

Appendix A. Considered but Rejected Actions and Alternatives

Implement a catch share program for the golden crab fishery

Alternative 1. No action. Do not implement a catch share program for the golden crab fishery.

Alternative 2. Implement a catch share program for the golden crab fishery. Action Rejected by the Council, June 2011

Rationale: The Council rejected this action because they concluded this action is redundant with the purpose of the amendment. This action was removed by the Council, September 2011.

Establish eligibility requirements for a golden crab catch share program

Alternative 5. Restrict eligibility to valid commercial golden crab permit holders and golden crab captains and crew.

Alternative 6. Restrict eligibility to valid commercial golden crab permit holders and federally permitted golden crab dealers.

Alternative 7. Restrict eligibility to valid commercial golden crab permit holders, federally permitted golden crab dealers, and golden crab captains and crew.

Rationale for Removal: The Council concluded these alternatives were unnecessary given other alternatives being considered in the “Eligibility to Own Shares” action. These alternatives were rejected by the Council, September 2011

Establish vessel catch history initial allocation

Alternative 4. Use 1998-2008 aggregate catch history for each vessel to allocate initial allocation to each vessel owner. Vessels with below 5% initial allocation receive an extra 2% per vessel excluding those receiving greater than 30% initial allocation on all vessels owned combined. The extra 2% comes out of highest share holder portion. Must have 25,000 pounds aggregate catch history from 1998-2008 to receive bonus.

Alternative 5. Use 1998-2008 aggregate catch history for each vessel only if vessel has catch history in 1998. Vessels with below 5% initial allocation receive an extra 5% per vessel excluding those receiving greater than 30% initial allocation on vessels owned combined. The extra 5% comes out of highest share holder portion. Must have 25,000 pounds aggregate catch history from 1998-2008 to receive bonus.

Alternative 6. Use 2006-08 aggregate catch history for each vessel to allocate initial allocation to each vessel owner. Vessels fishing between 2007 and 2009 that get less than 10% initial allocation receive an additional 7% per vessel excluding those that receive greater than 20% initial allocation on vessels owned combined. The extra 7% comes out of highest share holder. Must have 50,000 pounds aggregate catch history from 2006-08 to receive bonus.

Alternative 7. Use 2006-08 aggregate catch history for each vessel to allocate initial allocation to each vessel owner. If vessels fished in the last 5 years and received less than 20% initial allocation, each vessel owner receives an additional 5% excluding those that receive greater than 20% initial allocation on vessels owned combined. The extra 5% comes out of highest share holder. Must have 50,000 pounds aggregate catch history from 2006-08 to receive bonus.

From Alternatives 8, 9 & 11:

Sub-alternative c. Vessel catch history for 2005-2008. Must have 25,000 pounds aggregate to receive allocation portion.

Sub-alternative d. Vessel catch history for 2005-2008. Must have 50,000 pounds aggregate to receive allocation portion.

Sub-alternative e. Vessel catch history for 2002-2008. Must have 25,000 pounds aggregate to receive allocation portion.

Sub-alternative f. Vessel catch history for 2002-2008. Must have 50,000 pounds aggregate to receive allocation portion.

Alternative 10: Allocate through equal allocation of the total quota (ACL)

Sub-alternative 10a. 11 vessel owners

Sub-alternative 10b. 4 active vessels

Rationale for Removal: The Council rejected these alternatives in favor of similar alternatives already in the amendment. The Council concluded these alternatives are overly complicated and/or not a fair distribution of the ACL. These alternatives were rejected by the Council, September 2011

Establish eligibility for harvest

Alternative 1. No Action. Do not establish eligibility for harvest.

Alternative 2. Any person holding a current (as in paid fees) permit in any zone is eligible to participate in the golden crab catch share program. New entrants to the fishery must purchase annual pounds and purchase or lease a permit.

Rationale for Removal: The Council concluded this action was unnecessary based on the alternatives in the action to “Establish Criteria for Transferability” and therefore removed it from further consideration. This action was rejected by the Council, September 2011

Monitoring and Enforcement Action:

Alternative 2. Phase in additional monitoring as necessary based on the economic capacity of the fishery. Explore real-time reporting via electronic monitoring (recording trip ticket and logbook data on a website upon landing).

Note: There may be a discrepancy between logbook landings and trip ticket if, during shipping, there is shrinkage (5-10%) and any such comparison between logbooks and trip tickets would need to account for this. This could happen given that there could be a time difference of 5-7 days between when a crab is caught and when it is sold due to the length of the trip.

Sub-alternative 3b. The purchase, installation, and maintenance of the VMS equipment and communications costs will be paid for or arranged by NMFS.

Sub-alternative 3c. The purchase, installation, and maintenance of the VMS equipment and communications costs will be paid for jointly by the shareholder and NMFS.

Alternative 4. Implement hail-in requirement (at least 3 hrs ahead of time whereby a message could be left or texted in excess of 3 hours) when landing with location and time or other information deemed necessary by enforcement.

