

**SUMMARY REPORT  
FROM THE  
GOLDEN CRAB COMMITTEE MEETING  
Savannah, GA  
March 7, 2012**

The Golden Crab Committee met on March 7, 2012, in Savannah, GA. The Committee reviewed draft Amendment 6 and recommendations from the Advisory Panel, IPT, and Council staff. Additionally, they received a summary of Public Hearing Comments. Brad Whipple also participated in the discussion. Council staff presented a draft purpose and need, as well as, each action in the amendment. The Committee discussed and made some changes to the amendment, which are recorded in the motions below. Additionally, staff was directed to change the language in some actions and alternatives for clarification of the intent. For a new entrants program (Action 13), the Staff will develop new alternatives in accordance with Council direction. The new alternatives will be presented at Full Council.

**The Committee reviewed the purpose and need for the amendment and made the following motion:**

Amendment 6 to the Fishery Management Plan (FMP) for the Golden Crab Fishery of the South Atlantic Region (Golden Crab FMP) consists of regulatory actions that would result in the development of a catch share program for the golden crab fishery. The purpose and need of developing a golden crab catch share program is to:

1. Develop a proactive approach to management to prevent derby fishery from developing;
2. Protect sensitive benthic habitat by ensuring fishery participants have high level of knowledge of the fishery and its operation;
3. Modify management of the fishery to allow for flexibility due to vessel breakdowns and medical issues;
4. Reduce the potential for gear conflicts in the golden crab fishery and ensure safety at sea;
5. Provide economic incentives for the fishery to operate more efficiently;
6. Promote optimal utilization of the resource and professionalize the fishery;
7. Maintain participation of fishermen with high level knowledge and experience to protect sensitive deepwater coral habitats.

The development of the catch share program further addresses the objectives of the Golden Crab FMP as described in Section 1.2.

The Council discussed the purpose and need and suggested the following change.

**MOTION #1: DELETE ITEM #7 OF PURPOSE & NEED [Maintain participation of fishermen with high level knowledge and experience to protect sensitive deepwater coral habitats.]  
APPROVED BY COMMITTEE**

This change was made because the Committee considered item #7 to be redundant with item #2 in the purpose and need.

**The Committee made the following motions for each action:**

*Action 1 – Establish eligibility criteria for a golden crab catch share program*

**Alternative 1. No Action.** Do not establish eligibility criteria for a golden crab catch share program

**Alternative 2.** Restrict eligibility to valid commercial golden crab permit holders who have made landings of 1 pound or greater from 2001 through 2010.

**Alternative 3.** Restrict eligibility to valid commercial golden crab permit holders who have made landings of 1 pound or greater from 2005 through 2010.

**Preferred Alternative 4.** Restrict eligibility to valid commercial golden crab permit holders. Eligibility for participation in this catch share program is defined as having a valid commercial golden crab permit as of the effective date of the final rule.

There were no motions for Action 1

*Action 2 – Initial apportionment of catch shares*

**Alternative 1. No action.** Do not specify a method for initial apportionment of catch shares.

**Alternative 2.** Distribute initial catch shares proportionately among eligible participants based on the aggregate annual golden crab landings from logbooks associated with their current permit(s) during the time period 2002 through 2010.

**Alternative 3.** Distribute initial catch shares proportionately among eligible participants based on the aggregate annual golden crab landings from logbooks associated with their current permit(s) during the time period 1997 through 2010.

**Alternative 4.** Distribute 50% of initial catch shares equally among eligible participants and distribute 50% of initial catch shares among eligible participants based on the aggregate annual golden crab landings from logbooks associated with their current permit(s) during the time period 1997 through 2010:

**Sub-alternative 4a.** 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 4b.** 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.

**Preferred Alternative 5.** Distribute 25% of initial catch shares equally among eligible participants and distribute 75% of initial catch shares among eligible participants based on the aggregate annual golden crab landings from logbooks associated with their current permit(s) during the time period 1997 through 2010:

~~**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.~~

~~**Preferred 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.~~

**Alternative 6.** Distribute initial catch shares proportionately among eligible participants based on the best consecutive three year average of golden crab logbook landings associated with their current permit(s) during the time period 1997 through 2010

**Alternative 7.** Distribute initial apportionment of catch shares through an auction. All eligible entities as determined in **Action 1** would be able to participate.

