



NOAA FISHERIES

Sustainable Fisheries



Credit: Gilbert Van Ryckevorsel/TAG A Giant

Catch Share Program Status

As of December 31, 2014, there are 16 catch share programs in operation. In addition:

- One new catch share program was approved, with implementation beginning on January 1, 2015.
- Four fisheries are in various stages of development or consideration of catch shares.

Further details about the status of each program are provided beginning on page 2.

National Catch Share Program Update

Policy Implementation

Since the [NOAA Catch Share Policy](#) was released, NOAA Fisheries has been working on a variety of catch share-related activities. Current projects that support catch shares on the national level include: creating guidance on what should be included when catch share programs are reviewed, updating guidance on confidentiality of data associated with catch shares, exploring inter-sector trading of quota, and creating a compilation of design approaches across all catch share programs.

Current Catch Share Programs (Year Implemented)

1. [Mid-Atlantic Surfclam & Ocean Quahog IFQ \(1990\)](#)
2. [South Atlantic Wreckfish ITQ \(1992\)](#)
3. [Western Alaska Community Development Quota \(1992\)](#)
4. [Pacific Halibut & Sablefish IFQ \(1995\)](#)
5. [Bering Sea AFA Pollock Cooperatives \(1998\)](#)
6. [Pacific Sablefish Permit Stacking Program \(2001\)](#)
7. [Bering Sea King and Tanner Crab \(2005\)](#)
8. [Gulf of Mexico Red Snapper IFQ \(2007\)](#)
9. [Bering Sea Groundfish \(non-Pollock\) Cooperatives \(2008\)](#)
10. [Mid-Atlantic Golden Tilefish IFQ \(2009\)](#)
11. [Gulf of Mexico Grouper & Tilefish IFQ \(2010\)](#)
12. [Atlantic Sea Scallop General Category IFQ \(2010\)](#)
13. [Northeast Multispecies Sector Program \(2010\)](#)
14. [Pacific Coast Groundfish Trawl Rationalization \(2011\)](#)
15. [Central Gulf of Alaska Rockfish Program \(2011\)](#)
16. [Atlantic Bluefin Tuna \(2015\)](#)

Catch Share Programs Implemented or Significantly Modified Since the Last Report

Atlantic Bluefin Tuna: In order to reduce discards of bluefin tuna as well as ensure compliance with international quotas, NOAA Fisheries created Individual Bluefin Quotas as part of Amendment 7 to the 2006 Consolidated Atlantic Highly Migratory Species Fishery Management Plan. Quotas were implemented for qualified vessels permitted in the Atlantic tunas longline category. When a vessel's annual pelagic longline individual Bluefin quota is caught, use of pelagic longline gear is then prohibited. The proposed rule for Amendment 7 published August 21, 2013, and the final environmental impact statement (EIS) was released in August 2014. The final rule published December 2, 2014. NOAA Fisheries' Southeast Regional Office developed an online system for tracking bluefin individual bycatch quota that was launched on January 1, 2015.

Catch Share Programs Being Developed

None.

Catch Shares Being Considered

North Pacific Gulf of Alaska Trawl: The North Pacific Council continues discussion on a potential catch share program for central and western Gulf of Alaska trawl groundfish fisheries. The program is intended to improve incentives for bycatch reduction and management in trawl fisheries. The program is also expected to increase utilization of groundfish species in the Gulf of Alaska, provide additional flexibility to participants, and increase economic efficiency in the fishery. At its October 2014 meeting, the Council initiated an analysis of alternatives.

South Atlantic Snapper Grouper: In August 2013, the South Atlantic Council discussed an options paper for Amendment 22. Amendment 22 is being developed to control annual harvest levels of snapper/grouper species with exceptionally low recreational annual catch limits. In one option discussed by the Council, recreational fishery participants would be issued tags through a pre-determined process implemented by NOAA Fisheries. Tags issued to individuals or entities would allow the tag holder to harvest a set number of fish from federal waters in the South Atlantic Region.

Gulf of Mexico For-Hire Component of the Reef Fish Fishery: The Gulf of Mexico Council has established a Red Snapper For-Hire Advisory Panel. The Advisory Panel met in December 2014 to discuss various alternatives for managing the red snapper for-hire component, including catch share programs.

