

Bold = added language
Strikethrough = deleted language

Amendment 80 Component and Options

June 21, 2004 October 10, 2004

At the June 2004 meeting, the Council made some minor modifications to the components and options for Amendment 80a and 80b. They broadened all of the eligibility years for the <60' H&L/Pot catcher vessel sector to include 2003 and 2004 up to June 15, 2004. Options were added to exempt jig vessels and <60' H&L/Pot catcher vessels from eligibility requirements. A new Option 4.1 was added to Amendment 80b requiring at least 30 percent of eligible license to join a cooperative before it is allowed to operate (i.e., allow multiple cooperative). Finally, the Council added the IR/ITU Technical Committee's recommendations for revising the underutilized species threshold as additional options in Component 10. The Council is scheduled Amendment 80 for initial review in February 2005 and final action in April 2005.

Components and Options for Amendment 80.a—BSAI Sector Allocations

Issue 1: Sector Allocations of Groundfish in the BSAI

The following is a list of the sectors for purposes of groundfish and PSC apportionment:

Non-AFA Trawl CPs	AFA Trawl CPs	Non-AFA Trawl CVs	AFA Trawl CVs	Longline CPs
Pot CPs	Pot CVs	Longline CVs	Jig CVs	<60' H&L/Pot CV

Component 1 Identifies which species will be included in the sector allocations

Allocate only the following primary target species to the Non-AFA Trawl CP sector—Yellowfin sole, rock sole, flathead sole, Atka mackerel, AI POP, arrowtooth flounder and Alaska plaice. Species could be added or deleted through an amendment process.

Option 1.1 ~~Include all groundfish species except AFA allocated pollock and fixed gear sablefish.~~

Suboption 1.1.1 ~~Exclude certain species to prevent allocations that are so small that they preclude sectors from harvesting their allocation of species typically taken in directed fisheries. Allocations of species that are excluded would be allocated as they are under status quo, and managed as in the following component.~~

Option 1.2 ~~Include only the following target species—Pacific cod, yellowfin sole, rock sole, flathead sole, Atka mackerel, Greenland turbot, AI Pacific ocean perch. Species could be added or deleted through an amendment process. Allocations of species that are excluded would be allocated as they are under status quo, and managed as in the following component.~~

Suboption 1.2.1 ~~Sectors that do not participate in target fisheries for a species in this option would not be allocated sector specific apportionments for that species. These species would be managed as in the following component.~~

Component 2 Management of non-target species.

Option 2.1 Use the current management system.

Option 2.2 Use ICAs for all non-target species—ICAs would be managed with soft caps.

Option 2.3 Use ICAs for all non-target species—ICAs would be managed with hard caps.

Component 3 CDQ allocations for each species in the program (except pollock and fixed gear sablefish) shall be removed from the TACs prior to allocation to sectors at percentage amounts equal to one of the following.

Option 3.1 7.5%

Option 3.2 10%

Option 3.3 15%

~~Option 3.4 20%~~

Component 4 Identifies the sector allocation calculation (after deductions for CDQs). ~~Each of the species selected in Component 1 will be allocated to the sectors.~~

For purposes of allocation to the non-AFA trawl CP fishery, each primary species allocation will be based upon the years and percentage of average catch history selected in Component 5 using one of the following:

Option 4.1 Total legal catch of the sector over total legal catch by all sectors

Option 4.2 Retained legal catch of the sector over retained legal catch by all sectors

Option 4.3 Total legal retained catch over ABC

Option 4.4 Total legal catch over ABC

The remaining portion for primary species included in this program will be allocated to the BSAI open access fishery. Open access will include amounts to accommodate AFA sideboards and other fishery practices. Rules for the non-AFA trawl CP fishery include:

- 1. After each non-AFA trawl co-op has completed its allocated harvest, co-op members may fish in open access.**
- 2. Vessels other than non-AFA Trawl CP with appropriate LLP endorsements may fish in open access.**

~~Option 4.1 Each sector shall be allocated the percentage of the TAC that is equal to the sector's average of the annual harvest percentages, during the years specified in the following component. The sectors harvest is defined as that legal catch, taken by vessels when operating in the mode that defines the sector. These percentages will be calculated based on the method selected in Component 6.~~