**MOTION #2. CHANGE PREFERRED ALTERNATIVE TO 5 (ACTION 2) AND ELIMINATE THE TWO SUB-ALTERNATIVES APPROVED BY COMMITTEE**

Sub-alternative 5b would result in two permits not receiving quota shares upon initial distribution. The Committee changed their preferred alternative to Alternative 5 and removed the sub-alternatives to ensure each permit holder received a minimum of 2.27% shares initially.

**MOTION #3. ADD NEW ALTERNATIVE 7 TO ACTION 2: DISTRIBUTE INITIAL APPORTIONMENT OF CATCH SHARES THROUGH AN AUCTION. ALL ELIGIBLE ENTITIES AS DETERMINED IN ACTION 1 WOULD BE ABLE TO PARTICIPATE. APPROVED BY COMMITTEE**

Alternative 7 was added to the document upon recommendation by NOAA General Counsel. The Magnuson-Stevens Act specifies that Councils shall consider an auction system or other program to collect royalties for the initial distribution of allocations under a catch share program.

*Action 3 – Establish criteria and structure of an appeals process*

**Alternative 1. No Action.** Do not specify provisions for an appeals process.

**Preferred Alternative 2.** A percentage of the golden crab shares for the initial fishing year under the program will be set-aside to resolve appeals for a period of 90-days starting on the effective date of the final rule. The Regional Administrator (RA) will review, evaluate, and render final decisions on appeals. Hardship arguments will not be considered. The RA will determine the outcome of appeals based on NMFS' logbooks.

If NMFS' logbooks are not available, the RA may use state landings records. Appellants must submit NMFS' logbooks or state landings records to support their appeal. **If the amount of set-aside for appeals is exceeded, then the shares and annual pounds of all IFQ shareholders would be proportionately adjusted.** After the appeals process has been terminated, any amount remaining from the set-aside will be distributed back to remaining shareholders according to the redistribution method selected under Action 2:

**Preferred Sub-alternative 2a.** Three percent of golden crab shares will be set aside for appeals.

**Sub-alternative 2b,** Five percent of golden crab shares will be set aside for appeals.

**Sub-alternative 2c.** Ten percent of golden crab shares will be set aside for appeals.

**Preferred Sub alternative 2d.** Two percent of golden crab shares will be set aside for appeals.

**MOTION #4. SELECT ALTERNATIVES 2 AND 2D (ACTION 3) AS PREFERRED AND ADD "IF THE AMOUNT OF SET-ASIDE FOR APPEALS IS EXCEEDED, THEN THE SHARES AND ANNUAL POUNDS OF ALL IFQ SHAREHOLDERS WOULD BE PROPORTIONATELY ADJUSTED"  
APPROVED BY COMMITTEE**

The Committee made this motion to support the AP's recommendation, and inserted the additional language to insure that if the set aside was not enough to satisfy the result of successful appeals, the distributed shares could be proportionally adjusted.

*Action 4 – Establish criteria for transferability*

**Alternative 1. No Action.** Do not establish criteria for transferability.

**Preferred Alternative 2.** Shares or annual pounds can only be transferred to valid golden crab permit holders. **Participants cannot possess shares or allocation without a valid golden crab permit.**

**Alternative 3.** Shares or annual pounds can only be transferred to valid golden crab permit holders during the first five years of the catch share program and all U.S. citizens and permanent resident aliens thereafter. **Participants cannot possess shares or allocation without a valid golden crab permit.**

**MOTION #5. ADD "VALID" BEFORE GOLDEN CRAB PERMIT IN ALTERNATIVES 2 & 3, AND DESIGNATE ALTERNATIVE 2 AS PREFERRED FOR ACTION 4  
MOTION POSTPONED UNTIL FULL COUNCIL  
MOTION WITHDRAWN WITHOUT OBJECTION**

**MOTION #6. ADD "VALID" BEFORE GOLDEN CRAB PERMIT IN ALTERNATIVES 2 & 3, ADD THE FOLLOWING TO ALTERNATIVES 2 & 3 PARTICIPANTS CANNOT POSSESS SHARES OR ALLOCATION WITHOUT A VALID GOLDEN CRAB PERMIT AND DESIGNATE ALTERNATIVE 2 AS PREFERRED FOR ACTION 4**

## APPROVED BY COMMITTEE

The Committee made the motion to clarify that only “valid” golden crab permits could have shares transferred to them and to clarify that shares can be held by valid permit holders.

