



C1 Active Participation Requirements for Crab Crew Shares

December 2023 Council Meeting

Action Memo

Council Staff: Sarah Marrinan
Other Presenters: Andrew Olson (NMFS)
Action Required: 1. Final Review Draft – review analysis and addendum
2. Identify preferred alternative; adopt a final recommendation

BACKGROUND

In the Bering Sea Aleutian Islands Crab Rationalization (CR) program, three percent of the harvesting quota share is allocated as crew share (or C shares). The Council intended that C shares be available for those who are active captains or crew in CR Program fisheries. Since June 2018, in order to receive an annual allocation of C share Individual Fishing Quota (IFQ), the regulations require a C share quota share (QS) holder to have either:

- (1) participated as crew in at least one delivery in a CR Program fishery in the three crab fishing years preceding the crab fishing year for which the holder is applying for IFQ; or
- (2) if the individual was an initial recipient of C shares, participated as crew in at least 30 days of fishing in a commercial fishery managed by the State of Alaska or a U.S. commercial fishery in Federal waters off Alaska in the three crab fishing years preceding the crab fishing year for which the holder is applying for IFQ.

If the C share holder does not meet this threshold for four consecutive crab years (which spans July 1-June 30), and they do not transfer it to an eligible individual in this timeframe, all C share QS held by that individual will be revoked. Current regulations establish a process by which the C share QS pool would remain at three percent of the IFQ total allowable catch, so all other C share holders would *de facto* receive slightly greater pounds of crab for harvest. The Council recommended revocation of C share QS if the QS holder continues to be inactive as an incentive for C share QS holders to divest, so that the QS is not held by inactive participants for extended periods of time.

Recent circumstances, including the COVID-19 pandemic, crab stock declines and subsequent closures, have made it difficult for all C share holders to achieve the required active participation. In addition, it is expected that future low TACs may create similar challenges for C share holders to achieve active participation requirements as prescribed in regulations.

In this meeting, the Council will consider possible final action to modify the C share requirements to demonstrate continued active participation. The action alternatives under consideration would either modify or remove the requirements to demonstrate continued active participation in order for C share holders to receive annual issuance of IFQ and in order to maintain C share QS. Both action alternatives also consider reissuing all C share QS that has been revoked by National Marine Fisheries Service (NMFS) within the period from 2019, through the implementation of this final rule. **A preliminary preferred alternative has not yet been identified.**

In addition to the analysis, an addendum has been posted that considers other methods for the application of Alternative 2, Option 2, which represents a total allowable catch threshold under which active participation requirements would not apply. These methods are all within the range of analyzed alternatives. If the Council adopts Alternative 2/ Option 2, it may choose to clarify its intended application.