~~Option 4.2 Each sector allocation of the TAC shall be based on a percentage rather than a set of years. (The intent of this option is to provide the Council with the ability to select an industry agreed percentage for allocative purposes rather than selecting a set of catch history years.)~~

Component 5 Sector Catch History Years

Option 5.1 1998–2002

Option 5.2 1999–2003

Option 5.3 1999–2004

Option 5.4 2000–2004

~~Option 5.1 1995–1997~~

- ~~Suboption 5.1.1 — Exclude AFA 9 catch history~~
- ~~Option 5.2 — 1995 2002~~
 - ~~Suboption 5.2.1 — Exclude AFA 9 catch history~~
 - ~~Suboption 5.2.2 — Exclude 2001 because of the biological opinion~~
- ~~Option 5.3 — 1995 2003~~
 - ~~Suboption 5.3.1 — Exclude AFA 9 catch history~~
 - ~~Suboption 5.3.2 — Exclude 2001 because of the biological opinion~~
- ~~Option 5.4 — 1998 2002~~
 - ~~Suboption 5.4.1 — Exclude AFA 9 catch history~~
 - ~~Suboption 5.4.2 — Exclude 2001 because of the biological opinion~~
- ~~Option 5.5 — 1998 2003~~
 - ~~Suboption 5.5.1 — Exclude AFA 9 catch history~~
 - ~~Suboption 5.5.2 — Exclude 2001 because of the biological opinion~~
- ~~Option 5.6 — 2000 2003 —~~
 - ~~Suboption 5.6.1 — Exclude 2001 because of the biological opinion~~

Component 6 ~~For purposes of apportionments, annual catch percentages will be defined using one of the following:~~

- ~~Option 6.1 — Total legal catch of the sector over total legal catch by all sectors~~
- ~~Option 6.2 — Retained legal catch of the sector over retained legal catch by all sectors~~

Component 7 ~~Options for determining Pacific cod allocations~~

~~Option 7.1 — Pacific cod shall be allocated in the same method used to allocate the other targeted species. This option would supercede all existing apportionments of Pacific cod in the BSAI, including splits among the fixed gear sectors. Pacific cod rollovers between sectors shall administered using regulations at the time of final Council action. Further, Pacific cod rollovers will continue to be hierarchical in nature flowing from the most precise definition of a sector to the next more inclusive definition before unused Pacific cod is reallocated to a different gear type.~~

- ~~Suboption 7.1.1 — The <60' catcher vessels fixed gear (pot and hook and line) sector and jig sector combined allocation from TAC (after CDQ apportionment) is to be:

 - ~~_____ a. 2%—~~
 - ~~_____ b. 3%—~~
 - ~~_____ c. 4%—~~~~
- ~~Suboption 7.1.2 — Jig sector will receive an allocation from the TAC (after CDQ apportionment).~~
- ~~Suboption 7.1.3 — a.<60' pot and hook and line catcher vessel sector will receive an allocation from TAC (after CDQ apportionment).~~

~~b. <60' pot and hook and line catcher vessel sector will receive an allocation from the fixed gear sector TAC as is done under existing regulations.~~

~~Apportionments to the jig and <60' pot and hook and line sectors under Suboption 7.1.2 and 7.1.3 shall not collectively exceed:—~~

- ~~_____ a. 2%~~
- ~~_____ b. 3%~~
- ~~_____ c. 4%~~

~~Option 7.2 Pacific cod shall be allocated based on apportions in regulation as modified by Amendment 77 with an additional split of the Trawl CP apportionment as follows:~~

- ~~_____ Non-AFA Trawl CPs will be allocated 18.3 percent of the Pacific cod TAC available after deduction for the CDQ program.~~
- ~~_____ AFA Trawl CPs will be allocated 5.2 percent of the Pacific cod TAC available after deduction for the CDQ program.~~

~~Pacific cod rollovers between sectors shall administered using regulations at the time of final Council action. Further, Pacific cod rollovers will continue to be hierarchical in nature flowing from the most precise definition of a sector to the next more inclusive definition before unused Pacific cod is reallocated to a different gear type (see footnote 3 for a description of the rollover procedures).~~

Issue 2: Sector Allocations of Prohibited Species Catch Limits in the BSAI

Component 8 PSC is allocated to the CDQ program as PSQ reserves (except herring) equal to one of the following:

- Option 8.1 7.5% of each PSC limit
- Option 8.2 8.5% of each PSC limit
- Option 8.3 10% of each PSC limit
- Option 8.4 Proportional to the CDQ allocation under Component 3 for each PSC limit

Component 9 Sector allocations of PSC limits (Council must choose one suboption from both Option 9.1 and 9.2 in order to apportion PSC to sectors).

