Rights Based Management:
Variety in Programs for Fisheries

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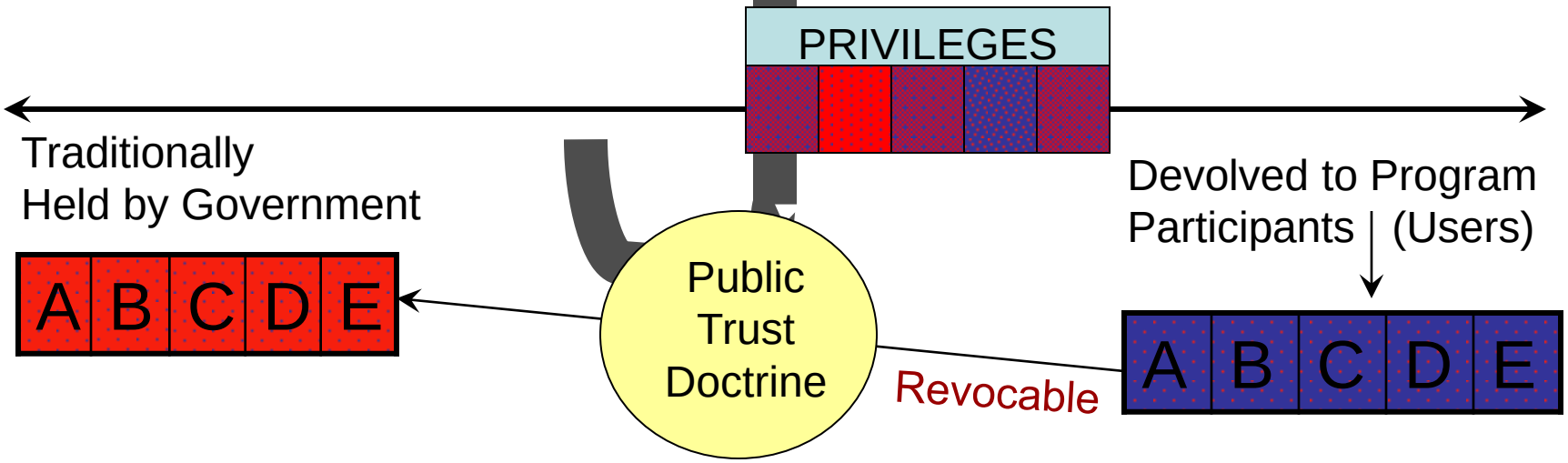
Purpose

- Establish working definitions for rights based management programs
- Orient you to your hand-outs
- Describe program variety
- Discuss an organizational method for comparing programs

Rights Based Management

Resource PRIVILEGES (Characteristics of Property Rights) Ostrom and Schlager 1996				
A Access	B Withdrawal	C Management	D Exclusion	E Alienation



Rights Based Management
Catch
Shares

Glossary of Catch Share Terms

NOAA Office of Policy, Nov. 2009

- ***Catch Share Program-*** Not defined in MSA (Magnuson-Stevens Act). A catch share program is a generic term used to describe fishery management ***programs that allocate a specific percentage of the total allowable fishery catch or a specific fishing area to individuals, cooperatives, communities, or other entities.*** It ***includes*** more specific programs defined in statute such as ***Limited Access Privileges (LAP) and Individual Fishing Quotas (IFQ).*** It also includes ***Territorial Use Rights Fisheries (TURFs)*** that grant an exclusive privilege to fish in a geographically designated fishing ground. The recipient of a catch share is directly accountable to stop fishing when its specific share allocation is reached.

Rights Based Management

Catch Shares

Limited Access System

Dedicated Access Privilege (DAP)
Limited Access Privilege (LAP)

Glossary of Catch Share Terms

NOAA Office of Policy, Nov. 2009

- ***Limited Access System-*** [MSA 16 USC 1802 (27)] A system that ***limits participation in a fishery to those satisfying certain eligibility criteria*** or requirements contained in a fishery management plan or associated regulation.

- ***Limited Access Privilege-*** [MSA 16 USC 1801(26)] ***A Federal permit,*** issued as part of a limited access system under section 303A ***to harvest a quantity of fish*** expressed by a unit or units ***representing a portion of the total allowable catch of the fishery that may be received or held for exclusive use by a person.*** This includes individual fishing quotas, but does not include community development quotas as described in section 305(i).

- ***Dedicated Access Privilege (DAP)-*** Not defined in MSA. Defined in the U.S. Commission on Ocean Policy Report as "…a novel form of ***output control whereby an individual fisherman, community, or other entity is granted the privilege to catch a specified percentage of the total allowable catch."*** Includes individual fishing quotas (IFQ), individual transferable quotas (ITQ), fishing community quotas, fishing cooperatives, and other geographically based programs that give an individual or group dedicated access to the fish within a specific area of the ocean.

