“net”) weight for halibut. NMFS  
calculates the standard prices to reflect,  
as closely as possible, by month and  
port or port-group, the variations in the  
actual ex-vessel values of IFQ halibut  
and IFQ sablefish landings. The  
standard prices for IFQ halibut and IFQ  
sablefish are listed in the following  
table. Data from ports are combined as  
necessary to protect confidentiality of  
data submissions.

**REGISTERED BUYER STANDARD EX-VESSEL PRICES BY LANDING LOCATION FOR 2003 IFQ SEASON**

LANDING LOCATION	PERIOD ENDING	HALIBUT STANDARD EX- VESSEL PRICE	SABLEFISH STANDARD EX- VESSEL PRICE
CORDOVA	March 31 .....	\$2.72	\$2.34
	April 30 .....		

REGISTERED BUYER STANDARD EX-VESSEL PRICES BY LANDING LOCATION FOR 2003 IFQ SEASON—  
Continued

LANDING LOCATION	PERIOD ENDING	HALIBUT STANDARD EX- VESSEL PRICE	SABLEFISH STANDARD EX- VESSEL PRICE	
DUTCH HARBOR	May 31 .....	\$2.68	\$2.36	
	June 30 .....	\$2.87		
	July 31 .....	\$2.97		
	August 31 .....	\$3.14		
	September 30 .....			
	October 31 .....			
	November 30 .....			
	March 31 .....			
	April 30 .....	\$2.70		
	May 31 .....	\$2.58		
	June 30 .....	\$2.67		
HOMER	July 31 .....	\$2.80	\$2.16	
	August 31 .....	\$2.89	\$2.15	
	September 30 .....	\$2.84	\$2.16	
	October 31 .....	\$2.84	\$2.16	
	November 30 .....	\$2.84	\$2.16	
	March 31 .....	\$2.95	\$2.37	
	April 30 .....	\$2.84		
	May 31 .....	\$2.88		
	June 30 .....	\$2.94		
	July 31 .....	\$2.48		
	August 31 .....	\$3.19		
September 30 .....	\$3.25			
October 31 .....	\$3.25			
November 30 .....	\$3.25			
KETCHIKAN	March 31 .....			
	April 30 .....			
	May 31 .....			
	June 30 .....			
	July 31 .....			
	August 31 .....			
	September 30 .....	\$3.07		
	October 31 .....	\$3.07		
	November 30 .....	\$3.07		
	KODIAK	March 31 .....	\$2.76	\$2.37
		April 30 .....	\$2.68	\$2.34
May 31 .....		\$2.55	\$2.27	
June 30 .....		\$2.67	\$2.32	
July 31 .....		\$2.84	\$2.35	
August 31 .....		\$3.01		
September 30 .....		\$3.06		
October 31 .....		\$3.06		
November 30 .....		\$3.06		
PETERSBURG		March 31 .....		
		April 30 .....		\$2.82
	May 31 .....	\$2.74		
	June 30 .....	\$2.89		
	July 31 .....	\$2.94		
	August 31 .....	\$3.06		
	September 30 .....	\$3.09		
	October 31 .....	\$3.09		
	November 30 .....	\$3.09		
	SEWARD	March 31 .....	\$2.68	\$1.96
		April 30 .....	\$2.77	\$2.38
May 31 .....		\$2.65	\$2.29	
June 30 .....		\$2.82	\$2.43	
July 31 .....		\$2.78	\$2.33	
August 31 .....				
September 30 .....				
October 31 .....				
November 30 .....				
SITKA		March 31 .....		
		April 30 .....		
	May 31 .....			
	June 30 .....			
	July 31 .....	\$2.96		
	August 31 .....	\$3.03		
	September 30 .....	\$3.07		
	October 31 .....	\$3.07		