Option 9.1 Apportion PSC to each fishery group that it has historically been accounted against (e.g, yellowfin sole, rockfish, rocksole/flathead sole/other, etc.).

- Suboption 9.1.1 Through annual TAC setting process (the current method) **with a new breakout for the Non-AFA Trawl CP sector.**
- Suboption 9.1.2 In proportion to the historic fishery group's apportionment using the most recent five years.
- ~~Suboption 9.1.3 In proportion to a 5-year rolling average of that fishery group's PSC allocations using the most recent five years.~~
- Suboption 9.1.4 In proportion to the actual amounts of PSC mortality attributed to the fishery group over a defined set of years.

- Option 9.2 Apportion PSC allotments made to fishery groups in Option 9.1 to sectors
- Suboption 9.2.1 In proportion to TAC allocated to the sector.
 - Suboption 9.2.2 In proportion to the PSC usage by the sector for the years used to determine the groundfish sector apportionments.
 - Suboption 9.2.3 In proportion to the total groundfish harvested by the sector for each PSC fishery group for the years used to determine the groundfish sector apportionments.
 - Suboption 9.2.4 In proportion to the target species harvested by the sector in that PSC fishery group for the years used to determine the groundfish sector apportionments.
- Option 9.3 Select a PSC reduction option from the following that would apply to any PSC apportionment suboption selected in 9.2. PSC reduction options can vary species by species, and sector by sector.
- Suboption 9.3.1 Reduce apportionments to 60% of calculated level.
 - Suboption 9.3.2 Reduce apportionments to 75% of calculated level.
 - Suboption 9.3.3 Reduce apportionments to 90% of calculated level.
 - Suboption 9.3.4 Reduce apportionments to 95% of calculated level.
 - Suboption 9.3.5 Do not reduce apportionments from calculated level.

Non-AFA Trawl CP cooperative members may carry unused PSC from co-ops into the open access fishery.

Issue 3 — ~~Underutilized Species Threshold~~

~~**Component 10** For species that may have TAC (amounts) available in excess of historical harvest amounts, sector allocations may apply only to the historical harvest threshold (utilization threshold). TAC amounts in excess of such thresholds would be available to sectors whose ability to harvest that TAC exceeds its sector allocation of that species.~~

~~Option 10.1 — Species that would be assigned an utilization threshold:~~

- ~~Suboption 10.1.1 — Rock sole~~
- ~~Suboption 10.1.2 — Yellowfin sole~~
- ~~Suboption 10.1.3 — Flathead sole~~
- ~~Suboption 10.1.4 — Alaska Plaice~~
- ~~Suboption 10.1.5 — Rock sole, yellowfin sole, flathead sole in aggregate~~
- ~~Suboption 10.1.6 — Rock sole, yellowfin sole, flathead sole, and Alaska Plaice in aggregate~~

~~Option 10.2 — Options for determining utilization threshold for each species or complex (Council must select one from each of the following suboptions in order to establish utilization threshold):~~

- ~~Suboption 10.2.1 — Average threshold percentage will be based on:~~
 - ~~a. Total catch~~
 - ~~b. Retained catch~~
- ~~Suboption 10.2.2 — Threshold percentage of average catch will be:~~

- ~~_____ a. 100%~~
- ~~_____ b. 125%~~
- ~~_____ c. 150%~~

~~_____ Suboption 10.2.3 _____ Years for determining the average catch will be:~~

- ~~_____ a. 1995-1998~~
- ~~_____ b. 1995-2002~~
- ~~_____ c. 1998-2002~~
- ~~_____ d. 2000-2003~~

~~Option 10.3 _____ For yellowfin sole, threshold will be:~~

~~_____ Suboption 10.3.1 _____ Threshold established in Option 10.2~~

~~_____ Suboption 10.3.2 _____ One of the following poundage thresholds:~~

- ~~_____ a. 125,000 mt~~
- ~~_____ b. 150,000 mt~~
- ~~_____ c. 175,000 mt~~

~~Option 10.4 _____ Allocate the threshold reserve to the trawl sectors and between AFA and non-AFA sectors using one of following suboptions:~~

