

U.S. Commission on Ocean Policy Recommendations for National Standards for Dedicated Access Privileges such as Individual Fishing Quota Programs

Recommendation 19–15. Congress should amend the Magnuson–Stevens Fishery Conservation and Management Act to affirm that fishery managers are authorized to institute dedicated access privileges. Congress should direct the National Marine Fisheries Service to issue national guidelines for dedicated access privileges that allow for regional flexibility in implementation. Every federal, interstate, and state fishery management entity should consider the potential benefits of adopting such programs.

At a minimum, the national guidelines should require dedicated access programs to:

USCOP Recommendations	H.R. 2621 Fishing Quota Standards Act of 2003
Specify the biological, social, and economic goals of the plan; recipient groups designated for the initial quota shares; and data collection protocols.	<p>The bill requires IFQ programs and shareholders to return scientifically measurable improvements in avoiding bycatch, preventing high-grading, reducing overfishing, rebuilding overfished stocks, and protecting essential fish habitat.</p> <p>The bill contains language requiring any IFQ program to minimize, to the extent practicable, negative social and economic impacts of the program on local coastal communities.</p> <p>The bill also requires a fair and equitable allocation of quota shares among vessel categories and gear types. Additionally, preference in initial allocations is given to fishermen who are currently engaged in fishing and have long-term participation in the fishery.</p>
Provide for periodic reviews of the plan to determine progress in meeting goals.	The bill requires independent review of IFQ programs through a national IFQ review panel, consisting of individuals knowledgeable about fisheries management. In addition, each fishery management council will establish and maintain an IFQ review committee, consisting of individuals with knowledge in fisheries management to conduct reviews of IFQ program and shareholder performance.
Assign quota shares for a limited period of time to reduce confusion concerning public ownership of living marine resources, allow managers flexibility to manage fisheries adaptively, and provide stability to fishermen for investment decisions.	The bill limits IFQ programs and shares to a period not to exceed seven years, after which time they may be renewed subject to satisfying defined criteria.

<p>Mandate fees for exclusive access based on a percentage of quota shares held. These user fees should be used to support ecosystem-based management. Fee waivers, reductions or phase-in schedules should be allowed until a fishery is declared recovered or fishermen's profits increase.</p>	<p>The bill requires the collection of fees from all quota shareholders to recover direct costs related to administration and implementation of the program, including enforcement, management, data collection and scientific research.</p>
<p>Include measures, such as community-based quota shares or quota share ownership caps, to lessen the potential harm to fishing communities during the transition to dedicated access privileges.</p>	<p>The bill requires fair and equitable distribution of the public resource when developing IFQ programs. The bill generally limits quota shareholders to owning no more than 1 percent of the total allowable catch with an exception of 5 percent if a council can demonstrate that such an increase will not be detrimental to other shareholders. Exceptions for fisheries with a small number of participants are provided.</p>
<p>Hold a referendum among all permitted commercial fishermen after adequate public discussion and close consultation with all affected stakeholders, to ensure acceptance of a dedicated access plan prior to final Regional Fishery Management Council approval.</p>	<p>The bill also requires the approval of a two-thirds majority of the fishermen in the fishery to begin development of an IFQ program. Last, the bill requires a second referendum to approve a specific IFQ program, requiring a two-thirds majority of fishermen and crewmembers.</p>