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 of 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.