~~_____ Suboption 10.4.1 _____ Catcher vessels at 25% and catcher processors at 75%~~

~~_____ • Allocations within the catcher vessel sectors~~

- ~~_____ i. _____ AFA at 24% and non AFA at 1%~~
- ~~_____ ii. _____ AFA at 22% and non AFA at 3%~~
- ~~_____ iii. _____ AFA at 20% and non AFA at 5%~~

~~_____ • Allocations within the catcher processor sectors~~

- ~~_____ i. _____ AFA at 25% and non AFA at 50%~~
- ~~_____ ii. _____ AFA at 37.50% and non AFA at 37.5%~~
- ~~_____ iii. _____ AFA at 50% and non AFA at 25%~~

~~_____ Suboption 10.4.2 _____ Catcher vessels at 50% and catcher processors at 50%~~

~~_____ • Allocations within the catcher vessel sectors~~

- ~~_____ i. _____ AFA at 47% and non AFA at 3%~~
- ~~_____ ii. _____ AFA at 45% and non AFA at 5%~~
- ~~_____ iii. _____ AFA at 42.5% and non AFA at 7.5%~~

~~_____ • Allocations within the catcher processor sectors~~

- ~~_____ i. _____ AFA at 12.5% and non AFA at 37.5%~~
- ~~_____ ii. _____ AFA at 25% and non AFA at 25%~~
- ~~_____ iii. _____ AFA at 37.5% and non AFA at 12.5%~~

~~_____ Suboption 10.4.3 _____ Catcher vessels at 75% and catcher processors at 25%~~

- Allocations within the catcher vessel sectors
 - i. AFA at 72% and non AFA at 3%
 - ii. AFA at 70% and non AFA at 5%
 - iii. AFA at 67.5% and non AFA at 7.5%
- Allocations within the catcher processor sectors
 - i. AFA at 6.25% and non AFA at 18.5%
 - ii. AFA at 12.5% and non AFA at 12.5%
 - iii. AFA at 18.75% and non AFA at 6.5%

~~Option 10.5 PSC Transfers:~~

- ~~Suboption 10.5.1 (Status quo) PSC may not be transferred.~~
- ~~Suboption 10.5.2 PSC may be transferred within cooperatives and between operatives in the same sector.~~

~~Option 10.6 Rollover options for yellowfin sole threshold reserve:~~

- ~~Suboption 10.6.1 No rollover provisions for projected unharvested yellowfin sole threshold reserve.~~
- ~~Suboption 10.6.2 Any unharvested portion of the yellowfin sole threshold reserve that is projected to remain unused by a specified date shall be reallocated to the other trawl sectors. Further, yellowfin sole rollovers will be hierarchical in nature flowing to the sector most similar to the relinquishing sector before flowing to less similar sectors.~~

Issue 4 Eligibility to Participate in a Sector

Component 11 ~~Except as provided in component 13, a LLP license holder will be determined to be eligible for a given sector if they have proper area, gear, vessel type, and vessel length endorsements and meet minimum legal landings requirements (see the next component) in the years selected from the following:~~

- ~~Option 11.1 1995-1997~~
- ~~Option 11.2 1995-2002~~
- ~~Option 11.3 1997-2002~~
- ~~Option 11.4 1998-2002~~
- ~~Option 11.5 1999-2002~~
- ~~Option 11.6 2000-2002~~
- ~~Option 11.7 For <60' H&L/Pot CV sector~~
 - ~~a. 1996-June 15, 2004~~
 - ~~b. 1997-June 15, 2004~~
 - ~~c. 1998-June 15, 2004~~
 - ~~d. 1999-June 15, 2004~~
 - ~~e. 2000-June 15, 2004~~

~~_____ f. 2001 June 15, 2004~~

~~_____ g. 2002 June 15, 2004~~

~~Suboption 11.7.1 Exempt jig vessels and <60' fixed gear catcher vessels from minimum landings requirements.~~

~~_____ Suboption 11.7.2 Exempt jig vessels from qualifying years.~~

Component 12 ~~A holder of a license with the proper endorsements will be determined to be eligible for a given sector if, during the previously specified sets of years the vessel meets the minimum legal landings criteria selected from the following:~~