### *Action 5 – Define quota share ownership caps*

**Alternative 1. No Action.** Do not constrain the percentage of catch shares held by a person, including a corporation or other entity.

**Alternative 2.** No person, including a corporation or other entity, may individually or collectively hold catch shares in excess of the maximum share initially issued to any person at the beginning of the IFQ program.

**Alternative 3.** No person, including a corporation or other entity, may individually or collectively hold catch shares in excess of 25 percent of the total shares.

**Alternative 4.** No person, including a corporation or other entity, may individually or collectively hold catch shares in excess of 35 percent of the total shares.

**Preferred Alternative 5.** No person, including a corporation or other entity, may individually or collectively hold catch shares in excess of 49 percent of the total shares.

**IPT recommendation: Change the word IFQ to “catch shares” for Alternative 2.  
COMMITTEE CONCURS WITH IPT RECOMMENDATION**

### *Action 6 – Use it or lose it policy*

**Alternative 1. No Action.** Do not specify a minimum landings requirement for retaining shares.

~~**Alternative 2.** Shares that remain inactive for 3 CONSECUTIVE years will be revoked and redistributed proportionally among the remaining shareholders. “Inactive” is defined as less than 10% of the aggregate annual average utilization of the catch share quota over a 3 year moving average period:~~

~~**Sub-alternative 2a.** Landed crabs only.~~

~~**Sub-alternative 2b.** Landed crabs and/or transfer of annual pounds~~

~~**Alternative 3.** Shares that remain inactive for 3 CONSECUTIVE years will be revoked and redistributed proportionally among the remaining shareholders. “Inactive” is defined as less than 30% of the aggregate annual average utilization of the catch share quota over a 3 year moving average period:~~

~~**Sub-alternative 3a.** Landed crabs only.~~

~~**Sub-alternative 3b.** Landed crabs and/or transfer of annual pounds.~~

**Alternative 2. Shares that remain inactive for 3 consecutive years will be revoked and redistributed proportionally among the remaining shareholders.**

**Sub-alternative 2a. Inactive is defined as landings less than 10% of a shareholder's annual pounds allocated in sum over a 3 year running average.**

**Sub-alternative 2b. Inactive is defined as landings and/or transfer of annual pounds less than 10% of a shareholder's annual pounds allocated in sum over a 3 year running average.**

**Alternative 3. Shares that remain inactive for 3 consecutive years will be revoked and redistributed proportionally among the remaining shareholders.**

**Sub-alternative 3a. Inactive is defined as landings less than 30% of a shareholder's annual pounds allocated in sum over a 3 year running average.**

**Sub-alternative 3b. Inactive is defined as landings and/or transfer of annual pounds less than 30% of a shareholder's annual pounds allocated in sum over a 3 year running average.**

**Preferred Alternative 4. Shares that remain inactive for 3 consecutive years will be revoked and redistributed proportionally among the remaining shareholders.**

**Preferred Sub-alternative 4a. Inactive is defined as landings less than 20% of a shareholder's annual pounds allocated in sum over a 3 year running average.**

**Sub-alternative 4b. Inactive is defined as landings and/or transfer of annual pounds less than 20% of a shareholder's annual pounds allocated in sum over a 3 year running average.**

*MOTION #7. FOR ACTION 6, CREATE A NEW ALTERNATIVE 4 AND SELECT ALTERNATIVE 4 AND 4A AS OUR PREFERRED ALTERNATIVES: Shares that remain inactive for 3 CONSECUTIVE years will be revoked and redistributed proportionally among the remaining shareholders. "Inactive" is defined as less than 20% of the aggregate annual average utilization of the catch share quota over a 3 year moving average period:*

*Sub-alternative 4a. Landed crabs only.*

*Sub-alternative 4b. Landed crabs and/or transfer of annual pounds*

*MOTION WITHDRAWN*

**MOTION #8. REWORD [ACTION 6] ALTERNATIVES 2 & 3, ADD NEW ALTERNATIVE 4 AS PER STAFF RECOMMENDATIONS AND CHOOSE ALTERNATIVES 4 AND 4A AS PREFERRED APPROVED BY COMMITTEE**

(NB: Below are the changes projected during the committee meeting. However, there were minor typos made in **Alternatives 2 & 3**. In each alternative, the sub-alternatives should be renumbered from 2a and 2b to 3a/3b and 4a/4b, respectively, as well as, change 10% to 30% in **Sub-alternative 3b** and change 10% to 20% in **Sub-alternative 4b**. The typos are highlighted below. The recommended changes were made to the alternatives above.