New England Monkfish: The New England Council began development of Amendment 6 in 2010. The Council identified a set of objectives to be achieved through implementation of Amendment 6 and directed the Monkfish Committee to develop alternatives to address these objectives, recognizing the differences between the northern and southern monkfish fisheries. The Committee and Advisory Panel are in the process of developing a range of alternatives for public hearings, including modifications to the current management system, a days-at-sea leasing option, sector management and individual transferrable quotas (ITQs). Development of a catch share program in this fishery will likely require a referendum under the Magnuson-Stevens Act provisions for such programs in New England.

Other Catch Shares Activities

Gulf of Mexico Fishery Management Council: The Gulf Council has several catch share-related activities that are ongoing.

- **Amendment 36.** This amendment will address potential modifications to the red snapper Individual Fishing Quota (IFQ) program based on the 5-year review completed in April 2013. This amendment will include recommendations to make modifications to the way this program is structured.
- **Changes to Red Snapper and Grouper-Tilefish IFQ Programs.** NOAA Fisheries announced supplemental regulations to Amendments 26 and 29 of the Gulf of Mexico Reef Fish Fishery on September 26, 2014 (79 FR 57830). The rule (effective October 27, 2014) made numerous changes to requirements for landing notifications, offloading, landing transactions, and administrative changes that will improve enforcement, monitoring, and administration of these programs.
- **Grouper-Tilefish IFQ Program Review.** The Gulf Council and NOAA Fisheries will begin the first 5-year review of the Grouper-Tilefish IFQ program in 2015.
- **Grouper-Tilefish Control Date.** On December 8, 2014 (79 FR 72566), NOAA Fisheries published a control date effective January 1, 2015, notifying Grouper-Tilefish IFQ participants that future participation in the fishery may be restricted.

- **Headboat Exempted Fishing Permit.** A group of headboat operators submitted an exempted fishing permit (EFP) application to address headboat-specific challenges in the red snapper fishery through a cooperative pilot program. The EFP was approved by NOAA Fisheries on August 26, 2013, and the pilot program began January 1, 2014. The EFP authorizes cooperative members to harvest a specific amount of red snapper and gag at any time during the 2014 and 2015 fishing years.
- In July 2014, the Alabama Charter Fishing Association Cooperative applied for an exempted fishing permit to evaluate the efficiency of an allocation-based management system. Comments were received through August 2, 2014, and NOAA Fisheries denied the application on September 11, 2014, because the proposal was too similar to the headboat EFP described above and thus was inconsistent with the intent of EFPs.

Pacific Fishery Management Council: The Pacific Council continues development and analysis of trailing amendments associated with the Pacific Trawl Rationalization program.

- **Pacific Dawn Litigation.** In response to the December 22, 2011, court order that remanded “for further consideration” the regulations addressing the initial allocation of whiting for the shoreside IFQ and the at-sea mothership fishery, the Council engaged in a three meeting (April, June, and September 2013) full reconsideration of its original recommendations. At the completion of its reconsideration, the Council recommended that the original allocations not be changed. On March 28, 2013, NOAA Fisheries published a final rule implementing the Council recommendations. On March 29, 2013, a second suit was filed challenging the whiting allocation. On December 5, 2013, the Court issued an order granting summary judgment and found in favor of NOAA, leaving the final rule in place. The plaintiffs filed an appeal on February 3, 2014. The appeal has been fully briefed and is waiting on the 9th Circuit Court of Appeals to file oral argument, which is not expected until spring/summer 2015. It will likely be several months after that for a final decision.
- **Cost Recovery.** At its September 2011 meeting, the Council adopted a cost recovery program structure for the Pacific Trawl Rationalization program. The cost recovery program became effective on January 10, 2014, with NOAA Fisheries scheduled to receive its first cost recovery fees in February 2014. On January 9, 2014, a lawsuit was filed by a member of the Catcher/Processor sector that claims they are not a Limited Access Privilege Program (LAPP) and thus not required to pay cost recovery fees, as well as claiming that NOAA Fisheries made other errors in implementing the rule. The Western District of Washington Court found in favor of NOAA and the plaintiffs have appealed the ruling.
- **Chafing Gear.** At its April 2012 meeting, the Council recommended an alternative that would address concerns about the current restrictiveness of the chafing gear regulations for the midwater trawl fishery. The Council reconsidered this issue at its November 2012 meeting, but stayed with the preferred alternative that it recommended in April 2012. NOAA Fisheries published a proposed rule on March 19, 2014, with a correction on April 4, 2014. Implementation of its final recommendation published in a final rule dated December 2, 2014.
- **Observer/Catch Monitoring Rule.** At its April 2012 meeting, NOAA Fisheries proposed trailing actions related to observers and catch monitoring that were supported by the Council. NOAA Fisheries published a proposed rule February 19, 2014. Implementation should occur in early 2015.
- **Allow Fixed Gear and Trawl Joint Registration.** At its April 2012 meeting, the Council recommended allowing a fixed gear permit and a trawl permit to be registered to the same vessel at the same time. Implementation is expected in spring 2016.
- **At-Sea Processing of Fixed Gear Sablefish.** When it took action on fixed gear and trawl permit stacking, the Council recommended that the opportunity to stack these permits be specified in regulations such that the limited entry fixed gear exception for freezing sablefish would not allow the freezing of sablefish caught under the trawl rationalization program. Implementation is expected in spring 2016.
- **Update e-Ticket for Web-Based Submissions.** Regulations will be updated to reflect the new process for submitting e-Tickets through internet-based platforms. Implementation is expected by April 1, 2016.
- **Whiting Cleanup Rule.** The cleanup rule is expected to define a whiting trip as any trip with more than 50 percent whiting by weight (consistent with Amendment 20), provide rules for the disposition of prohibited species retained in the maximized retention fishery, and restrict the use of midwater gear in the Rockfish Conservation Areas to the area north of 40°10'. Implementation is expected by May 2015.

