

GOAC3 SCORES A VICTORY AT COUNCIL

The North Pacific Fishery Management Council approves less restrictive CQE vessel cap limits

After several years of resistance the North Pacific Fishery Management Council finally approved, with unanimous support, to change the Community Quota Entity (CQE) vessel cap so that no vessel may have more than 50,000 pounds of quota from a CQE but leaving the total amount of halibut quota that can be carried to be determined by the overall program vessel cap.

At a February 2009 CQE workshop the 50,000 pound vessel cap limit was identified as a priority for change. The CQE program as currently written does not allow more than 50,000 pounds of halibut to be fished on a vessel if any of that Quota is from a CQE. Many GOA communities and CQE's reported to GOAC3 that this is too restrictive and for some communities really presents a serious barrier for their fishery based community development plans. An example of one community development model that a CQE community might adopt would have the CQE leasing quota to entry level fishermen who might not even own an appropriate vessel as yet and who, therefore, will seek to find an existing halibut or sablefish vessel to go on as crew. But coming on board an IFQ halibut vessel with CQE quota means that the vessel cannot at any time during the year bring on board more than 50,000 pounds of halibut and that is a serious impediment. First, if the vessel already has enough IFQ pounds that they have fished or plan to fish such that that CQE poundage would take them over the 50,000 pound cap then it is a non-starter. But even if it didn't it means that vessel cannot, at any time during the rest of the season, buy or lease quota that would take them over the 50,000 cap.

The Council recognized that this was a much greater restriction than anyone else in the IFQ program must face and that it might reduce the flexibility that small communities need to develop long-term plans for effectively using the CQE Program to rebuild their fishery based socioeconomic foundations.

The Council chose alternative 2 (See the Council's analytical document http://www.fakr.noaa.gov/npfmc/PDFdocuments/halibut/CQE_vesselcap811.pdf) and added a problem statement.

The motion in its entirety is included below and is the Council's recommendation to the Secretary of Commerce for his approval.

Council Final Motion
GOA Amendment 94: Revising Community Quota Entity (CQE) vessel use caps
October 2, 2011

The Council recommends adopting Alternative 2 as its preferred alternative:
Alternative 2. Revise current regulations such that:

- No vessel may be used, during any fishing year, to harvest more than 50,000 lbs of IFQ halibut derived from quota share held by a CQE; and no vessel may be used, during any fishing year, to harvest more than 50,000 lbs of IFQ sablefish derived from quota share held by a CQE.
- The vessel would also be subject to the same vessel use caps applicable in the overall IFQ Program.

The Council also moved the following problem statement:

CQE communities were approved by the Council in 2002 to provide Gulf of Alaska communities with an opportunity to mitigate the migration of halibut and sablefish quota shares from their communities. The Council sought a distribution of benefits among community residents from CQE activities by imposing CQE individual and vessel use caps. The CQE Program currently limits fishing CQE quota to vessels that fish less than 50,000 lbs of quota – both CQE quota and non- CQE quota. The CQE vessel limitation eliminates the opportunity for community residents awarded CQE quota from fishing on a vessel that has or will fish more than 50,000 lbs of quota, even if it is the only vessel available in a community. In addition, the rule restricts the option for several residents awarded CQE quota from combining their quota on a vessel if the cumulative quota, both CQE and non-CQE, exceeds 50,000 lbs. These restrictions limit CQE use opportunities and may inhibit some CQE purchases. Changing the CQE vessel use cap will ease vessel use restrictions and thereby provide additional opportunities for CQE use and purchase.

Chuck McCallum, as a member of the Councils Advisory Panel (AP), made a similar motion at the AP on September 28 and after a good discussion during which many concerns and questions were addressed, a vote of 17 in favor and zero against was cast. This strong endorsement from the representatives of industry gave Council member Duncan Fields a strong foundation from which to make his own supportive arguments during Council deliberations and on October 2 the Council also voted unanimously to support the motion.

This single program amendment will not, in itself, create the changes needed to make the CQE program a success for our communities and GOAC3 will continue to work on all fronts to bring back access to the fishery resources which rationalization programs of various kinds have caused to migrate away. Nevertheless, after several years of resistance to this issue it is with considerable satisfaction that we see this amendment to the CQE program move forward.