Additionally, the Committee discussed, but did not resolve what exactly would be revoked should a shareholder not meet the percent average annual pounds landed requirement.)

**ALTERNATIVE 2. SHARES THAT REMAIN INACTIVE FOR 3 CONSECUTIVE YEARS WILL BE REVOKED AND REDISTRIBUTED PROPORTIONALLY AMONG THE REMAINING SHAREHOLDERS.**

**SUB-ALTERNATIVE 2A. INACTIVE IS DEFINED AS LANDINGS LESS THAN 10% OF A SHAREHOLDER'S ANNUAL POUNDS ALLOCATED IN SUM OVER A 3 YEAR RUNNING AVERAGE.**

**SUB-ALTERNATIVE 2B. INACTIVE IS DEFINED AS LANDINGS AND/OR TRANSFER OF ANNUAL POUNDS LESS THAN 10% OF A SHAREHOLDER'S ANNUAL POUNDS ALLOCATED IN SUM OVER A 3 YEAR RUNNING AVERAGE.**

**ALTERNATIVE 3. SHARES THAT REMAIN INACTIVE FOR 3 CONSECUTIVE YEARS WILL BE REVOKED AND REDISTRIBUTED PROPORTIONALLY AMONG THE REMAINING SHAREHOLDERS.**

**SUB-ALTERNATIVE 2A. INACTIVE IS DEFINED AS LANDINGS LESS THAN 30% OF A SHAREHOLDER'S ANNUAL POUNDS ALLOCATED IN SUM OVER A 3 YEAR RUNNING AVERAGE.**

**SUB-ALTERNATIVE 2B. INACTIVE IS DEFINED AS LANDINGS AND/OR TRANSFER OF ANNUAL POUNDS LESS THAN 10% OF A SHAREHOLDER'S ANNUAL POUNDS ALLOCATED IN SUM OVER A 3 YEAR RUNNING AVERAGE.**

**ALTERNATIVE 4. SHARES THAT REMAIN INACTIVE FOR 3 CONSECUTIVE YEARS WILL BE REVOKED AND REDISTRIBUTED PROPORTIONALLY AMONG THE REMAINING SHAREHOLDERS.**

**SUB-ALTERNATIVE 2A. INACTIVE IS DEFINED AS LANDINGS LESS THAN 20% OF A SHAREHOLDER'S ANNUAL POUNDS ALLOCATED IN SUM OVER A 3 YEAR RUNNING AVERAGE.**

**SUB-ALTERNATIVE 2B. INACTIVE IS DEFINED AS LANDINGS AND/OR TRANSFER OF ANNUAL POUNDS LESS THAN 10% OF A SHAREHOLDER'S ANNUAL POUNDS ALLOCATED IN SUM OVER A 3 YEAR RUNNING AVERAGE.**

The Committee made the change to the language of the alternatives because they decided using the phrase “aggregate annual average utilization of the catch share quota” was confusing and needed clarification. Additionally, the Committee added **Alternative 4** and **Sub-alternatives** and selected **Alternative 4** and **Sub-alternative 4b** as preferreds. The **Alternative 4** and the sub-alternatives were added because the Committee determined that requiring an average annual 20% usage of shares was most appropriate.

*Action 7 – Cost recovery plan*

**Alternative 1. No Action.** Do not implement a cost recovery plan.

**Preferred Alternative 2.** Cost recovery fees would be calculated at time of sale at a registered dealer:

**Preferred Sub-alternative 2a.** Cost recovery fees would be based on actual ex-vessel value of landings.

**Preferred Sub-alternative 2b.** Cost recovery fees would be based on standard ex-vessel value of landings, as calculated by NMFS.