- **Change in Whiting Season Opening Date.** At its November 2012 meeting, the Council recommended making the shoreside sector primary whiting season opening date May 15, which will also affect non-whiting midwater trawl fisheries. Implementation is expected May 2015.
- **Pacific Coast Groundfish Trawl Rationalization Program Electronic Monitoring EFPs.** In June 2014, the Council submitted four two-year electronic monitoring Exempted Fishing Permits (EFPs) to NOAA Fisheries. The purpose of these EFPs is to determine if electronic monitoring can effectively be used to monitor midwater, fixed gear, and bottomtrawl fisheries. The expectation is that these EFPs, if successful, will be used to establish revised monitoring regulations and reduce the cost of human observers. NOAA Fisheries staff are working with the applicants with the goal of having the final EFPs in place by March 2015.
- **Continue Adaptive Management Program.** The current pass through of the quota share (QS) set aside for the adaptive management program (AMP) (10 percent of the nonwhiting QS) is set to expire at the end of 2014. The Council has recommended a rule to continue that pass through until after the trawl catch share program review, which has been scheduled to commence in November 2016. On December 17, 2014, NOAA Fisheries published a final rule that 1) reinstates a mechanism whereby NOAA Fisheries can issue interim groundfish allocations at the beginning of the year in years when annual groundfish harvest specifications are not yet finalized, and 2) amends regulations to allow NOAA Fisheries to issue that portion of the allowable catch currently allocated to the AMP to quota shareholders until final criteria and a process for distribution of the AMP quota shares is developed and implemented.
- **Limited Entry Fixed Gear Sablefish Permit Stacking Program Review.** The Council approved the final report at its June 2014 meeting after reviewing an earlier draft in April. The review documents the conditions which led to the full implementation of the sablefish permit stacking program in 2002 and assesses the achievement of the Council's objectives for the program. The assessment indicates a generally successful program in achieving those objectives though improvements in catch tracking and accountability were identified for further action.
- **Widow Rockfish Reallocation and Divestiture Issues.** Under the Amendment 20 trawl catch share program, overfished species were allocated in a manner intended to meet the bycatch needs for those receiving quota for target species. Amendment 20 included a provision which noticed the possibility that when an overfished species attains rebuilt status, quota shares for the species would be actively considered for reallocation. Widow rockfish was declared rebuilt for the 2013-2014 biennial specifications cycle, but consideration of a quota share reallocation was delayed. The Council adopted a range of alternatives for analysis at its November 2014 meeting, and is scheduled to select a final preferred alternative at its April 2015 Council meeting.

