AMENDMENT 50 - TEXT TO AMEND THE FMP FOR GROUNDFISH OF THE GULF OF ALASKA

1. In chapter 2 entitled "Goals and Objectives", the following sections are amended:

Under Section 2.2 entitled "Operational Definition of Terms", the definition "Salmon Donation Program" is removed. The definition "Prohibited Species Donation Program" is added and the definitions "Prohibited Species" and Prohibited Species Catch are amended as follows:

Prohibited Species are those species and species groups the catching of which must be avoided while fishing for groundfish and which must be immediately returned to sea with minimum of injury when caught and brought aboard except when their retention is authorized by other applicable law (see Prohibited Species Donation Program defined in this section).

Prohibited Species Catch (PSC) is nonretainable catch. It can take the form of a prohibited or nongroundfish species and/or as a fully utilized groundfish species captured incidentally in groundfish fisheries. Such catch must be recorded and returned to sea with a minimum of injury except as provided in the Prohibited Species Donation Program. A PSC limit is an apportioned, nonretainable amount of fish provided to a fishery for bycatch purposes. PSC limits of groundfish may be provided to JVP and TALFF when the species is fully utilized by the wholly domestic fishery (i.e. DAP=TAC).

Prohibited Species Donation Program The Prohibited Species Donation Program authorizes the distribution of Prohibited Species taken as bycatch in the groundfish trawl fisheries off Alaska to economically disadvantage individuals through a NMFS authorized distributor selected by the Regional Administrator in accordance with Federal regulations that may be implemented under the FMP. The Prohibited Species Donation Program applies to the following species:
(1) Pacific Salmon
(2) Pacific halibut

2. In Chapter 4, entitled "MANAGEMENT MEASURES" Section 4.2.3 "Prohibited species catch limits and adjustments to control Pacific halibut bycatch", the first paragraph is amended to read as follows:

4.2.3 Prohibited species catch limits and adjustments to control Pacific halibut bycatch

The Council believes that discarding incidental catches of fish is wasteful and should be minimized. However, recognizing that in the groundfish fisheries halibut incidentally caught are managed outside this FMP, the treatment of halibut as a
prohibited species is appropriate in the short term. Except as provided under the prohibited species donation program, retention of prohibited species captured while harvesting groundfish is prohibited to prevent covert targeting on these species. The prohibition removes the incentive that groundfish fishermen might otherwise have to target on the relatively high valued prohibited species, and thereby, results in a lower incidental catch. It also eliminates the market competition that might otherwise exist between domestic halibut fishermen and groundfish fishermen who might land halibut in the absence of the prohibition.

(remaining paragraphs stay the same)

2. In Chapter 4, entitled "MANAGEMENT MEASURES", Section 4.3.1.2.1 entitled "catch restrictions" the first paragraph is amended to read as follows:

This FMP authorizes the commercial harvest of species listed in Chapter 3.1 of this plan. Species identified as prohibited must be avoided while fishing groundfish and must be immediately returned to the sea with a minimum of injury when caught and brought aboard, except when their retention is authorized by other applicable law (see Prohibited Species Donation Program). Prohibited species are Pacific halibut, Pacific herring, Pacific salmon, steelhead trout, king crab and Tanner crab. Commercial fishing is authorized during the fishing year unless otherwise specified in the FMP.

(remaining paragraph stays the same)
AMENDMENT 50 - TEXT TO AMEND THE FMP FOR THE GROUNDFISH FISHERY OF THE BERING SEA AND ALEUTIAN ISLANDS AREA

1. In Chapter 2.0, section entitled "History and Summary of Amendments", add the following:

   Amendment 50 implemented (INSERT EFFECTIVE DATE)

   Established a Prohibited Species Donation Program that expands the Salmon Donation Program to include halibut taken as bycatch in the groundfish trawl fisheries off Alaska to economically disadvantaged individuals.

2. In chapter 14 entitled "Management Regime", the following sections are amended:

   Under Section 14.2 entitled "Area, Fisheries, and Stocks Involved", Section 14.2.B.1, entitled "Prohibited Species", is changed to read as follows:

   Prohibited Species--are those species and species groups the catch of which must be returned to sea with a minimum of injury except when their retention is authorized by other applicable law (see also Prohibited Species Donation Program described at 14.4.2.F). Groundfish species and species groups under the FMP for which the quotas have been achieved shall be treated in the same manner as prohibited species.

3. In Section 14.4.2 entitled "Prohibited Species", Section D, entitled "Policy", is changed by removing the final paragraph entitled "Salmon Donation Program".

4. In Section 14.4.2 entitled "Prohibited Species", Section F is added to read:

   F. Prohibited Species Donation Program.

   The Prohibited Species Donation Program authorizes the distribution of specified prohibited species taken as bycatch in the groundfish trawl fisheries in the groundfish fisheries off Alaska to economically disadvantaged individuals through a NMFS authorized distributor selected by the Regional Administrator in accordance with federal regulations which may be implemented under the FMP. The program is limited to the following species:
   (1) Pacific salmon
   (2) Pacific halibut