

The IFQ Program, a limited access management system for the fixed gear Pacific halibut and sablefish fisheries off Alaska, was approved by NMFS in January 1993 and fully implemented beginning in March 1995. The IFQ Program for the sablefish fishery is implemented by the FMPs and Federal regulations under 50 CFR part 679 under authority of the Magnuson-Stevens Act. The IFQ Program for the halibut fishery is implemented by Federal regulations promulgated under the authority of the Halibut Act. Further information on the rationale for and implementation of the IFQ Program is contained in the preamble to the final

rule published in the **Federal Register**, November 9, 1993 (58 FR 59375). Regulations implementing the IFQ Program have been revised numerous times since 1993 to refine program operations.

This action would amend the regulatory text establishing Recordkeeping and Reporting (R&R) requirements for the groundfish fishery as well as the IFQ program requirements. Removal of the IFQ Shipment Report and of the IFQ Vessel Clearance would affect other IFQ procedures and forms—the IFQ Landing Report, IFQ Prior Notice of Landing (PNOL), and IFQ Departure Report—as

well as definitions, groundfish R&R procedures and forms, the Product Transfer Report (PTR) and Vessel Activity Report (VAR). Revisions are made to the regulatory text to accommodate the procedural changes.

The need, justification, and economic impacts for the actions in this proposed rule, as well as impacts of the alternatives considered, were analyzed in the RIR/IRFA prepared for this action (*see ADDRESSES*).

The revisions to the regulations at 50 CFR part 679 are presented below in the order they appear in the regulations.

Section 679.2 Definitions

This action would revise the definitions: “Authorized officer,” “Clearing officer,” “IFQ landing,” and “IFQ Registered Buyer.” “Authorized officer,” would be revised to cross-reference the definition of “Authorized officer” at 50 CFR 600.10.

Location	Existing text	Proposed text
Definition for “Authorized officer”.	Authorized officer means, for purposes of recordkeeping and reporting, a NOAA special agent, a NOAA fishery enforcement officer or USCG fisheries enforcement personnel.	Means: (1) Any commissioned, warrant, or petty officer of the USCG; (2) Any special agent or fishery enforcement officer of NMFS; (3) Any officer designated by the head of any Federal or State agency that has entered into an agreement with the Secretary and the Commandant of the USCG to enforce the provisions of the Magnuson-Stevens Act or any other statute administered by NOAA; or (4) Any USCG personnel accompanying and acting under the direction of any person described in paragraph (1) of this definition.
Definition for “Clearing officer”	Means a NMFS special agent, a NMFS fishery enforcement officer, or a NMFS enforcement aide who performs the function of clearing vessels at one of the primary ports listed in Table 14 to this part.	Means a NOAA Fisheries Office for Law Enforcement (OLE) special agent, an OLE fishery enforcement officer, or an OLE enforcement enforcement aide.
Definition for “IFQ landing”	Means the unloading or transferring of any IFQ halibut, IFQ sablefish, or products thereof from the vessel that harvested such fish or the removal from the water of a vessel containing IFQ halibut, IFQ sablefish, or products thereof.	Means the unloading or transferring of any IFQ halibut, CDQ halibut, IFQ sablefish, or products thereof from vessel that harvested such fish or the removal from the water of a vessel containing IFQ halibut, CDQ halibut, IFQ sablefish, or products thereof.
Definition for “IFQ permit holder”.	§ 679.4(d)(3)(B)	§ 679.4(d)(1).
Definition for “IFQ Registered Buyer”.	§ 679.4(d)(2)	§ 679.4(d)(3).
Definition for “Transfer”	(2) <i>IFQ/CDQ fisheries</i> . Any loading, off-loading, shipment or receipt of any groundfish product.	(2) <i>IFQ halibut, CDQ halibut, IFQ sablefish</i> . Any loading, off-loading, shipment or receipt of any IFQ halibut, CDQ halibut, IFQ sablefish product.

Section 679.4(d) IFQ Permits

In response to the removal of “Vessel Clearance” and “Shipment Report” and to the revision of “Departure Report,” this action would reorganize the regulatory text in the IFQ permits section. Detailed changes to § 679.4(d) are presented below:

§ 679.4 paragraph	Redesignated as	No change	Revised	Removed	Added
(d) heading .....	.....	.....	X		
Introductory (d)(1)	Introductory (d).	.....		
(d)(1) heading .....	.....	.....	X		
(d)(1)(i)	(d)(1)	.....	X	.....
(d)(4)(i)	(d)(1)(i).	.....		
(d)(6)(i)	(d)(1)(ii) .....	.....	X		
(d)(2) heading .....	.....	.....	X		
(d)(4)(ii)	(d)(2)(i) .....	.....	X		
(d)(1)(ii)	(d)(2)(ii) .....	.....	X		
(d)(3)(i)(C)	(d)(2)(iii) .....	.....	X		
(d)(3) heading .....	.....	.....	X		
(d)(2)	(d)(3).	.....		