



NOAA FISHERIES

Sustainable Fisheries Alaska Region

Amendment 80 Checklist

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This Small Entity Compliance Guide satisfies the Small Business Regulatory Enforcement Fairness Act of 1996 that requires a plain language guide to assist small entities. If you are required to comply with the regulations, you should consult and rely on the actual regulatory text. We cite the Code of Federal Regulations (CFR) throughout this document, and provide citations for specific regulations for your reference. These regulations are available online at the electronic CFR (eCFR) [Web site](#),¹ which is updated more frequently.

The Amendment 80 regulations can be found under Title 50, Part 679. An easier to read version of the regulations is available on the NMFS Alaska Region Sustainable Fisheries Division [Web site](#);² however, it is important to note that these regulations are not updated regularly.

The regulations in the CFR take precedence if a discrepancy occurs between them and the information in this guide or the version on the Alaska Region Web site.

¹ Electronic Code of Federal Regulations: <http://www.ecfr.gov/>

² Alaska Fisheries Regulations: <http://alaskafisheries.noaa.gov/fisheries-679regs>

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Applications and Reports

Applications

- Application for quota share (QS) due October 15 prior to the fishing year for which the applicant is applying. You only need to submit an Application for QS once. [§ 679.90]
- Annual Application for Amendment 80 Cooperative/Limited Access Fishery due November 1 each year. If you do not submit an application, your QS, vessel, and Amendment 80 LLP license will be assigned to the Amendment 80 limited access fishery for the year following the application. [§ 679.91]

Economic Data Reports (EDR)

- All Amendment 80 QS holders must submit an EDR for the fishing year by June 1 after each fishing year. [§ 679.94]

Amendment 80 Annual Cooperative Report

- All Amendment 80 cooperatives must submit an annual report by March 1 after each fishing year. [§ 679.5]

Vessel Operator Requirements

General Recordkeeping and Reporting

- Maintain a valid Federal Fisheries Permit onboard an Amendment 80 vessel at all times. [§ 679.4]
- Maintain a valid Amendment 80 LLP license onboard an Amendment 80 vessel at all times. [§ 679.4]
- If fishing for an Amendment 80 cooperative – maintain a copy of the Amendment 80 cooperative quota (CQ) permit onboard at all times the vessel is fishing in the BSAI. [§ 679.4]
- If fishing for the Amendment 80 limited access fishery – maintain a copy of the Amendment 80 limited access fishery permit onboard at all times the vessel is fishing in the BSAI. [§ 679.4]
- Submit a U.S. Vessel Activity Report (as required) [§ 679.5]
- Maintain Electronic Logbook (as required). [§ 679.5(f)(1)(ix)] **Catcher/processors and motherships required to weigh catch on a NMFS-approved scale must use a NMFS approved ELB (Electronic Logbook). The vessel operator must ensure that each scale is tested as specified in § 679.28(b)(3) and that the following information from all scale tests, including failed tests, is reported within 24 hours of the testing using the ELB.**
- Submit processor check-in/check-out reports (as required). [§ 679.5]
- Submit a product transfer report (as required). [§ 679.5]
- Submit Daily Production Report (as required) via eLandings -- replaces the Weekly Production Report. [§ 679.5]
- Maintain operational vessel monitoring system (VMS) while fishing. [§ 679.28]
- VMS Check-in Report (Submit prior to first departure). [§ 679.28]
- At-sea scale inspection (Acquire in Dutch Harbor, Kodiak, or Puget Sound prior to commencing fishing). [§ 679.28]
- Observer sampling station inspection (Acquire in Dutch Harbor, Kodiak, or Puget Sound prior to fishing). [§ 679.28]
- Bin monitoring inspection (Required for line-of-sight and video bin monitoring) – may be combined with observer sampling station inspection (Acquire in Dutch Harbor, Kodiak, or Puget Sound prior to fishing). [§ 679.28]
- Ensure compliance with all state regulations [See appropriate State of Alaska, or other applicable state regulations]

Operational Requirements for the BSAI

- Only the vessels listed in regulation [Table 31 to part 679], or an approved replacement vessel can be used as trawl catcher/processors to directed fish for Amendment 80 allocations of Atka mackerel, flathead sole, Greenland turbot, Pacific cod, Pacific ocean perch, rock sole, or yellowfin sole.
- Maintain an operational NMFS-certified flow scale at all times and weigh all groundfish on the scale. [§ 679.93]
- Conduct daily scale tests that are monitored by the observer and maintain testing records. [§ 679.28]

