

# Defining Community Fishing Associations (CFA)

# The Current Trawl Rationalization Program

- Any entity or individual can hold quota shares, if they meet the MSA and program requirements.
- Communities can hold quota shares under the current program.
- Currently, all quota share holders would be subject to the accumulation limits.

# March Council Motion

- The Council wished to define “Community Fishing Association” at the April 2009 Council meeting.
- Staff were directed to utilize the
  - NOAA Memorandum on Design and Use of LAPPS
  - The Nature Conservancy’s public comment from March 2009

# Why Define “Community Fishing Association”?

- Create a special entity with special privileges and responsibilities to benefit communities.
- CFAs would
  - Have higher accumulation limits than other entities
- The Council could allow CFAs to
  - Acquire quota shares during the moratorium
  - Acquire quota shares during a divestiture period
  - Have reporting requirements that other entities are not held to.

## Decision Point 1

# What are the Goals & Objectives for giving special privileges to CFAs?

CFAs should benefit communities in some way.

Examples:

- Prevent, minimize or mitigate adverse impacts on fishing communities.
- Promote community stability.

Do higher accumulation limits for CFAs promote the goals and objectives?

# Intersection of CFAs and Adaptive Management Program

- A CFA is an entity.
- The Adaptive Management Program (AMP) would distribute quota pounds.

- A CFA could receive Adaptive Management quota pounds just like everyone else.
- CFAs and AMP may have some common objectives, as do other IFQ program aspects.

## Decision Point 2

# Starting Points for CFAs

- Must be a “legal entity” (U.S. citizen or state/federal legal entity)
  1. CFAs could be modeled on MSA “Fishing Communities.”
  2. CFAs could be modeled on MSA “Regional Fishing Associations.”
  3. CFAs could be defined in some other way.

# MSA “Fishing Communities”

- CFAs could be based on Fishing Communities (FC)
  - Could receive an initial allocation of Quota Shares.
  - Consist of residents who fish, process or conduct fishery support business.
  - Meet other criteria developed by the Council.
  - Would develop a Community Sustainability Plan.



# MSA “Regional Fishing Associations”

- CFAs could be based on Regional Fishing Associations
  - Consist of fishery participants who hold quota shares (not necessarily community residents).
  - Cannot receive an initial allocation.
  - Meet other criteria developed by the Council.
  - Must develop a Regional Fishery Association Plan.

# Third option

- Create a Council driven (not MSA driven) definition of Community Fishing Association  
(would be consistent with MSA)

# Draft CFA Qualifications

- Must meet a geographic designation.
- Must meet membership requirements.
- Must have the support of community.
- Must meet operational standards.
- Must develop an adequate Community Sustainability Plan.

## Decision Point 3

# Geographic Designation

- Can CFA's overlap? (TNC – No)
- If not, how would one CFA be established over another?
- How big can a CFA be?
  - One community
  - Multiple communities, but restricted area of coast (TNC)
  - Multiple communities, no geographic restriction

# Support of Community

- Should CFAs be required to demonstrate support from local governments? (TNC – Yes)
- Should CFAs be required to demonstrate support from industry participants in the community? (TNC – Yes, ex. 2 harvesters and 1 processor)

# Membership Requirements

If higher accumulation limits are allowed for CFAs, the “own and control” issue is re-opened.

CFA membership becomes a critical consideration.

# Membership Requirements

- An option to address this issue could include prohibiting CFA members from owning privately held QS.
  - With this option, CFA QP would go to community members that are non-CFA-members.
- Another option is TNC's "10% rule."

# Operational Standards

If CFA members can receive and harvest CFA Quota Pounds...

Should the CFA be allowed to discriminate between members and non-members?

In other words,

- Can QP be distributed only to CFA members?
- Or must community resident non-CFA-members also have access to CFA QP?

(TNC – no mandates or restrictions)



## Decision Point 6

# Adequate Community Stability Plan

- Community Stability Plan should include
  - CFA Goals and Objectives
  - Means to achieve Goals and Objectives
  - Performance measures
- How will the Council/NMFS judge the quality of a CFA Stability Plan?
- What Goals and Objectives are acceptable?
  - Allow CFA formation
  - Disapprove CFA formation

# Why define CFA now?

April - Define CFA.

May – GAC to discuss CFAs.

June - Accumulation limits for CFAs and Overfished Species.