

	<p><b>Non-Chinook Salmon Inter-cooperative Agreement (ICA)</b></p>	<p>U.S. Dept. of Commerce/NOAA National Marine Fisheries Service (NMFS) Restricted Access Management (RAM) P.O. Box 21668 Juneau, AK 99802-1668 (800) 304-4841l free / 586-7202 in Juneau (907) 586-7354 fax</p>	
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Participation in the Non-Chinook Salmon Inter-cooperative Agreement (ICA) is voluntary. Industry members who participate in an approved ICA are either provided exemptions to certain other salmon bycatch management measures or are provided access to a higher salmon prohibited species catch (PSC) limit. For any ICA participant to be exempt from closure of the Chum Salmon Savings Area as described at § 679.21(e)(7)(ix) and at § 679.22(a)(10), the ICA must be filed in compliance with the requirements and approved by NMFS.

The ICA is a salmon bycatch management agreement among all of the American Fisheries Act (AFA) pollock cooperatives and the Western Alaska Community Development Quota (CDQ) groups. The agreement is a private, contractual agreement between the interested parties. The effectiveness of the Program through the ICA is dependent upon rapidly gathering, analyzing, and disseminating accurate bycatch data. Once a non-Chinook salmon bycatch reduction ICA is approved by NMFS, it is not required to be resubmitted annually and is only required to be resubmitted to NMFS if components of the ICA covered by NMFS regulations are amended.

The ICA allows vessels participating in the Bering Sea pollock fishery to utilize their internal cooperative structure to reduce non-Chinook salmon bycatch using a method called the voluntary rolling hotspot system (VRHS). Through the VRHS, industry members provide each other real-time salmon bycatch information so that they can avoid areas of high non-Chinook salmon bycatch rates.

The ICA must include an annual compliance audit. The ICA group must cooperate fully in such audit, including providing information required by the auditor. The compliance audit must be conducted by a non-party entity, and each party must have an opportunity to participate in selecting the non-party entity. If the non-party entity hired to conduct a compliance audit discovers a previously undiscovered failure to comply with the terms of the ICA, the nonparty entity must notify all parties to the ICA of the failure to comply and must simultaneously distribute to all parties of the ICA the information used to determine the failure to comply occurred and must include such notice(s) in the compliance report.

If the entity retained to facilitate vessel PSC avoidance behavior and information sharing determines that an apparent violation of an ICA chum salmon savings area closure has occurred, that entity must promptly notify the Board of Directors of the cooperative to which the vessel involved belongs. If this Board of Directors fails to assess a minimum uniform assessment within 180 days of receiving the notice, the information used by the entity to determine if an apparent violation was committed must be disseminated to all parties to the ICA.

The non-Chinook ICA or any amendments to an approved ICA must be postmarked or received by NMFS by December 1 of the year before the year in which the ICA is proposed to be effective.

The current, approved Non-Chinook salmon bycatch reduction incentive plan agreements (ICAs) may be viewed at

[http://www.alaskafisheries.noaa.gov/sustainablefisheries/bycatch/salmon/non\\_chinook/2010\\_non\\_chinook\\_coop\\_agreement.pdf](http://www.alaskafisheries.noaa.gov/sustainablefisheries/bycatch/salmon/non_chinook/2010_non_chinook_coop_agreement.pdf)

**An ICA must include the following information:**

**Participants**

Names of the AFA cooperatives and CDQ groups

ICA representative name, business mailing address, business telephone and fax numbers, and business email address

Name of entity retained to facilitate vessel PSC avoidance behavior and information sharing.

Name of at least one third party group. Third party groups include any organizations representing western Alaskans who depend on non-Chinook salmon and have an interest in non-Chinook salmon PSC reduction but do not directly fish in a groundfish fishery.

**Vessel information**

Names, Federal fisheries permit numbers, and USCG documentation numbers of vessels subject to the ICA

**Provisions that dictate on-Chinook salmon PSC avoidance behaviors for vessel operators**

Initial base rate

Inseason adjustments to the non-Chinook base rate calculation

ICA chum salmon savings area notices.

Fishing restrictions for vessels assigned to tiers 1, 2, and 3

Cooperative tier assignments.

PSC rates for Chinook salmon

Internal monitoring and enforcement

Provisions allowing any party of the ICA to bring civil suit or initiate a binding arbitration action against another for breach of the ICA.

Minimum annual uniform assessments for any violation of savings area closures

\$10,000 for the first offense, \$15,000 for the second offense, and \$20,000 for each offense thereafter.

**Annual compliance audit**

Must be conducted by a non-party entity

Each party must have an opportunity to participate in selecting the non-party entity

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***PUBLIC REPORTING BURDEN STATEMENT***

Public reporting burden for this collection-of-information is estimated to average 40 hours per response, including the time for reviewing the instructions, searching the existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to Assistant Regional Administrator, Sustainable Fisheries Division, NOAA National Marine Fisheries Service, P.O. Box 21668, Juneau, AK 99802-1668.

***ADDITIONAL INFORMATION***

Before completing this form, please note the following: 1) Notwithstanding any other provision of law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection-of-information subject to the requirements of the Paperwork Reduction Act, unless that collection-of-information displays a currently valid OMB Control Number; 2) This information is mandatory and is required to manage commercial fishing efforts under 50 CFR part 679 and under section 402(a) of the Magnuson-Stevens Act (16 U.S.C. 1801, *et seq.*) as amended in 2006; 3) Responses to this information request are confidential under section 402(b) of the Magnuson-Stevens Act as revised in 2006. They are also confidential under NOAA Administrative Order 216-100, which sets forth procedures to protect confidentiality of fishery statistics.

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