~~Option 12.1 At least one landing~~

~~Option 12.2 50 MT~~

~~Option 12.3 100 MT~~

~~Option 12.4 250 MT~~

~~Option 12.5 500 MT~~

~~Option 12.6 1,000 MT~~

~~Option 12.7 For <60' H&L/Pot CV sector~~

~~_____ a. At least one landing~~

~~_____ b. 5 MT~~

~~_____ c. 10 MT~~

~~_____ d. 20 MT~~

~~_____ e. 50 MT~~

~~Suboption 12.7.1 Exempt jig vessels and <60' fixed gear catcher vessels from minimum landings requirements.~~

~~Suboption 12.7.2 Exempt jig vessels from minimum landings requirements.~~

Component 13 ~~Eligibility to participate in the BSAI Pacific cod fishery for the pot and hook and line vessels greater than or equal to 60' will be based on one of the following options:~~

~~Option 13.1 Requirements established in Components 11 and 12.~~

~~Option 13.2 Requirements established in Amendment 67.~~

Components and Options for Amendment 80.b—Establishment of a Non-AFA Trawl CP Cooperative Program

Component 1 Identifies which species will be allocated among to the non-AFA trawl catcher processor sector cooperative under this program to include all groundfish species allocated under Amendment 80A.

~~Option 1.1~~ ~~Include all groundfish species allocated under amendment 80A for which trawling is allowed, except pollock (already allocated to AFA fishery cooperatives).~~

~~Suboption 1.1.1~~ ~~Exclude certain species to prevent allocations that are so small that they preclude persons from harvesting their allocation of species that are typically taken in directed fisheries. Allocations of groundfish species that are excluded would be regulated as they are under the status quo.~~

~~Option 1.2~~ ~~Include only the following target species—Pacific cod, yellowfin sole, rock sole, flathead sole, Atka mackerel, Greenland turbot, Al Pacific Ocean perch. Species could be added or deleted through an amendment process. Allocations of groundfish species that are excluded would be regulated as they are under the status quo.~~

Component 2 Establishes procedures for reducing prohibited species catch limits for the non-AFA Trawl CPs Sector. *Options selected from this component would be in addition to those PSC options selected in Component 9 from Amendment 80a.*

Option 2.1 No change in overall amount of the current PSC limits.

Option 2.2 Reductions in the PSC limit for halibut is accomplished by taxing in-season non-permanent transfers of PSC within the cooperative. The halibut PSC limit is restored to its original level the following year

Suboption 2.2.1 Transfers of PSC after August 1 are not taxed .

Suboption 2.2.2 Only un-bundled transfers of PSC are taxed.

Option 2.3 Reduce halibut PSC limits by 5% when PSC limits are linked to estimated biomass levels.

Component 3 Identifies the license holders that are in the non-AFA trawl CP sector which would receive Sector Eligibility Endorsements. (It may be that some license holders identified as part of the sector in Amendment 80a, may not be issued Sector Eligibility Endorsements. License holders that do not meet the criteria identified in this component will not be eligible to participate in the cooperative or open access components of the fisheries included in the program.) Non-AFA qualified license holders with a trawl and catcher processor endorsement would be issued a Sector Eligibility Endorsement that will be attached to that holder's LLP identifying it as a member of the non-AFA Trawl CP Sector. **Only vessels that qualify for a Sector Eligibility Endorsement may participate in cooperatives under this program.**

Option 3.1 Qualified license holders must have caught 500 mt. of groundfish with trawl gear and processed that fish between 1998-2002

Option 3.2 Qualified license holders must have caught 1,000 mt. of groundfish with trawl gear and processed that fish between 1998-2002

~~Option 3.3~~ ~~Qualified license holders must have caught 500 mt. of groundfish with trawl gear and processed that fish between 1997-2002~~

~~Option 3.4~~ ~~Qualified license holders must have caught 1,000 mt. of groundfish with trawl gear and processed that fish between 1997-2002~~

Component 4 Establishes the percentage of eligible licenses that must join a cooperative before the cooperative is allowed to operate. **There may be more than one cooperative formed.** No later than December 1 of each year, an application must be filed with NOAA fisheries by the cooperative with a membership list for the year. In order to operate as a cooperative, members, as a percent of eligible LLP licenses with non-AFA Trawl CP endorsement, must be:

Option 4.1 At least 30 percent

~~Option 4.2~~ ~~At least 51 percent~~

Option 4.3 At least 67 percent

~~Option 4.4~~ ~~At least 75 percent~~

~~Option 4.5~~ ~~At least 80 percent~~

~~Option 4.6~~ ~~At least 90 percent~~

Option 4.7 At least 100 percent

Option 4.8 All less one distinct and separate harvesters using the 10 percent threshold rule.

