



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration

National Marine Fisheries Service

P.O. Box 21668

Juneau, Alaska 99802-1668

January 11, 2012

Dear Alaska State or Federal Commercial Fishing Permit Holder:

You are receiving this letter and enclosed 2012 Authorization Certificate for the purpose of complying with the requirements of the Marine Mammal Protection Act (MMPA).

The MMPA requires that all US commercial fisheries be listed as a Category I, II, or III fishery according to the level of incidental mortality and serious injury of marine mammals associated with each fishery. Category I fisheries are those with the highest levels of marine mammal serious injury and mortality; Category III has the lowest levels. Participants in Category I and II fisheries must be registered in the Marine Mammal Authorization Program (MMAP) to be authorized for lawful incidental, but not intentional, marine mammal takes during fishing.

If you participate in a Category II fishery in Alaska listed on the enclosed authorization certificate, the National Marine Fisheries Service (NMFS) has registered you in the MMAP. Registration in the MMAP provides commercial fishery permit holders in certain fisheries exemption from the MMPA's general prohibition on the taking of marine mammals. However, this authorization explicitly does **not** exempt holders of commercial fishing permits from the prohibition on takes of marine mammals listed as endangered or threatened under the Endangered Species Act. Your registration in the MMAP and issuance of this authorization is based on your current, valid State of Alaska or Federal commercial fishery permit for one or more of the fisheries listed on the reverse of the Certificate.

If you do not participate in one of the listed Alaska fisheries, your fishery is considered to be a Category III fishery under the MMPA. Category III fishery participants are automatically exempted from the incidental take prohibition. Therefore, you do not need to maintain the enclosed certificate aboard your vessel. However, you must report any incidental takes of marine mammals within 48 hours of the incident or your return to port. Such reports must be made on the enclosed reporting form. See below for obtaining additional copies.

If you plan to participate in one or more of the Category II fisheries identified on the reverse side of the enclosed Certificate, **you must:**

- Maintain the enclosed MMAP Authorization Certificate, or a photocopy, on board the vessel while engaging in any of the fisheries identified on the reverse side of the certificate. For non-vessel or set net fisheries, the enclosed Certificate, or a

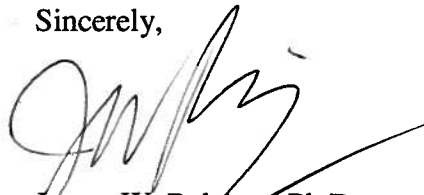


photocopy, must be in the possession of the permit holder during fishing operations. This Certificate, in combination with a current, valid state or Federal fishing permit, will serve as your authorization to incidentally take non-endangered or non-threatened marine mammals in the course of commercial fishing operations.

- Report all injuries and mortalities of marine mammals within 48 hours of returning from the trip during which these takes occurred using the enclosed Mortality/Injury Reporting Form (or visit http://www.nmfs.noaa.gov/pr/pdfs/interactions/mmap_reporting_form.pdf for a copy).
- Take an observer aboard your vessel, or for non-vessel or set net fisheries provide access to fishing operations, if so requested.

Please review the Terms and Conditions listed on the enclosed MMAP Certificate. This Certificate may be suspended or revoked by NMFS for failure to comply with any of these Terms and Conditions. If you have any questions regarding MMAP registration or general questions about the MMAP and/or List of fisheries, please contact Rhonda McMichael at (907) 586-7236. For additional information, you can visit the NOAA Fisheries Service MMAP web page at <http://www.nmfs.noaa.gov/pr/interactions/mmap/>.

Sincerely,



James W. Balsiger, Ph.D.
Administrator, Alaska Region

National Marine Fishery Service

MARINE MAMMAL AUTHORIZATION PROGRAM

2012 AUTHORIZATION CERTIFICATE

A. Authorization:

Pursuant to Section 118 of the Marine Mammal Protection Act (MMPA) (16 U.S.C. 1387), the implementing regulations at 50 CFR Part 229, and subject to the terms and conditions below, NOAA's National Marine Fisheries Service (NMFS) issues this Authorization Certificate, which, when presented in combination with a current/valid state or Federal fisheries permit, authorizes the incidental, but not intentional, taking of non-endangered/threatened marine mammals while engaged in commercial fishing operations in the fisheries listed on the reverse side. This Authorization is valid for January 1, 2012 through December 31, 2012.

