

North Pacific Fishery Management Council
C-5 IFQ Beneficiary Transfer
February 10, 2018

The Council adopts the following purpose and need statement and initiates analysis:

Purpose and Need

The Individual Fishing Quota (IFQ) Program was designed to ensure that the sablefish and halibut fisheries are predominately owner-operated where the quota share (QS) holders fish the annual IFQ. Transfers (leases) of IFQ derived from catcher vessel QS has generally been prohibited. However, the IFQ Program includes provisions allow for temporary leasing of catcher vessel IFQ under a survivorship transfer privilege that is limited to the surviving spouse or designated “immediate family member.” The intent is to reduce hardships for an estate’s beneficiary or beneficiaries for up to three years while the estate is being settled. NMFS and IFQ fishermen would benefit from clarification of the Council’s intent regarding who has the authority to lease IFQ for up to three years under the IFQ Program.

The Council recommends the following suite of options for the proposed action to modify the current regulations for the IFQ Beneficiary Transfer provision. The Council supports further analysis in considering permitting transfers to the estate in addition to spouses and immediate family members.

Alternative 1: Status Quo

Alternative 2: At 50 CFR 679.41(k) modify all references to surviving spouse and immediate family member by adding “estate.”

Alternative 3: Define “immediate family member” in regulations at 50 CFR 679 as follows:

Option 1: US Office of Personnel Management definition

Option 2: Federal Family Medical Leave Act definition