Component 5 Determines the method of allocation of PSC limits and groundfish between the cooperative and open access pools.

Option 5.1 Catch history is based on total catch

Option 5.2 Catch history is based on total retained catch

Component 6 Determines which years of catch history are used **for establishing cooperative allocations in the calculation.** The allocation of groundfish between the cooperative and open access pool is proportional to the catch history of groundfish of the eligible license holders included in each pool. Applicable PSC limits are allocated between the cooperative and open access pool in same proportions as those species that have associated PSC limits. The catch history as determined by the option selected under this component will be indicated on the Sector Eligibility Endorsement which indicates the license holder's membership in the Non-AFA Trawl CP Sector. The aggregate histories will then applied to either the cooperative or the open access pool.

~~Option 6.1~~ ~~1995-2002, but each license holder drops its lowest annual catch during this period~~

~~Option 6.2~~ ~~1995-2003, but each license holder drops its lowest annual catch during this period~~

Option 6.3 1998-2002, but each license holder drops its lowest annual catch during this period

Suboption 6.3.1 Each license holder does not drop its lowest annual catch during this period

Option 6.4 1998-2003, but each license holder drops its lowest annual catch during this period

Suboption 6.4.1 Each license holder drops two years during this period

- Option 6.5 1999-2002, but each license holder drops its lowest annual catch during this period
- Option 6.6 1999-2003, but each license holder drops its lowest annual catch during this period
- Component 7** Determines if excessive share limits are established in the non-AFA trawl catcher processor sector.
- Option 7.1 There is no limit on the consolidation in the non-AFA trawl catcher processor sector.
- Option 7.2 Consolidation in the non-AFA trawl CP sector is limited such that no single company can hold more than a fixed percentage of the overall sector apportionment history. The cap will be applied across the total allocation to the sector of all species combined. The cap will be applied using the individual and collective rule. Persons (individuals or entities) that exceed the cap in the initial allocation would be grandfathered.
- Component 8** Establishes measures to mitigate negative impacts of the cooperative on fisheries not included in the cooperative program (e.g. fisheries in the GOA).
- Option 8.1 Sideboards for ~~cooperative members~~ **the non-AFA trawl CP sector** would be established by regulation using the same years used to calculate the apportionment of PSC and groundfish between the ~~cooperative~~ **non-AFA trawl CP sector** and open access pool until such time as these other fisheries are rationalized, when the allocations determined in these newly rationalized fisheries.
- ~~Option 8.2 The cooperative is required to prohibit members in the aggregate from exceeding their maximum percent of harvests in other target fisheries. Sideboards would not be established by regulation. This restriction would be discussed in the annual report of the cooperative submitted to the Council and NOAA Fisheries.~~

Other Elements of Amendment 80b

This section provides additional specifics and elements for the non-AFA trawl catcher processor cooperative program. These specifics and elements are common for any cooperative program that might be developed.

- The cooperative program developed in Amendment 80b will not supersede pollock and Pacific cod IRIU programs.
- The Groundfish Retention Standards (GRS) (Amendment 79) will be applied to the cooperative as an aggregate and on those vessels who do not join a cooperative as individuals. If the cooperative, **in the aggregate**, cannot meet the standard ~~in the aggregate~~ over a period of two years then the ~~standard~~ **GRS for the current year** would be imposed on individual vessels within the cooperative.
- Non-AFA trawl catcher processor sector participants that elect not to join a cooperative will be subject to all current regulations including all restrictions of the LLP and the GRS if approved.
- All qualified license holders participating in the fisheries of the non-AFA trawl catcher processor sector will need to have trawl and catcher processor endorsements with general licenses for BSAI and the additional sector eligibility endorsement. Length limits within the license will also be enforced such that any new vessel entering the fishery may not exceed the Maximum Length Overall (MLOA) specified on the license.

