

Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area

1. Add section 3.7.1.8 to read as follows:

3.7.1.8 Community Quota Share Purchases

Community Quota Entities (CQEs) representing specified Aleutian Islands coastal communities are eligible to purchase and hold commercial catcher vessel sablefish quota share under the IFQ Program as defined and described in this section. Communities are subject to the provisions of the IFQ Program as described in Section 3.7.1 unless otherwise described in this section.

3.7.1.8.1 Eligible Communities

Eligible communities are those that meet the following qualifying criteria: 1) be located within the Aleutian Islands; 2) not be eligible for a western Alaska Community Development Quota Program; 3) have a population of more than 20 and less than 1,500 persons; 4) have direct access to saltwater; 5) lack direct road access to communities with a population greater than 1,500 persons; 6) have documented historic participation in the halibut or sablefish fisheries; and 7) be specifically designated on a list in Federal regulation. Communities in the Aleutian Islands not listed in Federal regulation must apply to the Council to be approved for participation in the program and will be evaluated using the above criteria.

The administrative entity (CQE) permitted to hold the quota share for the eligible community of Adak is the entity approved by NMFS to hold the Adak community allocation of Western Aleutian Islands golden king crab.

3.7.1.8.2 Management Areas

CQEs representing eligible communities may purchase and hold sablefish quota shares and IFQs in the Aleutian Islands subarea of the BSAI.

3.7.1.8.3 Use and Ownership Provisions

1. Individual and Cumulative Community Use Caps
 - a. For sablefish, each qualified administrative entity representing an eligible community or communities may own, hold, or otherwise control, but may not exceed, 15 percent of the Aleutian Islands sablefish quota share pool on behalf of that community; and
 - b. For sablefish, all CQEs representing eligible communities may own, hold, or otherwise control, collectively, but may not exceed, 15 percent of the Aleutian Islands sablefish quota share pool on behalf of those communities.

2. Quota Share Block Provisions

Each eligible community may own and use up to five blocks of sablefish quota share in the Aleutian Islands subarea, per eligible community it represents.

3. Vessel Size Provisions

The vessel size category designations for catcher vessel quota shares (Category B and C) do not apply to the quota share when it is owned by a CQE and leased by the eligible community.

3.7.1.8.4 Transfer Provisions

1. CQEs owning quota shares may lease the IFQs arising from those quota shares only to residents of the eligible community, except the CQE may lease IFQ to non-residents for a limited period of five years after the effective date of implementation of the program. After the five-year period, the CQE must lease quota share to residents of the community it represents.
2. Any CQE owning catcher vessel quota shares may lease, but may not exceed, 50,000 pounds of sablefish IFQ per lessee annually. The 50,000-pound limit is inclusive of any quota owned by the individual (lessee).
3. No vessel may be used, during any fishing year, to harvest more than 50,000 pounds of IFQ sablefish derived from quota share held by a CQE in the Aleutian Islands. The vessel would also be subject to the same vessel use caps applicable in the overall IFQ Program.
4. CQEs owning catcher vessel quota shares may sell those quota shares to any other CQE representing an eligible community in the Aleutian Islands or any person meeting the provisions outlined in Section 3.7.1.4.
5. CQEs may only sell their quota share for one of the following purposes:
 - a. generating revenues to sustain, improve, or expand the program
 - b. liquidating the entity's quota share assets for reasons outside the program

Should an eligible community sell its quota share for purposes consistent with (b) above, an administrative entity would not be qualified to purchase and own quota share on behalf of that community for a period of three years.