Rights Based Management

Government holds privileges

Users hold privileges

PRIVILEGES

Catch Shares

Coast-wide or National scale ----------

Think about the management programs as set of fishing privileges that, once defined, can be organized along two scales (or axes)

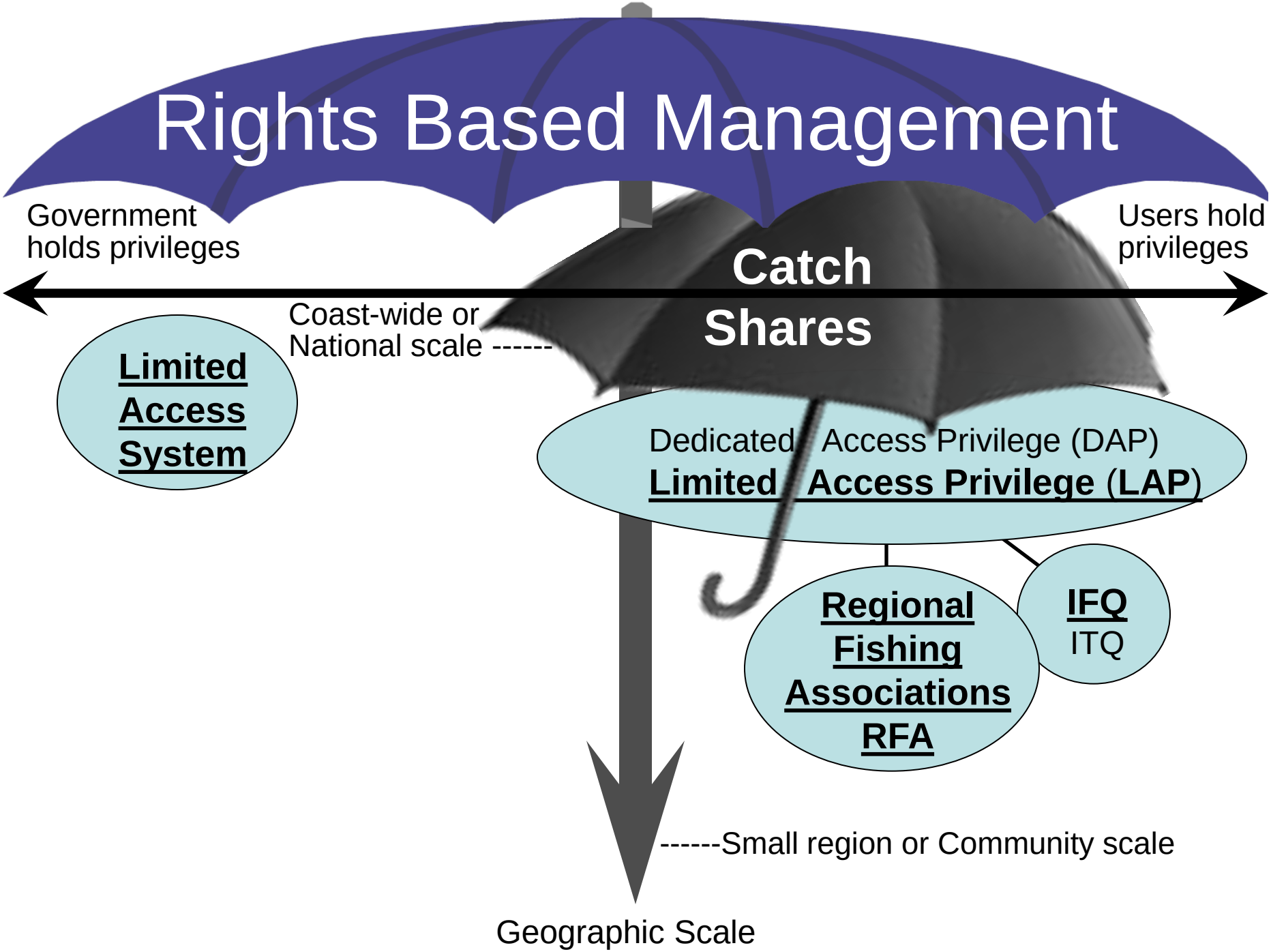
1. Decentralization scale: where privileges are either devolved from a central authority (gov.) to fishery participants (users) or vice versus

2. Geographic or jurisdictional scale: where eligibility to obtain or access privileges can be defined at defined at a national, coast-wide scale, regional or community scale

PRIVILEGES

------Small region or Community scale

Geographic Scale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Regional Fishing Associations RFA
IFQ
ITQ
------Small region or Community scale
Geographic Scale