- Permanent transfers of Sector Eligibility Endorsements will be allowed if transferred with the associated Groundfish LLP. Sector Eligibility Endorsement, the associated groundfish LLP license, and associated catch histories would not be separable or divisible. All transfers must be reported to NOAA Fisheries in order to track who owns the Sector Eligibility Endorsements. The purchaser must be eligible to own a fishing vessel under MarAd regulations or must be a person who is currently eligible to own a vessel.
- Annual allocations to the cooperative will be transferable among cooperative members. Such transfers would not need to be approved by NOAA Fisheries. Any member of the cooperative will be eligible to use the catch history of any other member regardless of vessel length limitations of the LLP that carries the catch history.
- Any non-trawl or non-BSAI catches by qualified license holders that are considered part of the non-AFA Trawl CP Sector will not be included in the defined cooperative program. In addition, these non-trawl or non-BSAI catches allocated to the non-AFA trawl catcher processor sector would not necessarily be excluded from other rationalization programs.
- All catch history used for allocation and eligibility purposes will be legal and documented catch.
- Disposition of groundfish species not allocated to the non-AFA trawl catcher processor sector will not change as a result of the cooperative program developed in Amendment 80b.
- The developed cooperative program will limit its scope to selected groundfish and prohibited species catches with trawl gear by qualified license holders in the non-AFA trawl catcher processor sector in the BSAI. Groundfish species not included in the program as well as other non-specified fish species or marine resources will not be explicitly managed within the defined cooperative program. The defined cooperative program would not supersede existing regulations regarding these other marine resources.
- PSC limits for the following species will be created and allocated between the non-AFA trawl catcher processor cooperative(s) and those sector participants that elect not to join a cooperative.
 - BSAI non-AFA trawl catcher processor multi-species halibut cap consisting of an apportionment of species identified in Component 1.
 - BSAI non-AFA trawl catcher processor multi-species red king crab cap consisting of an apportionment of the current Pacific cod trawl cap and caps for the flatfish fisheries.
 - BSAI non-AFA trawl catcher processor multi-species snow crab (*C. opilio*) cap consisting of an apportionment of the current Pacific cod trawl cap and caps for the flatfish fisheries (includes apportionments of the trawl sablefish/turbot/arrowtooth limits).
 - BSAI non-AFA trawl catcher processor multi-species Tanner crab (*C. bairdi*) Zone 1 cap consisting of an apportionment of the current Pacific cod trawl cap and caps for the flatfish fisheries.
 - BSAI non-AFA trawl catcher processor multi-species Tanner crab (*C. bairdi*) Zone 2 cap consisting of an apportionment of the current Pacific cod trawl cap and caps for the flatfish fisheries.
- Bycatch limits for non-specified species or marine resources specifically for this program will not be established. However, should unreasonable bycatch or other interactions occur, specific regulations to minimize impacts will be considered.
- The cooperative(s) will have adequate internal rules. Evidence of binding private contracts and remedies for violations of contractual agreements will be provided to NOAA Fisheries. The cooperative must demonstrate an adequate mechanism for monitoring and reporting prohibited

species and groundfish catch. Participants in the cooperative must agree to abide by all cooperative rules and requirements.

- Specific requirements for reporting, monitoring and enforcement, and observer protocols will be developed in regulations for participants in the cooperative program and will not be the purview of the cooperative. The Council and the non-AFA trawl catcher processor sector should specify their goals and objectives for in-season monitoring and program evaluation. Recordkeeping and reporting portions of the program can then be developed to ensure that goals and objectives of the program are met in a cost effective manner.
- A detailed annual report will be required from cooperative(s) formed. Fishery managers will review the annual report and determine if the program is functioning as desired. It is recommended that in-depth assessments of program be undertaken under the auspices of the Council/NOAA Fisheries periodically (for example, every five years). In-depth studies will report the accomplishments of the program and indicate whether any changes are necessary.
- An economic and socioeconomic data collection initiative will be developed and implemented under the Non-AFA Trawl CP Cooperative Program. The collection would include cost, revenue, ownership, and employment data on a periodic basis to provide the information necessary to study the impacts of the program. **This program will be similar to the data collection program in the BSAI crab rationalization program.** Details of the collection will be developed in the analysis of the alternatives.