North Pacific Fishery Management Council:

- **Cost Recovery.** NOAA Fisheries has developed options to implement cost recovery regulations for the Amendment 80, American Fisheries Act (AFA), Aleutian Islands Pollock, and Community Development Quota groundfish and halibut programs. NOAA Fisheries expects to publish a proposed rule in January 2015 (80 FR 936) and plans to implement the programs in 2015.
- **Crab Rationalization.** In February 2013, the Council recommended modifications to the rights of first refusal that were created to benefit community interests under the Bering Sea and Aleutian Islands crab rationalization program. In October 2014, the Council took final action to recommend a preferred alternative that grants more flexibility to processors and community entities. The proposed changes will require limited rulemaking and may provide additional opportunities for harvesters, processors, and communities to negotiate the sale of processor quota shares and maintain processing activity in communities where it has historically occurred. NOAA Fisheries intends to conduct rulemaking and implement the changes in 2015.
- **Halibut Sablefish IFQ.** The Council has recommended proposed actions that will further restrict the use of hired masters in this fishery as this may be the most feasible and effective way to accelerate the transition to an owner-operated fishery. The Final Rule was published July 28, 2014 (79 FR 43679), effective December 1, 2014. This rule has been challenged in the United States District Court, Western District of Washington (Fairweather Fish, Inc. et al. vs. Pritzker et al., Case No. 3:14-cv-05685-BHS, filed on August 27, 2014). Plaintiffs and defendants anticipate filing court briefs supporting motions for summary judgment in mid-2015.

- **Community Quota Entities.** The Council and NOAA Fisheries developed and implemented a Community Quota Entity (CQE) Program in the Gulf of Alaska in 2004 and in the Aleutian Islands in 2014. The program authorizes non-profit CQEs to purchase commercial halibut and sablefish quota share for lease to eligible community residents. The intent of the program is to provide additional fishing opportunities for residents of fishery dependent communities and sustain resident participation in the halibut and sablefish IFQ fisheries. Since implementation, the Council has recommended a number of revisions to the program that relax restrictions on the purchase and use of quota share by Gulf of Alaska CQEs in order to promote additional participation in the program. NOAA Fisheries implemented all of these recommendations in 2013 and 2014.
- **Harvest Quota Exchange for Amendment 80 and Community Development Quota (CDQ) Program.** In April 2013, the Council recommended revising the Amendment 80 and CDQ programs to allow eligible trawl catcher/processors to exchange harvest quota from one of three flatfish species for an equal amount of another of these three flatfish species, while maintaining total catch below acceptable biological catch limits. This action is intended to mitigate the operational variability, environmental conditions, and economic factors that may constrain groups from fully harvesting total allowable catches in the multi-species BSAI groundfish fisheries. Final rule published on September 23, 2014 (79 FR 56671), and was effective on October 23, 2014.
- **Amendment 80 Five Year Review.** At its October 2014 meeting, the Council completed its 5-year review of the Amendment 80 program. The Council determined that the Amendment 80 program has exceeded the Council's expectations and goals by 1) maintaining a healthy marine ecosystem, 2) reducing bycatch, 3) minimizing waste and improving utilization, 4) maximizing benefits to present fishermen, CDQ groups, and the nation as whole, 5) further rationalizing the fishery to mitigate costs of achieving the goals of the program, and 6) minimizing negative impacts on other fisheries. The Council determined that no program changes were necessary at this time, noting that it has developed and NOAA Fisheries has implemented several minor revisions to the program since it was implemented.
- **American Fisheries Act.** In April 2013, the Council took final action to allow vessel replacement of American Fisheries Act (AFA) Pollock vessels. The purpose of this action is to clarify AFA vessel replacement provisions of the Coast Authorization Act of 2010 (Coast Guard Act) and to prevent AFA vessels that are replaced from increasing fishing effort beyond historical catch levels in fisheries that are not managed under a catch share program. The final rule published on September 12, 2014 (79 FR 54590), and was effective on October 14, 2014.
- **Community Development Quota (CDQ) Pacific Cod Fishery.** In October 2013, representatives from several CDQ groups requested regulatory revisions or exemptions that would encourage development of local, small vessel Pacific cod fisheries. The initial analysis was reviewed by the Council in June and October 2014. The Council is scheduled to take final action in February 2015.

