

CDQ halibut QS and would be directly regulated. A total of 270 individual fishermen landed CDQ halibut in 2001 and may be directly regulated by this regulatory change. NMFS/RAM issued 694 permits for Registered Buyers in 2001, and, of these, 215 reported landings. Registered Buyers also would be directly regulated by this change.

In general, this proposed rule would relieve burdens on small entities, especially vessel owners of IFQ's. Proposed changes may contribute to increased competition in the delivery market for IFQ halibut and sablefish and thus may have some adverse impact on less economically efficient Registered Buyers. There are no data available on whether or not this impact will occur, or on how serious it may be.

This action does not impose new record keeping requirements or duplicate, overlap or conflict with other Federal rules. NMFS considered an alternative to totally eliminate the prior notice of landing requirement. This might have relieved more of the burden on small entities (although it might still have adversely impacted less efficient Registered Buyers). However, this alternative would have adversely affected data-collection, monitoring, and enforcement operations. NMFS also considered an alternative to randomly apply the prior notice requirements to vessels. Under this system, some vessels would be relieved of a prior notice burden, but all vessels would have been subjected to additional "hail-out" reporting burdens when they put to sea. Port-sampling might be adversely impacted, with biases introduced into sampling methods that might affect the quality of data used in stock assessments. Therefore, neither of these alternatives was chosen as the preferred alternative.

Action 2

At the present time, vessels may only begin to land IFQ catch between 6 a.m. and 6 p.m. (the "offload window"). Industry has expressed an interest in extending the offload window later in the evening. However, industry has also indicated that if the preferred alternative in Action 1 were taken, the flexibility provided would make it unnecessary to extend the window. The preferred alternative, therefore, is continuation of the status quo.

The maximum number of affected small entities would be the approximately 3,485 persons (individuals, corporations, and other entities) who held halibut QS; 872 persons held sablefish QS. In addition, all six of the CDQ groups that hold CDQ halibut would be affected. A total of 270

individuals landed CDQ halibut in 2001 and may be affected by this regulation. NMFS/RAM issued 694 permits for Registered Buyers in 2001, and, of these, 215 reported landings. Registered Buyers also would be affected by this change in regulation.

This action does not appear to have an adverse impact on small entities. This action does not impose new record keeping requirements or duplicate, overlap, or conflict with other Federal rules.

Action 3

The preferred alternative for this action eliminates the requirement for vessels to pull into port to obtain a vessel clearance prior to leaving the EEZ off Alaska. IFQ permit holders state that the requirement is onerous and costly when they have to divert to come dockside for a clearance. They also say there are not enough port options for obtaining clearance in a timely fashion. The objective of this action is to reduce the burden on fishermen by substituting a verbal "departure report" for the currently-required vessel clearance. A verbal report would not diminish the ability to monitor and enforce catch reporting/quota requirements on vessels leaving the jurisdiction of the Council since other reporting mechanisms are available in the port of delivery to monitor those vessels.

As proposed, this preferred alternative for Action 3 would directly regulate the 1,451 unique vessels which made IFQ halibut landings, and 433 unique vessels which made sablefish landings in 2001. OLE reports that 65 vessel clearances were processed in 2001. This indicates that a relatively small number of all vessels making IFQ landings would be directly regulated by this provision, because to obtain the highest quality product, vessels generally offload halibut as soon as possible at a port of Alaska.

NMFS has not identified any adverse impacts to small entities from this action. It does not impose new record keeping requirements or duplicate, overlap or conflict with other federal rules. NMFS is not aware of any alternatives in addition to the alternatives considered that would accomplish the objectives of the Magnuson-Stevens Act and other applicable statutes and that would minimize the economic impact of the proposed rule on small entities.

Action 4

Regulations currently require that Registered Buyers of IFQ sablefish and halibut and CDQ sablefish report landings on a shipment report.

Processors are required to report groundfish landings on a separate product transfer report (PTR). Those processors that are also Registered Buyers must submit a PTR for groundfish and a shipment report for IFQ halibut and sablefish and for CDQ halibut. The IFQ fishing industry has expressed concern that this report is duplicative. The purpose of this action is to improve the transfer procedure paperwork and to eliminate some occurrence of duplication. For example under current regulations, an offload of IFQ halibut or sablefish generally also includes incidental groundfish harvest. A PTR is created for the incidental groundfish; a shipment report is created for the IFQ halibut or sablefish. In other words, two pieces of paper document one offload. With the proposed combination of the IFQ shipment report and the groundfish product transfer report, both the IFQ fish and the incidental groundfish would be reported on one document.

As proposed, the preferred alternative for action 4 would directly regulate Registered Buyers, all of whom are assumed to be "small business," based upon RFA criteria. NMFS/RAM issued 694 permits for Registered Buyers in 2001, and, of these, 215 reported landings. Therefore, some multiple of 215 shipment reports and an estimated two-thirds of these, or 144 PTRs, were submitted by Registered Buyers in 2001. The proposed change would eliminate the 144 PTRs.

This action would impose no adverse impacts on small entities, and it does not appear to impose new record keeping requirements or duplicate, overlap, or conflict with other Federal rules.

A copy of this analysis is available from NMFS (see ADDRESSES).

List of Subjects in 50 CFR Part 679

Alaska, Fisheries, Recordkeeping and reporting requirements.

Dated: January 6, 2003.

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For the reasons set forth in the preamble, 50 CFR part 679 is proposed to be amended as follows:

PART 679—FISHERIES OF THE EXCLUSIVE ECONOMIC ZONE OFF ALASKA

1. The authority citation for 50 CFR part 679 continues to read as follows:

Authority: 16 U.S.C. 773 *et seq.*, 1801 *et seq.*, and 3631 *et seq.*