

ADVISORY PANEL
Motions and Rationale
Sept 29 - Oct 2, 2025 Webinar

D2 Motion

The AP recommends the Council adopt the following Purpose and Need and suite of Alternatives

Purpose and Need

The purpose of this action is to amend the IFQ program regulations in response to recommendations made in the 2024 IFQ Program Review. The proposed changes include both CQE and IFQ fisheries as delineated below.

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The CQE program is intended to facilitate access to the halibut and sablefish IFQ fisheries for residents of rural communities and to anchor that access in the qualifying communities. Access to capital, eligibility requirements, and regulatory challenges have limited the effectiveness of the CQE program. Similar to Adak, many GOA communities face challenges implementing this program. With this action, the Council aims to lower the barriers to participation in the CQE program and increase entry level opportunities for fishermen residing in these small fishery dependent communities.

Along with facilitating CQE participation, the Council aims to increase entry level opportunity and participation by coastal residents in the IFQ fisheries. Increasing unload flexibility, both spatially and geographically, may facilitate that participation by providing greater access to markets for small scale fishermen operating in remote areas. Allowing days working on a tender to count toward earning a TEC and establishing a minimum age for days qualifying toward a TEC that reflects common practice will also facilitate entry for residents of fishery dependent communities. The Council seeks to address these barriers to entry without compromising program enforcement or accountability.

Alternative 1. No action

(Action alternatives are not mutually exclusive)

Alternative 2. Assign CQE quota to the managing entity for in-season management and assignment of quota (eg, adopt CDQ management and assignment of quota)

Alternative 3. Allow time tendering in any federal or state commercial fishery off Alaska to count toward the 150-day transfer eligibility certificate (TEC) requirement to receive annual IFQ.

Alternative 4. Waive TEC requirement for individuals fishing annual IFQ derived from CQE-held quota share.

Alternative 5. Establish a minimum age of in regulation to be eligible to receive IFQ or QS by transfer.

Options:

- A. 12
- B. 16
- C. 18

Suboption: To receive IFQ or QS an individual under 18 must identify an adult (≥ 18) legally responsible for their actions.

Alternative 6: Expand designated unload areas for tenders receiving IFQ or CQE fish

Alternative 7: Waive the PNOL and restricted unload hours for IFQ/CQE deliveries of ≤ 2000 pounds

Motion passes 20-0

Rationale in Support of Main Motion

- *During the IFQ program review in 2024 there were a number of identified items of interest to be addressed in a potential omnibus amendment package. These alternatives address these items as well as other related issues that have been brought forward through public comments.*
- *The AP intentionally did not take action on the issues with Beneficiary transfer based on stakeholder discussions which noted that many people holding this asset are standing by for a better market opportunity or even standing by waiting for someone to buy their quota or pass on to a family member who becomes eligible for a TEC. Though RAM could not confirm the exact amount, it is likely not a substantial amount of quota that is being stranded.*
- *Specific to Alternative 2: For a CQE to transfer quota to a CQE resident they must do so through RAM. In the event they are unable to fish that quota the IFQ must be transferred back to the CQE then again to another eligible CQE Community Resident. This is a slow process and can take weeks. CQE fisheries are often executed in a short window in summer months during good weather. CQE quota has often gone unfished due to these transfer restrictions. Public comment noted this as a major issue in the CQE program. CQE communities need in-season flexibility, and for in-season reassignment to not require action by NMFS. A CQE has a regulated management structure that could be held liable if a framework is created for transfer within the CQE.*
- *Specific to Alternative 3: This was also recommended in the action for CR program C share quota. Tending requires a commercial fishing crew member license and often requires skills similar to those on harvesting vessels. The TEC is an important component to the IFQ program and ensures crew members have preferential access to quota, but all fishing activity, including tending should be included in the eligibility requirements.*
- *Specific to Alternative 4: One of the largest barriers in the CQE program is the requirement for a Transfer Eligibility Certificate (TEC). In order to qualify for a TEC, an individual must have 150 days of harvesting experience on a US commercial fishing vessel. In some communities this is still possible, but in many, especially the CQE eligible communities, there are no longer any commercial fishing vessels or local opportunity to gain commercial fishing experience. Commercial fishing opportunities have largely disappeared but most residents have experience*

harvesting species such as halibut for subsistence in manners similar to the commercial fishery. To uphold the intent of the TEC, this would only apply to CQE quota being fished by a CQE eligible resident.

- *Specific to Alternative 5: Many fishing vessels are family operations and many minors begin commercial fishing at young ages alongside family members. The minimum age to be eligible to receive IFQ or QS by transfer should reflect common practice with kids gaining experience and earning their TEC long before age 18. Vessel caps still limit how much quota can be fished from one boat and the quota holder, no matter how young, still needs to be on the boat for IFQs to be harvested. Legal concerns could be addressed by requiring a parent or legal guardian to co-sign quota share transfer papers and/or other legal documents. This alternative to allow younger ages was noted by multiple AP members as being particularly important.*
- *Specific to Alternative 6: The Council should consider expanding processing and marketing access for residents of rural and isolated communities. IFQ halibut and sablefish currently may only be sold to IFQ registered buyers and can only be picked up by tenders if that tender is in a “designated” IFQ landing area. Retraction in the processing sector and aging waterfront infrastructure in small coastal towns is leaving many IFQ and CQE fishermen without accessible processing and marketing options. Expanding the designated IFQ landing areas where tenders can pick up fish will help make IFQ and CQE fishing from isolated communities possible.*
- *Specific to Alternative 7: This was noted in public comment both written and oral. Providing three-hour prior notice of landing is difficult for small boats operating in areas without cell coverage, and the 6 am to 6 pm window for unloading IFQ or CQE fish can prevent a small boat from efficiently unloading at night and being back out fishing the next day, which is standard practice during the summer months. Though this is not identified in the existing discussion paper, the change would be consistent with meeting the goals of the CQE program to restore access to rural community residents.*