**Preferred Alternative 3.** Fee collection and submission shall be the responsibility of the:

**Sub-alternative 3a.** Shareholder.

**Preferred Sub-alternative 3B.** Dealer.

**Preferred Alternative 4.** Fees submitted to NMFS:

**Preferred Sub-alternative 4a.** Quarterly

**Sub-alternative 4b.** Monthly

**Sub-alternative 4c.** Annually

**MOTION #9. FOR ACTION 7 CHANGE THE PREFERRED FROM 2B TO 2A AND SELECT 2, 3 & 4 AS PREFERREDS APPROVED BY COMMITTEE**

The Committee changed its preferred **Sub-alternative 2b** to **Preferred Sub-alternative 2a** to be compliant with programs currently administered by NMFS SERO.

*Action 8 – ~~Establish boat length limit rule~~ Revise boat length limit rule*

**Alternative 1. No Action.** To obtain a permit for the middle or southern zone via transfer, the documented length overall of the replacement vessel may not exceed the documented length overall, or aggregate documented lengths overall, of the replaced vessel(s) by more than 20 percent.

**Alternative 2.** Eliminate vessel length restrictions for obtaining a permit for the middle and southern zones via transfer.

**Preferred Alternative 3.** To obtain a permit for the middle or southern zone via transfer, the documented length overall of the replacement vessel may not exceed the documented length overall, or aggregate documented lengths overall, of the replaced vessel(s) by more than 35 percent.

**MOTION #10. APPROVE THE IPT RECOMMENDATION: RENAME THIS ACTION FROM “ESTABLISH BOAT LENGTH LIMIT RULE” TO “REVISE BOAT LENGTH LIMIT RULE”; ADD NEW ALTERNATIVE 3 FROM THE AP; AND CHOOSE THE NEW ALTERNATIVE 3 FOR ACTION 8 AS OUR PREFERRED APPROVED BY COMMITTEE**

**ALTERNATIVE 3: TO OBTAIN A PERMIT FOR THE MIDDLE OR SOUTHERN ZONE VIA TRANSFER, THE DOCUMENTED LENGTH OVERALL OF THE REPLACEMENT VESSEL MAY NOT EXCEED THE DOCUMENTED LENGTH OVERALL, OR**



## **AGGREGATE DOCUMENTED LENGTHS OVERALL, OF THE REPLACED VESSEL(S) BY MORE THAN 35 PERCENT.**

The Committee changed the title of this action to make it more consistent with the alternatives they considered. The new alternative was added and selected as the preferred alternative to support the AP's request to allow for larger vessels that now need to be able to accommodate refrigerated sea water storage systems.

### *Action 9 – Restrictions on where permitted vessels can fish for golden crab Modify regulations on golden crab fishing zones*

**Alternative 1. No Action.** A vessel with a permit to fish for golden crab in the northern zone or the middle zone may fish only in that zone. No vessel with a documented length overall greater than 65 ft (19.8 m) may fish for golden crab in the small vessel sub-zone within the southern zone. The small vessel subzone is bounded on the north by 24°15' N. lat., on the south by 24°07' N. lat., on the east by 81°22' W. long., and on the west by 81°56' W. long. Upon request from an owner of a permitted vessel, the NMFS Regional Administrator will change the zone specified on a permit from the middle or southern zone to the northern zone. A vessel may possess golden crab only in a zone in which it is authorized to fish, except that other zones may be transited if the vessel notifies NMFS Office for Law Enforcement in advance and does not fish in a zone in which it is not authorized to fish.

**Preferred Alternative 2.** Participants can use quota in any zone for which they possess a permit.

**Preferred Alternative 3.** A vessel with a permit to fish golden crab can use annual pounds in any of the three golden crab fishing zones.

### **MOTION #11. MAKE ALTERNATIVE 2 OUR PREFERRED FOR ACTION 9 APPROVED BY COMMITTEE**

The Committee changed the preferred alternative to **Preferred Alternative 2** to help protect against potential gear conflicts and/or effort shifting. **Preferred Alternative 2** allows fishermen with multiple permits to fish their total allocation (regardless of which permit it is assigned to) in any zone where they are permitted to fish.