- Weigh each haul separately. [§ 679.7]
- No mixing of hauls, processing, or discarding fish prior to being made available for observer sampling. [§ 679.7]
- Maintain an observer sampling station approved by NMFS at all times. [§ 679.93]
- Maintain a bin monitoring system approved by NMFS at all times – either option 1: no crew in bins; option 2: line-of-sight; or option 3: video. If an observer determines a line-of-sight or video bin monitoring system is inadequate, the vessel operator must use option 1, and inform the observer if crew are entering the fish bin and given an opportunity to observe the activities in the bin. [§ 679.93]
- Call NMFS (907-271-1702) at least 24 hours prior to departure if the vessel is carrying an observer who has not been on the vessel within the last 12 months. NMFS may choose to arrange a pre-cruise meeting with the vessel skipper or manager and other observers. [§ 679.93]
- Have two observers, one of whom is lead level 2, onboard at all times vessel is fishing or processing (except when in the scallop fishery). [§ 679.51(a)(2)(vi)(C)]
- Ensure the vessel has no more than one operational line between the scale and the point at which the observer collects species samples. [§ 679.93]
- Ensure that no fish are on deck unless an observer is present (fish accidentally spilled from the codend must be moved into the fish bin). [§ 679.93]
- Ensure storage space for 10 observer sampling baskets near the observer sampling station. [§ 679.93]
- Stop the flow of fish and clear belts between the fish bin doors and the point where the observer collects samples when requested by the observer. [§ 679.93]
- Have a valid USCG Commercial Fisheries Safety Decal. [§ 679.51(e)(1)(ii)(B)(1)]

Operational Requirements for the GOA

(See § 679.93 for requirements for the F/V GOLDEN FLEECE)

- No mixing of hauls prior to observer sampling. [§ 679.93]
- Have one observer onboard at all times vessel is fishing or processing (except when in the scallop fishery or Rockfish program). [§ 679.51] Ensure the vessel has no more than one operational line between the scale and the point at which the observer collects species samples. [§ 679.93]
- Ensure that no fish are on deck unless an observer is present (fish accidentally spilled from the codend must be moved into the fish bin). [§ 679.93]
- Stop the flow of fish and clear belts between the fish bin doors and the point where the observer collects samples when requested by the observer. [§ 679.93]
- Maintain a bin monitoring system approved by NMFS at all times. If an observer determines a video or line-of-sight bin monitoring system is inadequate, the observer must be informed if crew are entering the fish bin and given an opportunity to observe the activities in the bin. [§ 679.93]
- USCG Commercial Fisheries Safety Decal. [§ 679.51(e)(1)(ii)(B)(1)]

Steller Sea Lion Requirements

- All existing Steller sea lion protection measures continue to apply to Amendment 80 vessels.

- Amendment 80 vessels fishing in areas that are closed to directed fishing for Atka mackerel and Pacific cod under Steller sea lion protection measures cannot retain an amount of a species or species group on board a vessel that is greater than the maximum retainable amount for that species or species group [§ 679.22]
- Amendment 80 vessels are subject to Atka mackerel harvest limitations. [§ 679.20]

Cooperative Fishing Requirements

- Cooperatives must stay within the limits of their CQ permits in the BSAI for all Amendment 80 species (i.e., AI Pacific ocean perch, Atka mackerel, flathead sole, rock sole, Pacific cod, yellowfin sole) & halibut PSC and crab PSC [§ 679.7]
- No catching fish assigned to the BSAI trawl limited access fishery. [§ 679.7]
- No catching, processing, or receiving fish assigned to another Amendment 80 cooperative, or the Amendment 80 limited access fishery. (OK to receive and process, but not catch, fish from vessels in the BSAI trawl limited access fishery). [§ 679.7]
- Ensure that hauls for a CDQ allocation are recorded as CDQ hauls, and hauls for the cooperative are recorded as Amendment 80 cooperative hauls. Make sure that the observer is aware of this. [§ 679.5]
- Ensure that codends received from Amendment 80 vessels in the same cooperative are clearly recorded as being delivered by cooperative vessels, and codends received from BSAI trawl limited access vessels are clearly recorded as delivered by BSAI trawl limited access vessels. Make sure the observer is aware of any “over the side” codend deliveries. [§ 679.5]
- Cooperative members are jointly and severally liable for violations of Amendment 80 regulations. Contact your cooperative manager if you have questions. [§ 679.92]
- Review any cooperative contracts and agreements prior to fishing.

