

Amendment 78
Fishery Management Plan for Groundfish of the
Gulf of Alaska

Additions are in bold.

(1) Modify the fifth paragraph in section 3.7.2.3.2 to read as follows:

3.7.2.3.2 Catcher processor sector allocation with cooperatives

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Cooperatives that meet a minimum two LLP license threshold would be permitted to engage in the transfer of annual allocations to other cooperatives. Catcher processors could also transfer annual allocations to catcher vessel cooperatives, but could not acquire annual allocations from catcher vessel cooperatives. Any transfers would be temporary transfers of a single year's annual allocation with the history reverting to the LLP license from which it came. **Cooperatives may lease an annual allocation (i.e., transfer) after a delivery to cover any potential overages, provided that the quota account of the cooperative conducting the lease has a zero or positive balance before starting a fishing trip and at the end of the year.** No person would be permitted to hold or use in excess of 20 percent of the catcher processor pool. This cap would be applied to limit the amount of shares that an individual could bring to a cooperative, either through license holding or through inter-cooperative transfers. To apply this cap, inter-cooperative transfers would need to be conducted through individuals. In addition, no catcher processor vessel could harvest in excess of 60 percent of the catcher processor pool.⁵ Persons or vessels with history in excess of these limits at the time of final Council action, June 6, 2005, would be grandfathered at their historic levels at that time.

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(2) Modify the seventh paragraph in section 3.7.2.3.3 to read as follows:

3.7.2.3.3 Catcher vessel cooperative with processor associations

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Cooperatives would be permitted to engage in the transfer of annual allocations. Catcher vessel cooperatives would be permitted to acquire annual allocations from catcher processor cooperatives, but could not transfer annual allocations to catcher processor cooperatives. Any transfers would be temporary transfers of a single year's annual allocation, with the history remaining with the LLP license of origin. **Cooperatives may lease an annual allocation (i.e., transfer) after a delivery to cover any potential overages, provided that the quota account of the cooperative conducting the lease has a zero or positive balance before starting a fishing trip and at the end of the**

year. Future annual allocations would be based on the cooperative membership of the LLP holder. Catcher vessel cooperatives would be permitted to acquire annual allocations from catcher processor cooperatives, but could not transfer annual allocations to catcher processor cooperatives. Any transfers would be temporary transfers of a single year's annual allocation with the history remaining with the LLP license from which it originates. Future annual allocations would be based on the cooperative membership of the LLP holder. No catcher vessel cooperative would be permitted to hold or use in excess of 30 percent of the catcher vessel sector's allocation, while no person would be permitted to hold or use in excess of 5 percent of the catcher vessel sector's allocation. This cap would be applied to limit the amount of shares that an individual could bring to a cooperative, either through license holding or through inter-cooperative leasing. To apply this cap, inter-cooperative transfers would need to be conducted through individuals. Persons receiving an allocation in excess of the cap would be grandfathered at the level of the allocation.

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Amendment 90
Fishery Management Plan for Groundfish of the
Bering Sea/Aleutian Islands Management Area
Amendment 78
Fishery Management Plan for Groundfish of the
Gulf of Alaska

Additions are in bold.

(1) Modify paragraph 1 of section 3.7.5.2 to read as follows:

3.7.5.8.2 Transfers of CQ

1. Annual allocations to the cooperative will be transferable among non-AFA trawl CP cooperatives. Inter-cooperative transfers must be approved by NMFS. **Cooperatives may transfer CQ after a delivery to cover any potential overages, provided that the CQ account of the cooperative conducting the lease has a zero or positive balance before starting a fishing trip and at the end of the year.**

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