



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
P.O. Box 21668
Juneau, Alaska 99802-1668

October 3, 2022

Mr. Simon Kinneen, Chair
North Pacific Fishery Management Council
107 West 3rd Ave., Suite 400
Anchorage, Alaska 99501

Dear Mr. Kinneen:

This letter is to inform the North Pacific Fishery Management Council (Council) that the National Marine Fisheries Service (NMFS) developed an interim policy establishing a minimum age of 18 years old for the issuance of a Transfer Eligibility Certificate (TEC). A TEC establishes a person's eligibility to receive quota share (QS) or individual fishing quota (IFQ) by transfer in the halibut and sablefish IFQ Program. NMFS has received a small number of applications from applicants under the age of 18 for a TEC and accompanying QS transfer, and NMFS may receive similar applications in the future. Regulations implementing the IFQ Program at 50 CFR §679.41(d) do not establish a minimum age requirement for the issuance of a TEC. NMFS established this policy determination so we have a consistent approach for addressing such applications until such a time that this policy is superseded by a change to Federal regulations.

NMFS has taken several relevant factors into consideration upon establishing this minimum age policy, including but not limited to the documentation of harvesting crew experience for young children, minimum age requirements under contractual law, and other legal and enforcement considerations pertaining to minor age applicants. We instituted this policy on September 29, 2022, without prejudice to previous transfer eligibility decisions or future actions. The Council may wish to include this topic in the upcoming IFQ Program review so that the Council may consider whether to recommend a regulatory change to implement either this policy or a different approach for eligibility of minors to hold QS in the IFQ Program.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jonathan M. Kurland'.

Jonathan M. Kurland
Regional Administrator

cc: Mr. David Witherell, NPFMC