Amendment 80 Limited Access Fishing Requirements

- NMFS will manage the Amendment 80 limited access fishery conservatively to stay within its allocation of Amendment 80 species, halibut PSC, and crab PSC. Pay attention to your directed catch and incidental catch needs. [§ 679.7]
- No catching fish assigned to the BSAI trawl limited access fishery. [§ 679.7]
- No catching, processing, or receiving fish assigned to an Amendment 80 cooperative. (OK to receive and process, but not catch, fish from vessels in the BSAI trawl limited access fishery). [§ 679.7]
- Ensure that hauls for a CDQ allocation are recorded as CDQ hauls, and hauls for the cooperative are recorded as Amendment 80 cooperative hauls. Make sure that the observer is aware of this. [§ 679.5]
- Ensure that any codends received from other Amendment 80 vessels in the Amendment 80 limited access fishery are clearly recorded as being delivered from other Amendment 80 limited access vessels and any codends received from BSAI trawl limited access vessels are clearly recorded as coming from BSAI trawl limited access vessels. Make sure the observer is aware of any “over the side” codend deliveries. [§ 679.5]

Use Caps and Sideboard Limits

- No Amendment 80 vessel can catch more than 20 % of the aggregate ITAC assigned to the Amendment 80 sector. (This amount varies each year, and is available from NMFS). [§ 679.92]
- All Amendment 80 vessels are limited to GOA sideboard limits for pollock, Pacific cod, northern rockfish, Pacific ocean perch, and pelagic shelf rockfish. (The amount of the sideboard limit will vary each year, and is available from NMFS). [§ 679.92]
- All Amendment 80 vessels, except the F/V GOLDEN FLEECE, are subject to seasonal halibut PSC sideboard limits for the deep water and shallow water species fisheries. Once these PSC sideboard limits are reached for a species fishery, directed fishing in that fishery is closed for the remainder of that season. Special exemptions are made for Amendment 80 vessels fishing under a Rockfish Program CQ permit in the Central GOA, or Amendment 80 vessels used in the scallop fishery. [§ 679.92]
- The F/V GOLDEN FLEECE is prohibited from directed fishing in the GOA for pollock, Pacific cod, northern rockfish, Pacific ocean perch, and pelagic shelf rockfish. [§ 679.92]
- Only those Amendment 80 vessels listed in regulation can directed fish for flatfish in the GOA. [Table 39 to part 679]
- No person can hold more than 30% of the aggregate Amendment 80 QS pool, unless specific “grandfather provisions” are met. (The QS holding limit is available from NMFS). [§ 679.92]

Contact Information

- Check the NMFS Alaska Region website at <http://alaskafisheries.noaa.gov/> for information and updates on the Amendment 80 Program, Cooperative CQ amounts, Amendment 80 limited access fishery ITAC amounts, Status of Fisheries, GOA sideboard limit amounts, and other information.
- General Amendment 80 Program questions: Sustainable Fisheries (907) 586-7228
- General enforcement questions (NMFS): Jaclyn Smith (907) 271-1869 (Jaclyn.Smith@noaa.gov) or Brent Pristas (907) 486-3298 (Brent.Pristas@noaa.gov)
- At-sea scale certification: Jennifer Watson (907) 586-7537, jennifer.watson@noaa.gov
- Bin monitoring & Observer sampling station certification: Marlon Concepcion (206) 526-4007, station.inspections@noaa.gov
- Recordkeeping & Reporting & E-landings: Suja Hall suja.hall@noaa.gov or Patsy Bearden patsy.bearden@noaa.gov
- Inseason management: Mary Furuness mary.furuness@noaa.gov, Steve Whitney steven.whitney@noaa.gov, Obren Davis Obren.Davis@noaa.gov, Josh Keaton josh.keaton@noaa.gov, Krista Milani krista.milani@noaa.gov, or all at (907) 586-7228.
- QS, CQ, and Amendment 80 limited access fishery applications, transfers, and account balance information: Restricted Access Management, Phone: (800) 304-4846, Fax: (907) 586-7354.

Amendment 80 Notebook

- (1) Do you have all necessary permits onboard your vessel?

Include a tab in your onboard notebook with all necessary permits.

Example: FFP, LLP license, CQ or Amendment 80 limited access permit, State of Alaska permits and registrations, etc.

- (2) Do you have all your monitoring and enforcement information?

Include a tab in your notebook with all necessary information.

Example: Scale inspection information, bin monitoring and observer station certification, etc.

- (3) Have you submitted all necessary reports as needed?

Include a tab in your notebook with all necessary report information.

Example: eLandings reports, logbook, processor check-in/check-out reports, etc.

- (4) Have you checked Steller sea lion protection measure regulations?

Include a tab in your notebook showing regulations.

Example: Closure areas, directed fishing limitations, etc.

- (5) Have you met the requirements of your cooperative?

Include a tab in your notebook.

Example: Fishing plans, communications and reporting requirements, etc.

- (6) Have you met all U.S. Coast Guard Safety Requirements?

Include a tab in your notebook

Example: USCG Commercial Fishing Safety Decal, other weight and balance information, etc.

- (7) Are there any other permits or requirements you need to meet?

Check the regulations and include that information in the appropriate tab in your notebook, or include a new tab.