Rationale for Removal: The Council removed **Alternatives 2 and 4** because they represent only administrative actions and were not regulatory in nature, therefore, not appropriate to have as alternatives to an action. **Sub-alternatives 3b and 3c** were removed because NMFS has no mechanism for paying partially or in total for the installation, maintenance, and communication costs associated with onboard VMS equipment. These alternatives were rejected by the Council, June 2011.

Establish criteria for transferability.

Alternative 2. Program allows for all or a portion of permanent (quota share) and temporary (annual pounds) sale of quota among all permit holders and those leasing a permit.

Rationale for Removal: The Council removed Alternative 2 because only permit holders will be allowed to buy and sells annual pounds. The Council rejected this alternative in September 2011.

Define quota share ownership caps.

Alternative 6. A maximum of 55% of the quota can be owned as shares by any one entity.

Alternative 7. A maximum of 65% of the quota can be owned as shares by any one entity.

Alternative 8. A maximum of 75% of the quota can be owned as shares by any one entity.

Rationale for Removal: The Council decided it would be inappropriate for one entity to be allowed to have majority ownership of all the shares in the catch share program. These alternatives were rejected by the Council, September 2011

Establish provisions for banking and borrowing

Alternative 1. No Action. Do not create provisions for banking and borrowing as part of the golden crab catch share program.

Alternative 2. Establish a 20,000 lbs borrowing allowance each year.

Rationale for Removal: Action Rejected by the Council, September 2011

Collection of royalties from resource use

Alternative 1. No Action. Do not collect royalties from shareholders for use of the golden crab fishery

Alternative 2. Hold an annual auction of portions of the ACL to fishermen with a golden crab permit. Place funds collected through the auction into an account where the funds help pay for golden crab fishery management.

Alternative 3. Redefine golden crab shares so that they expire every 5 years with a start date upon implementation of this amendment. The Council will determine if the share owner is re-issued the shares for another 5 years after the time has expired. An auction will be used to determine the next owner. Auction participants must own a golden crab permit. Place funds collected through the auction into an account where the funds help pay for golden crab fishery management.

Alternative 4. Redefine golden crab shares so that they expire every 10 years with a start date upon implementation of this amendment. The Council will determine if the share owner is re-issued the shares for another 10 years after the time has expired. An auction will be used to determine the next owner. Auction participants must own a golden crab permit. Place funds collected through the auction into an account where the funds help pay for golden crab fishery management.

Alternative 5. Assess a tax on shareholders equal to an estimation of “super profits” (profits that exceed “normal profit”) made in the fishery.

Rationale for Removal: Action Rejected by the Council, September 2011

Adjustments in Annual Allocations of Commercial ACL

Alternative 1. No Action. Do not allow for adjustments in annual allocation of commercial ACL.

Alternative 2. Annually allocate adjustments in the commercial quota proportionately among eligible shareholders (e.g., those eligible at the time of the adjustment) based on the percentage of the commercial quota each holds at the time of the adjustment.

Alternative 3. Allocate adjustments in the commercial quota through an auction system. All golden crab shareholders are allowed to place bids.

Rationale for Removal: This action was rejected as shares will be adjusted proportionately based on the ACL in place at the beginning of each fishing year. Action Rejected by the Council, September 2011

Initial Apportionment of Catch Shares

Sub-alternative 5a. To receive catch shares distributed equally among eligible participants, aggregate golden crab logbook landings from 1997 through 2010 associated with an eligible participant's current permit must equal or exceed 25,000 pounds.

Sub-alternative 5b. To receive catch shares distributed equally among eligible participants, aggregate golden crab logbook landings from 1997 through 2010 associated with an eligible participant's current permit must equal or exceed 50,000 pounds.

Rationale for Removal: Sub-alternatives 5a and 5b would have left two permit holders with no allocation. The Council decided it wanted all permits to have at least a minimal amount of allocation. The sub-alternatives were rejected by the Council, March 2012.

Establish criteria for new entrants program

Alternative 1. No Action. Do not create provisions that assist new entrants in entering the fishery.

Alternative 2. Set aside some amount of annual pounds for new entrants when quota is: (i) released as a part of a violation, (ii) lost quota (use it or lose it provision); and (iii) when the ACL exceeds 3 million pounds.

Alternative 3. Set aside 2% of the golden crab ACL each year to be auctioned off to permit holders that do not possess shares.

Alternative 4. Set aside 5% of the golden crab ACL each year to be auctioned off to permit holders that do not possess shares.

Alternative 5. Set aside 10% of the golden crab ACL each year to be auctioned off to permit holders that do not possess shares.

Rationale for Removal: This action was rejected by the Council based on their decision that a buyer should be able to buy a permit with or without shares. The free market will control the price of shares and any permit holder will be eligible to buy or sell shares. Action Rejected by the Council, March 2012.