


For: State and County Offices

Clarification of Seafood Trade Relief Program (STRP) Eligible Applicants in Alaska Fisheries

Approved by: Deputy Administrator, Farm Programs



1 Overview

A Background

Notice SP-80 announced the 2020 Seafood Trade Relief Program (STRP) and provide the general policies and provisions for STRP, including basic eligibility requirements specific to applicants from Alaska fisheries.

The Alaska Region uses a variety of management tools to improve sustainability of fish stocks, fisheries, and fisheries communities, including issuance of fishery permits, licenses, and quota under catch share programs and other limited access systems. The State of Alaska requires a Commercial Fisheries Entry Commission (CFEC) permit card to be issued to an individual to commercially land seafood for sale or transfer in Alaska. However, the CFEC permit holder may not have an ownership interest in the landed catch.

Although the STRP is a program dependent upon an applicant's certification subject to spot check, COC or designee may request additional information from the applicant to support the certified production recorded on CCC-916 to determine if the applicant has an ownership interest in the seafood production and to ensure that the same pounds are not claimed by another or different applicant.

| Disposal Date | Distribution |
|-----------------------------|--|
| November 1, 2021 12-3-20 | State Offices; State Offices relay to County Offices |

1 Overview (Continued)

B Purpose

This notice will:

- clarify:
 - eligibility criteria for STRP applicants who commercially fish and land seafood in Alaska
 - eligible applicants with quotas from Alaska Community Developments and Cooperative Individual Fishing Quotas
- outline STRP screening tools by species to help determine if the applicant is eligible for STRP.

2 STRP for Alaska Fisheries

A Alaska Fisheries Commercial Permits and Quota Shares

STRP applicants from Alaska are commercial fishermen with a State or Federal permit who certify to their share of the landed seafood in 2019. Federal or State permits can be issued for any of the following:

- entry permits (CFEC, FFP)
- limited entry permits (CFEC, LP)
- quota shares (QS)
- individual fishing quota (IFQ) - only if a temporary transfer is completed between QS holder and IFQ recipient
- community development quota (CDQ)
- cooperative individual fishing quota (Co-op IFQ).

To verify the STRP applicant is an active commercial fisherman in Alaska, upon request of FSA applicants must provide copies of the applicant's:

- CFEC permit and/or a Federal vessel permit for calendar years 2019 and 2020
- Alaska Department of Fish and Game (ADF&G) fish ticket summaries to verify the catch was sold to a licensed processor or dealer, showing total pounds minus deadloss.

2 STRP for Alaska Fisheries (Continued)

B STRP Quota Holder Applications from Federally Managed Alaska Fisheries

The Alaska Region uses a variety of management tools to improve sustainability of fish stocks, fisheries, and fisheries communities, including issuance of fishery permits, licenses, and quota under catch share programs and other limited access systems. The State of Alaska requires a CFEC permit card to be issued to an individual to commercially land seafood for sale or transfer in Alaska. However, the CFEC permit holder may not have an ownership interest in the landed catch.

The following table shows who is eligible to apply for STRP on species managed under a quota share permit to ensure that the same pounds are not claimed by another or different applicant.

| IF quota is... | THEN the... |
|--|---|
| held by the QS holder, who is also the vessel owner | <ul style="list-style-type: none"> • QS holder is to apply for 100 percent of the catch • provide: <ul style="list-style-type: none"> • ADF&G fish ticket summary or eLanding QS Holder Report • CFEC permit and federal permit number. |
| leased by a temporary holder (see subparagraph 2 C) | <ul style="list-style-type: none"> • temporary QS lease holder is to apply for 100 percent of the catch • provide: <ul style="list-style-type: none"> • a copy of the approved transfer • ADF&G fish ticket summary • CFEC permit or federal permit number. |
| a CDQ held by an eligible Community Quota Entity (CQE) | CQE is to apply for STRP for pounds caught under their quota. |
| part of a pooled Co-op IFQ | <ul style="list-style-type: none"> • quota holder is to apply for STRP • provide a copy of the cooperative agreement and the settlement sheet from the cooperative. |
| a temporary or emergency transfer | <ul style="list-style-type: none"> • original holder and the temporary recipient can apply for their respective share of the catch attributed to their IFQ • submit a copy of the approved transfer • provide ADF&G fish ticket summary • provide CFEC permit or federal permit. <p>Note: Usually this is a 100 percent transfer and if all of the catch is attributed to the temporary holder, then only the temporary holder is eligible to apply.</p> |

2 STRP for Alaska Fisheries (Continued)

C Leases Within Alaska Fisheries

National Marine Fisheries Service (NMFS) recognizes only a single formal IFQ application for lease in the quota share fisheries. This lease is treated as a temporary transfer for that year of the IFP (annual allotment in pounds for designated species). The lease share agreement, which designates the percent of the catch to the lessee and the lessor, is not required on the IFQ application because the NMFS temporarily transfers 100 percent of the IFQ to the lessee.