### **MOTION #12. CONCUR WITH THE IPT RECOMMENDATION CHANGING THE NAME OF ACTION 9 TO “MODIFY REGULATIONS ON GOLDEN CRAB FISHING ZONES.”**

#### **APPROVED BY COMMITTEE**

The Committee changed the name of the action to more reflect the content of the alternatives.

### *Action 10 – Modify the small vessel sub-zone restriction*

**Alternative 1. No Action.** ~~Do not eliminate the small vessel sub-zone within the southern zone that was originally established to protect against very large vessels fishing in the sub-zone.~~ **Do not modify the small vessel sub-zone restriction. The**

small vessel sub-zone was originally established to protect against very large vessels fishing in the sub-zone. In the small vessel sub-zone with the southern zone, no vessel with a documented length overall greater than 65 ft (19.8 m) may fish for golden crab. The small vessel subzone is bounded on the north by 24°15' N. lat., on the south by 24°07' N. lat., on the east by 81°22' W. long., and on the west by 81°56' W. long.

**Preferred Alternative 2.** Eliminate the small vessel sub-zone within the southern zone that was originally established to protect against very large vessels fishing in the subzone

**MOTION #13. REVISE THE NO ACTION ALTERNATIVE AS RECOMMENDED BY THE IPT AND DESIGNATE ALTERNATIVE 2 IN ACTION 10 AS OUR PREFERRED APPROVED BY COMMITTEE**

The Committee changed the wording of the **Action 1, No Action** alternative to reflect the current regulations. **Preferred Alternative 2** was chosen as the small vessel sub-zone is no longer necessary because the vessel it was originally set up to protect are no longer a part of the fishery.

*Action 11 – Establish criteria for permit stacking* Modify ‘one vessel, one permit’ policy for golden crab

~~**Alternative 1. No Action.** Do not allow stacking of golden crab permits.~~

~~**Alternative 2.** Allow for stacking of up to three permits on one vessel so that any zones for which the vessel has a permit can be fished in one trip.~~

~~**Alternative 3.** Allow an unlimited number of golden crab permits on a single vessel so that any zones for which the vessel has a permit can be fished in one trip.~~

**Alternative 1. No Action. Do not modify “one vessel, one permit” policy for golden crab.**

**Preferred Alternative 2. Allow multiple permits to be issued to one vessel so that any zones for which the vessel has a permit can be fished in one trip.**

**Sub-alternative 2a. Two permits per vessel**

**Preferred Sub-alternative 2b. Three permits per vessel**

**MOTION #14. ADOPT THE IPT’S RECOMMENDED LANGUAGE CHANGES: RENAME ACTION 11 AS “MODIFY ‘ONE VESSEL, ONE PERMIT’ POLICY FOR GOLDEN CRAB”; CHANGE THE ALTERNATIVES AS RECOMMENDED BY THE IPT (DELETE ALTERNATIVE 3); AND CHOOSE ALTERNATIVE 2, SUB-ALTERNATIVE 2B AS THE PREFERRED APPROVED BY COMMITTEE**

**Alternative 1. No Action.** Do not modify “one vessel, one permit” policy for golden crab.

**Alternative 2.** Allow multiple permits to be issued to one vessel so that any zones for which the vessel has a permit can be fished in one trip.

**Sub-alternative 2a.** Two permits per vessel

**Sub-alternative 2b.** Three permits per vessel

~~**Alternative 3.** Allow an unlimited amount of golden crab permits on a single vessel so that any zones for which the vessel has a permit can be fished in one trip.~~

The Council had requested the IPT rewrite this action and alternatives to remove the term “permit stacking” in favor of phrasing that would be more descriptive. **Alternative 2** and **Sub-alternative 2b** were chosen to allow shareholders who have permits for up to three zones to keep all of them on one vessel without having to return to port and transfer a permit from one vessel.

*Action 12 – Monitoring and enforcement*

**Alternative 1. No Action.** Do not require additional monitoring and enforcement.

**Preferred Alternative 2.** Require all fishing vessels engaged in the golden crab catch share program to be equipped with VMS. The purchase, installation, and maintenance of VMS equipment must conform to the protocol established by NMFS in the Federal Register:

**Sub-alternative 2a.** The purchase, installation, and maintenance of the VMS equipment and communications costs will be paid for or arranged by the shareholder.