B. Terms and Conditions:

- ▶ All incidental mortality or injury of marine mammals occurring in the course of commercial fishing operations must be reported to NMFS within 48 hours after the end of each fishing trip in which the incidental mortality or injury occurred using the appropriate MMAP mortality/injury reporting form. For non-vessel or set net fisheries, reports must be submitted within 48 hours of tending gear or the next delivery of catch.
- ▶ This Authorization Certificate, or a photocopy of it, must be on board the vessel during commercial fishing operations. For non-vessel or set net fishing, this certificate must be in the possession of the permitted fishermen.
- ▶ Authorization Certificate holders must comply with any applicable take reduction plans and emergency regulations.
- ▶ If requested to do so by NMFS or a designated contractor providing observer services to NMFS, an Authorization Certificate holder must take aboard an observer to accompany the vessel on fishing trips. For non-vessel or set net fishing, the Authorization Certificate holder must allow observer access to fishing operations.
- ▶ When necessary to deter a marine mammal from damaging fishing gear, catch, other private property, or from endangering personal safety, the vessel owner, operator, or crew members may use measures which do not result in serious injury or mortality of the animal pursuant to the deterrence provisions of the Act.
- ▶ A marine mammal may not be intentionally killed in the course of commercial fishing operations except where imminently necessary in self defense or to protect the life of a person in immediate danger. Such lethal taking must be reported to NMFS within 48 hours after the end of each fishing trip in which the mortality occurred using the appropriate MMAP mortality/injury reporting form. For non-vessel or set net fisheries, reports must be submitted within 48 hours of tending gear or the next delivery of catch.
- ▶ Any marine mammal incidentally taken must be immediately returned to the sea unless directed otherwise by NMFS or a NMFS-authorized observer.
- ▶ Any person who violates these Terms and Conditions, regulations under 50 CFR Part 229, or any provisions of Section 118 of the MMPA shall be subject to the penalties set forth in the MMPA.
- ▶ This Authorization Certificate, or a copy, must be made available in combination with a current/valid state or federal fisheries permit, upon request to any state or Federal enforcement agent authorized to enforce the MMPA, any designated agent of NMFS, or any contractor providing observer services to NMFS.
- ▶ This certificate is not transferable. In the event of a change in vessel or fishing permit ownership, the Authorization Certificate is void and a new Authorization Certificate must be obtained by the new owner.
- ▶ If the registered vessel is sold or destroyed, or is replaced by a new designated vessel, an authorization must be obtained for the new vessel.
- ▶ If there are changes in the mailing address or vessel or permit ownership, the NMFS Alaska Regional Office, Protected Resources Division, must be notified of the change within 30 days at this address: PO Box 21668, 709 W 9th St, Juneau, Alaska 99802.

2012 List of Fisheries

Alaska Fisheries

CATEGORY I FISHERIES				
Management Authority	Gear	Area	Target Species	MMAP Fishery Code
None				
CATEGORY II FISHERIES				
Management Authority	Gear	Area	Target Species	MMAP Fishery Code
State	Drift Gillnet	Bristol Bay	Salmon	47
		Alaska Peninsula		08
		Cook Inlet		45
		Prince William Sound		06
		Southeast Alaska		15
	Set Gillnet	Bristol Bay		48
		Alaska Peninsula		19
		Kodiak Island		18
		Yakutat		16
		Cook Inlet		122
	Purse Seine	Cook Inlet		121
		Kodiak		120
Federal	Trawl	Bering Sea / Aleutian Islands	Flatfish	101
		Bering Sea / Aleutian Islands	Pollock	102
	Longline	Bering Sea / Aleutian Islands	Pacific Cod	104
	Pot	Bering Sea	Sablefish	105