REGISTERED BUYER STANDARD EX-VESSEL PRICES BY LANDING LOCATION FOR 2003 IFQ SEASON—  
Continued

LANDING LOCATION	PERIOD ENDING	HALIBUT STANDARD EX- VESSEL PRICE	SABLEFISH STANDARD EX- VESSEL PRICE
1BERING SEA	November 30 .....	\$3.07	
	March 31 .....	\$2.62	\$1.99
	April 30 .....	\$2.61	\$1.95
	May 31 .....	\$2.56	\$2.41
	June 30 .....	\$2.64	\$2.39
	July 31 .....	\$2.81	\$2.42
	August 31 .....	\$2.89	\$2.29
	September 30 .....	\$2.95	\$2.25
	October 31 .....	\$2.95	\$2.25
	November 30 .....	\$2.95	\$2.25
2CENTRAL GULF	March 31 .....	\$2.80	\$2.20
	April 30 .....	\$2.76	\$2.33
	May 31 .....	\$2.67	\$2.31
	June 30 .....	\$2.90	\$2.38
	July 31 .....	\$2.78	\$2.14
	August 31 .....	\$3.08	\$2.35
	September 30 .....	\$3.17	\$2.32
	October 31 .....	\$3.17	\$2.32
	November 30 .....	\$3.17	\$2.32
	March 31 .....	\$2.93	\$2.35
3SOUTHEAST	April 30 .....	\$2.92	\$2.34
	May 31 .....	\$2.80	\$2.39
	June 30 .....	\$2.95	\$2.40
	July 31 .....	\$2.99	\$2.41
	August 31 .....	\$3.08	\$2.41
	September 30 .....	\$3.11	\$2.56
	October 31 .....	\$3.11	\$2.56
	November 30 .....	\$3.11	\$2.56
	March 31 .....	\$2.83	\$2.26
	April 30 .....	\$2.82	\$2.32
4ALL	May 31 .....	\$2.68	\$2.33
	June 30 .....	\$2.84	\$2.39
	July 31 .....	\$2.83	\$2.28
	August 31 .....	\$3.01	\$2.36
	September 30 .....	\$3.10	\$2.42
	October 31 .....	\$3.10	\$2.42
	November 30 .....	\$3.10	\$2.42

<sup>1</sup> Landing locations Within Port Group—Bering Sea: Adak, Akutan, Akutan Bay, Atka, Bristol Bay, Chefnak, Dillingham, Captains Bay, Dutch Harbor, Egegik, Ikatan Bay, Hooper Bay, King Cove, King Salmon, Kipnuk, Mekoryuk, Naknek, Nome, Quinhagak, Savoonga, St. George, St. Lawrence, St. Paul, Togiak, Toksook Bay, Tununak, Beaver Inlet, Ugadaga Bay, Unalaska.

<sup>2</sup> Landing Locations Within Port Group—Central Gulf of Alaska: Anchor Point, Anchorage, Chignik, Cordova, Eagle River, False Pass, West Anchor Cove, Girdwood, Chinitna Bay, Halibut Cove, Homer, Kasilof, Kenai, Kenai River, Alitak, Kodiak, Port Bailey, Nikiski, Niniichik, Old Harbor, Palmer, Sand Point, Seldovia, Resurrection Bay, Seward, Valdez, Whittier.

<sup>3</sup> Landing Locations Within Port Group—Southeast Alaska: Angoon, Baranof Warm Springs, Craig, Edna Bay, Elfin Cove, Excursion Inlet, Gustavus, Haines, Hollis, Hoonah, Hyder, Auke Bay, Douglas, Tee Harbor, Juneau, Kake, Ketchikan, Klawock, Metlakatla, Pelican, Petersburg, Portage Bay, Port Alexander, Port Graham, Port Protection, Point Baker, Sitka, Skagway, Tenakee Springs, Thorne Bay, Wrangell, Yakutat.

<sup>4</sup> Landing Locations Within Port Group—All: For Alaska: All landing locations included in 1, 2, and 3. For California: Eureka, Fort Bragg, Other California. For Oregon: Astoria, Aurora, Lincoln City, Newport, Warrenton, Other Oregon. For Washington: Anacortes, Bellevue, Bellingham, Nagai Island, Edmonds, Everett, Granite Falls, Ilwaco, La Conner, Port Angeles, Port Orchard, Port Townsend, Ranier, Fox Island, Mercer Island, Seattle, Standwood, Other Washington. For Canada: Port Hardy, Port Edward, Prince Rupert, Vancouver, Haines Junction, Other Canada.

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Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

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