

**Amendment 8
to the
Fishery Management Plan
for the Scallop Fishery off Alaska**

Section 2.4 Framework Measures of *The Fishery Management Plan for the Scallop Fishery Off Alaska* is revised to read as follows:

2.4.4 American Fisheries Act (AFA) sideboard restrictions

On October 21, 1998, the President signed into law the American Fisheries Act (AFA) which mandated sweeping changes to the conservation and management program for the pollock fishery of the BSAI and to a lesser extent, affected the management programs for the other groundfish fisheries of the BSAI the groundfish fisheries of the GOA, the king and Tanner crab fisheries of the BSAI, and the scallop fishery off Alaska. With respect to the fisheries off Alaska, the AFA requires a suite of new management measures that fall into four general categories: (1) regulations that limit access into the fishing and processing sectors of the BSAI pollock fishery and that allocate pollock to such sectors, (2) regulations governing the formation and operation of fishery cooperatives in the BSAI pollock fishery, (3) sideboard regulations to protect other fisheries from spillover effects from the AFA, and (4) regulations governing catch measurement and monitoring in the BSAI pollock fishery.

While the AFA primarily affects the management of the BSAI pollock fishery, the Council is also directed to develop and recommend harvesting and processing sideboard restrictions for AFA catcher vessels that are fishing for scallops in the EEZ off Alaska. Section 211 of the AFA addresses sideboard protections for other fisheries off Alaska and this entire section of the AFA is incorporated into the AFA by reference. Scallop harvesting sideboard restrictions that are consistent with section 211 of the AFA will be implemented through regulation or provided to the Board of Fish as recommendations. Any measure recommended by the Council that supersedes section 211 of the AFA must be implemented by FMP amendment in accordance with the provisions of section 213 of the AFA and the Magnuson-Stevens Act.

2.4.4.1 Limits on participation by AFA vessels. NMFS may issue regulations, as approved by the Council, which define the participation criteria for AFA vessels that wish to participate in the scallop fishery off Alaska.

2.4.4.2 Harvest limitations for AFA vessels. The Council may provide scallop harvesting sideboard recommendations to the Board of Fisheries. The State of Alaska, through the Board of Fisheries, may issue regulations to establish an allowable harvest percentage of the GHL by AFA eligible vessels in any scallop fishery, and to govern the in-season management of any sideboard harvest levels established for AFA eligible vessels.