

C-1 Crab Arbitration
Council Motion
December 5, 2025

The Council adopts the following alternatives and options for final action with the following revision (addition underlined).

Alternative 2: Changes to the regulations governing the arbitration process

Option 1. Remove the requirement that the arbitrator can only select a remedy proposed by one side. Allow the arbitrator to select an independent or compromise remedy based on the facts provided in the arbitration.

Option 3. Remove the requirement for a market report.

Option 5: Streamline the information submitted to NMFS in the Annual Arbitration Organization Report and notifications by removing requirements for information NMFS already has, information that has not changed, and any other information that is no longer necessary.

Alternative 3. IFQ and IPQ application withdrawal

IFQ and IPQ applications can be withdrawn after being accepted by NMFS at any time before BSAI crab rationalization species TACs are announced and within (option 2: 48 hours) after BSAI crab rationalization species TACs are announced.

The Council encourages arbitrators to provide a written rationale to the parties to the arbitration.
The arbitrator would be responsible for ensuring that the rationale is consistent with applicable anti-trust laws.

The Council deems proposed regulations that clearly and directly flow from the provisions of this motion to be necessary and appropriate in accordance with section 303(c).

The Council authorizes the Executive Director and the Chair to review the draft proposed regulations when provided by NMFS to ensure that the proposed regulations to be submitted to the Secretary under section 303(c) are consistent with these instructions.