Both ADF&G and NMFS view all other transfers (emergency or temporary) in a given year as a change in ownership of those fish for that year. In such cases permits, licenses, and fish ticket summaries would be in the name of the transferee. The transferee would have 100 percent ownership in the fish caught.

All other share-type arrangements made by different participants in the fishery are considered payment agreements related to the sale proceeds of the catch do **not** represent an ownership share of the actual fish harvested and are **not** eligible for STRP. For example, share arrangements such as deck hand contracts, hire masters contracts, vessel contracts, pilot spotter contracts, etc., are not recognized for STRP program purposes.

Notes: Some crew members may have their own quotas, permits, or licenses they fish in conjunction with the other fishing arrangements, and may file an application for those fish harvested and sold or transferred if they provided evidence showing they have an ownership interest.

2019 lessee permit holders without an active commercial fishing permit or license for the 2020 season are ineligible for STRP.

Because there is no database available to verify formal lease arrangements, COC must request documentation from both the quota share owner and the lessee to determine if both parties are in agreement on the share of the catch sold commercially if it is not included at the time CCC-916 is submitted. STRP applicants in the Alaska fisheries with a quota lease agreement **must** provide both of the following:

- an Alaska State-approved transfer lease agreement
- end of year settlement sheet(s) for every quota share holder associated with that vessel's landings, noting:
 - quota share holder name as shown in National Oceanic and Atmospheric Administration (NOAA) Fisheries' quota share holder database
 - associated ADF&G fish ticket number(s)
 - pounds landed by specific species and dead loss matched with each quota shareholder's quota.

2 STRP for Alaska Fisheries (Continued)

D Co-op IFQ Within Alaska Fisheries

Owners of quota shares who belong to a cooperative pool their annual IFQ with the cooperative. NMFS issues the cooperative a total Co-op IFQ that represents all the individual IFQ that were pooled by the cooperative.

The cooperative records all the crab caught under the Co-op IFQ and reports these records back to NMFS. The Cooperative maintains the records that indicate the pounds harvested on behalf of the owner of the quota share. Since no quota share ownership changes when these IFQ's are pooled, the quota share owner maintains ownership of the IFQ.

When dealing with CCC-916's involving Co-op IFQ, quota share owners are considered the eligible applicant for STRP. When applying for STRP, the quota share owner must provide documents from the cooperative to support the pounds of seafood certified on CCC-916 that was sold under their quota share.

E CDQ Shares Within Alaska Fisheries

CDQ's are owned by the six Community Development Corporations. By law, these nonprofit entities are not allowed to transfer their ownership in the CDQ's. Because of this restriction, the Community Development Corporation can apply as a nonprofit company for STRP.

The eligible CDQ entities are:

- Aleutian Pribilof Island Community Development Association (APICDA)
- Bristol Bay Economic Development Corporation (BBEDC)
- Central Bering Sea Fishermen's Association (CBSFA)
- Coastal Villages Region Fund (CVRF)
- Norton Sound Economic Development Corporation (NSEDCC)
- Yukon Delta Fisheries Development Association (YDFDA).

All other arrangements made with participants in the various fisheries do not constitute an ownership interest in the harvested fish and are therefore considered ineligible for STRP.

3 STRP Screening Tool

A Using the CFEC Permit Database as an STRP Application Screening Tool

County Offices can use the CFEC Permit Database to look up the applicant's name to find any permits owned by the applicant (or members of a legal entity) in 2019 and 2020. Once the applicant's name is found in the database, the list of CFEC permits owned by the applicant can be reviewed. The database is located at <https://www.cfec.state.ak.us/plook/#permits>.

The CFEC listing can verify:

- if the applicant had a permit to fish in 2019 and 2020 by looking at the date column for each permit
- the fish species the applicant had a right to fish with that permit as designated by the first letter of the Fishery Code

Other helpful items in the CFEC permit database include:

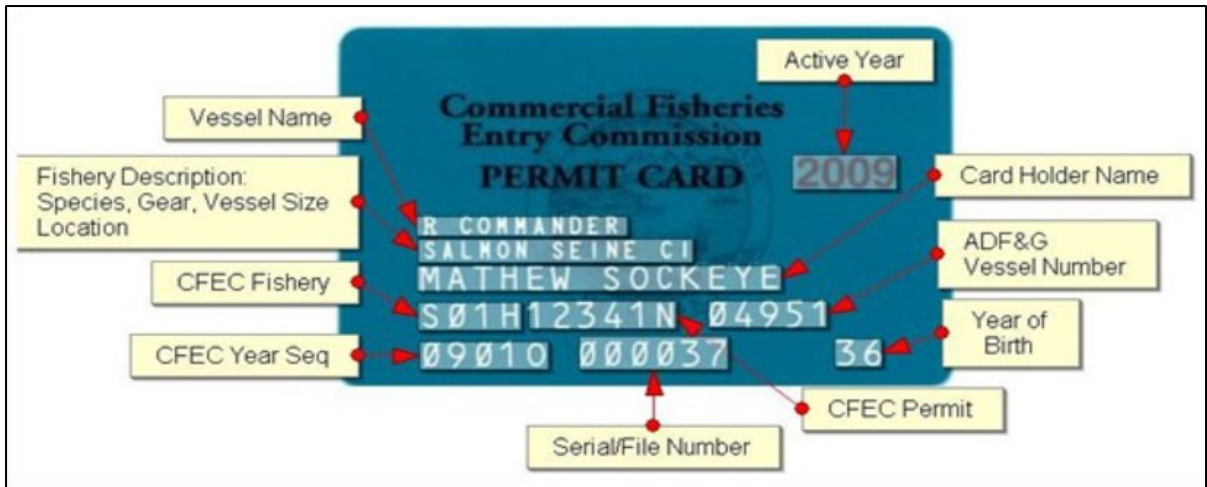
- the residency indicator can be "R" resident or "N" non-resident
- the mailing address, which may or may not be the location where the commercial fisherman resides since it may be a temporary mailing address
- grayed out permits in the database that indicate the permit was cancelled or transferred in that year.

This same information can be found on a copy of the applicant's CFEC permit card if it was submitted with the application.

3 STRP Screening Tool (Continued)

B Alaska CFEC Permit

The following is an example of a CFEC Permit. All of the information shown on the card is to be verified on the CFEC public database website located at <https://www.cfec.state.ak.us/plook/#permits>.



The information contained on the CFEC Permit Card, in order of appearance, is:

- year the permit is active
- vessel name
- fishery description, species, gear, vessel size, and location
- name of the permit holder
- “CFEC Fishery” indicates the species, gear, and location that the permit holder is authorized to catch, as shown by:
 - the first letter indicates the species authorized under the permit
 - the next two characters indicate the gear and any restrictions
 - the last character indicates the fishery location
- CFEC permit number assigned to the permit holder
- ADF&G vessel number
- CFEC year sequence – if the fishing season spans more than one calendar year
- serial/file number
- permit holder’s year of birth.

3 STRP Screening Tool (Continued)

B Alaska CFEC Permit (Continued)

The following table shows the seafood species code used to designate the seafood species that a commercial fisherman is permitted to catch under their CFEC permit.

| Seafood Species | Species Code |
|---|--------------|
| Atka Mackerel | M |
| Crab (Dungeness, King, Snow, and Southern Tanner) | D, K, T, TB |
| Flounder | M |
| Geoduck | J |
| Herrings | G, H, L |
| Pacific Cod | M |
| Pacific Ocean Perch | M |
| Pollock | M |
| Sablefish | C |
| Salmon | S |
| Sole | M |
| Squid | O |
| Turbot | M |

C Fish Tickets and E-Landing Summaries to Determine Ownership Interest

The CFEC database does **not** verify ownership interest in the pounds of eligible seafood recorded on the CCC-916. Fish Ticket summaries, eLandings summaries, Commercial Processor reports or other acceptable records can be used to match the pounds of seafood certified on CCC-916 to the permit or license owned by the applicant. These reports are confidential and are not obtainable by FSA. The producer must provide this documentation if requested by COC.

Fish tickets are tied directly to the CFEC permit. The same fish ticket cannot contain weight of fish delivered under a separate CFEC permit. A new fish ticket is generated for each CFEC permit authorized for the landed catch. Fish tickets contain the following information:

- CFEC permit holder number
- vessel ADF&G number
- species
- pounds delivered – landed weight and whole weight; the whole weight is calculated based on whether the fish was landed as headed, gutted, bled, or gilled.

3 STRP Screening Tool (Continued)

C Fish Tickets and E-Landing Summaries to Determine Ownership Interest (Continued)

Landing reports, such as an eLanding Report, are associated with one or more fish tickets. The eLanding Report links the fish ticket to the Federal permit to the CFEC permit holder authorized to catch the allocated pounds under the Federal permit and deducts from the total allowable catch if there is a restricted allotment.

Exception: When dealing with dual fishing permits and the landing is recorded on a dual permit fish ticket, the landing can be divided between multiple CFEC permits and is known as stacked permits.

D Alaska CFEC Permit

NOAA Fisheries' public database lists fishery permits, licenses, and quotas under catch share programs and other limited access systems and is located at <https://www.fisheries.noaa.gov/alaska/commercial-fishing/permits-and-licenses-issued-alaska#aleutian-islands-pollock-fishery>. This public database can verify the permit or quota holder but does not prove ownership of the catch.

4 Actions and Contacts

A County Office Action

County Offices will review the contents of this notice and direct any questions to their State Office Program Specialist.

4 Actions and Contacts (Continued)

B State Office Action

State Office Program Specialists will:

- ensure COF's have reviewed the contents of this notice
- provide a copy of this notice to their State fisheries and wildlife agency
- direct questions about the contents of the notice to FSA's PSD in Washington, D.C.