**Sub-alternative 2b.** The purchase, installation, and maintenance of the VMS equipment and communications costs will be paid for or arranged by NMFS.

**Preferred Sub-alternative 2c.** The purchase of VMS equipment will be reimbursed by the National OLE VMS reimbursement account if funding is available. Installation, maintenance, and communication costs will be paid for or arranged by the shareholder.

**MOTION #15. SELECT ALTERNATIVE 2, SUB-ALTERNATIVE 2C AS OUR PREFERRED FOR ACTION 12 APPROVED BY COMMITTEE**

The Committee selected **Preferred Alternative 2** and **Preferred Sub-alternative 2** as preferred alternatives to be consistent with all other IFQs in place.

*Action 13 – 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.

The Council asked Staff to develop new alternatives for Action 13 to be presented for review and discussion at Full Council. Below are the new recommended alternatives:

**Action 13: Establish criteria for new entrants program**

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

**Alternative 2.** When a golden crab permit is transferred to a new entity, the following minimum percent of the current total ACL must be transferred along with the permit:

**Sub-alternative 2a.** 1%

**Sub-alternative 2b.** 2.2727%

**Sub-alternative 2c.** 5%

The Council may wish to modify and/or choose a preferred alternative and/or sub-alternative at Full Council.

*Action 14 – Annual pounds overage*

**Alternative 1. No Action.** Do not allow fishermen to exceed their allotted annual pounds.

**Alternative 2.** A person on board a vessel with the shareholder's only remaining golden crab annual pounds may exceed, by up to 10%, the shareholder's annual pounds remaining on the last fishing trip of the year. Shareholders who incur an overage will be required to pay back the annual pounds overage in the subsequent fishing year.

**Preferred Alternative 3.** A person on board a vessel with the shareholder's only remaining golden crab annual pounds may exceed, by up to 20%, the shareholder's annual pounds remaining on the last fishing trip of the year. Shareholders who incur an overage will be required to pay back the annual pounds overage in the subsequent fishing year.

**MOTION #16. SELECT ALTERNATIVE 3 AS OUR PREFERRED FOR ACTION 14 AS PER THE AP'S RECOMMENDATION APPROVED BY COMMITTEE**

The Committee selected **Preferred Alternative 3** as the preferred alternative to help prevent some discards of the resource that might otherwise occur should the final trip exceed the shareholder's allocation.

*Action 15 –Approved landing sites*

**Alternative 1. No Action.** Do not establish approved landing sites for the golden crab catch share program.

**Preferred Alternative 2.** Establish approved landing sites for the golden crab catch share program. All participants must land at an approved landing site to participate in the program:

**Preferred Sub-alternative 2a.** Approved landing sites will be selected by fishermen but must be approved by NMFS Office of Law Enforcement (OLE) in consultation with the appropriate state law enforcement agency prior to use.

**Sub-alternative 2b.** Approved landing sites will be selected by the Council and NMFS in consultation with the appropriate state law enforcement agency, based on industry recommendations and resource availability.

**MOTION #17. SELECT ALTERNATIVE 2 AS PREFERRED WITH CURRENT SUB-ALTERNATIVE 2-A AS A PREFERRED APPROVED BY COMMITTEE**

The Committee selected **Preferred Alternative 2** to be clear that it is also the preferred alternative along with previously selected **Preferred Sub-alternative 2a**. This combination of preferred alternative and sub-alternative allows fishermen to select their preferred landing sites subject to the approval of NMFS OLE and the state LE agency.

After the Council finished its discussion of the actions and alternatives for Golden Crab Amendment 6, NOAA GC recommended the Council consider a motion to make a wording change for Actions 1 and 4. The Committee recommended changes to ensure that the word "valid" appear before the words "golden crab permit". NOAA GC recommended the Council consider revising the wording from "valid golden crab permit" to "valid or renewable golden crab permit" in Actions 1 and 4.

Additionally, it was suggested that the Council consider changing the use of the phrase "Catch Share" with "Individual Fishing Quota" or "IFQ" as appropriate throughout the document. NB: this is contrary to the direction given to staff for Action 5. However, subsequent to the IPT making its recommendation, the NMFS Office of LAPP/DM made this request in order to make this amendment's terminology consistent with current IFQ programs already managed by NMFS SERO.