New England Fishery Management Council:

- **Frameworks 48 and 50.** Annual updates to the Multispecies Fishery Management Plan are published as Framework adjustments. Due to the substantial number of updates in 2013, the actions were split into two related frameworks. Framework 50 (FW50) specified Annual Catch Limits for all stocks for FY 2013–2015 and reduced the amount of allowable Gulf of Maine cod carryover to 1.85 percent of the sectors' 2012 annual catch entitlement. FW50 also changed how the catch of carryover allocation will be counted against sector allocations and ACLs. Since many of the catch limits included in FW50 were substantial reductions from 2012 limits, Framework 48 (FW48) included several measures intended to mitigate the negative economic impacts to the groundfish fishery caused by the reduced catch limits. FW48 also implemented accountability measures for Atlantic halibut, Atlantic wolffish, and SNE/MA winter flounder (in response to a Court order) and proposed necessary administrative changes. Final rules for FW 48 and FW 50 were published May 3, 2013. NOAA Fisheries was sued regarding implementation of FW 50. On April 4, the U.S. District Court ruled that the current fishing year's potential groundfish catch levels violated federal law by allowing overfishing if all carryover annual catch entitlement was caught. In response, NOAA Fisheries issued an interim rule (79 FR 36433; June 27, 2014) to address the Court's concern, and implement carryover provisions for fishing year 2013. The Court also upheld NOAA Fisheries' decision to allow fishing access into areas that had been closed to commercial fishing.

- **Framework 51.** This action would set specifications for white hake for fishing years 2014 through 2016, as well as fishing year 2014 shared U.S./Canada quotas for Georges Bank yellowtail flounder and Eastern Georges Bank cod and haddock. This action would also revise the rebuilding program for Gulf of Maine cod and American plaice. Other management measures include accountability measures for the small-mesh fishery for Georges Bank yellowtail flounder, modification to the U.S./Canada Area management measures, and consideration of a prohibition on possession of yellowtail flounder by the scallop fishery. The final rule published April 22, 2014 (79 FR 22421).
- **Frameworks 52 and 53.** Framework 52 revises the accountability measures for southern and northern windowpane flounder. A proposed rule for this framework published on November 17, 2014 (79 FR 68396), and a final rule is expected to publish in January 2015. Framework 53 (FW 53) is primarily an annual adjustment to groundfish management measures, and is scheduled for implementation by May 1, 2015. FW 53 also responds to a recent stock assessment update for Gulf of Maine cod with the intent of superseding current interim measures implemented by the agency. The Council selected preferred alternatives and took final action on FW 53 at its November 2014 meeting.
- **Amendment 18.** The Council continues to work on Amendment 18 to the Multispecies Fishery Management Plan, which is focused on the development of measures to promote fleet diversity, enhance sector management, promote resilience and stability of fishing businesses, and prevent excessive shares in the fishery. The Council is still working to select preferred alternatives. The amendment is currently scheduled for implementation in 2016.
- **Atlantic Sea Scallop General Category IFQ Performance Report.** In May 2014, an initial review of this IFQ program was completed to gauge the performance of the IFQ fishery during the first 3 years of the program (2010-2012).
- **Electronic Monitoring.** The Nature Conservancy and NOAA Fisheries convened an electronic monitoring workshop May 7-8, 2014, in New Hampshire. NOAA Fisheries is working with Georges Bank Fixed Gear Sector and Maine Coast Community Sector on proposals to test electronic monitoring as an alternative to at-sea monitors in an operational setting for the 2015 fishing year.

Mid-Atlantic Fishery Management Council:

- **Surf Clam and Ocean Quahog Data Collection Program.** The Council voted at its June 2013 meeting to request NOAA Fisheries implement a new data collection program for the surf clam and ocean quahog fishery. The new information will provide additional detail on ITQ allocation ownership and control that the Council may need when developing an excessive shares cap. NOAA Fisheries published a proposed rule on August 7, 2014 (79 FR 46233), with a comment period through September 8, 2014. The comment period was reopened at the request of the Council through October 17 (79 FR 59472, October 2, 2014) to accommodate discussion of the action at the October Council meeting. NOAA Fisheries is currently reviewing all comments received.
- **Surf Clam and Ocean Quahog Cost Recovery Amendment.** At its October 2014 meeting, the Council approved the draft amendment for public hearings. The public comment period is scheduled from December 15, 2014, through January 16, 2015, with four public hearings planned during the final week. Five cost recovery alternatives are currently being considered, including the status quo. Final action by the Council is expected in early 2015.