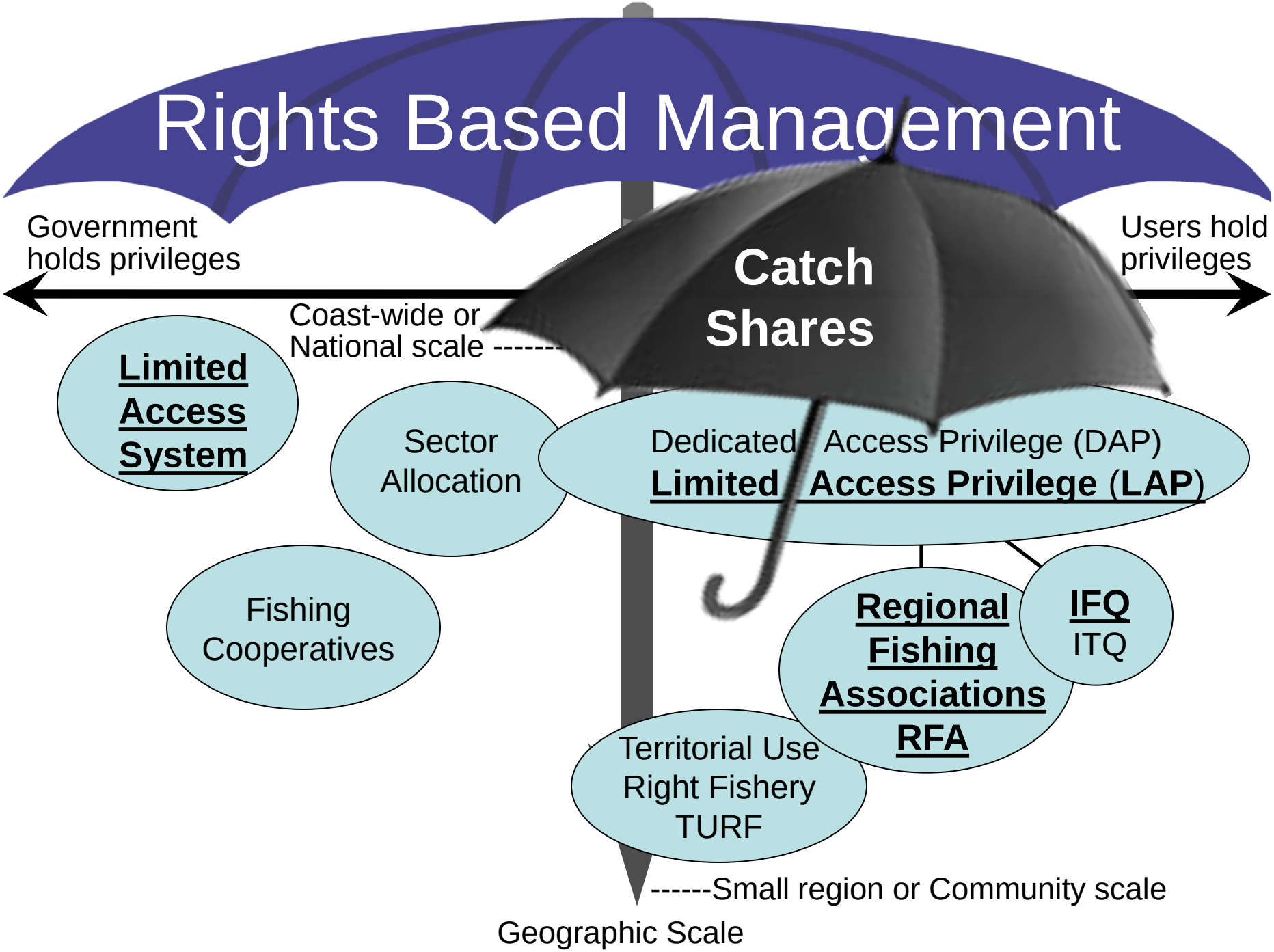
Glossary of Catch Share Terms

NOAA Office of Policy, Nov. 2009

- ***Individual Fishing Quota (IFQ)-*** [MSA 16 USC 1802(23)] ***A Federal permit*** under a limited access system ***to harvest a quantity of fish, expressed by a unit or units representing a percentage of the total allowable catch of a fishery that may be received or held for exclusive use by a person.*** Such term does not include community development quotas as described in section 305(i).

- ***Individual Transferable Quota (ITQ)-*** Not defined in MSA. An individual fishing quota (IFQ) program where ***privileges can be transferred subsequent to initial allocations.***

- ***Regional Fishery Association-*** [MSA 16 1802(14)] ***An association*** formed for the mutual benefit of members to meet social and economic needs in a region or sub-region; ***comprised of persons engaging in the harvest or processing of fishery resources in that specific region or sub-region*** or who otherwise own or operate businesses substantially dependent upon a fishery.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Fishing Cooperatives
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IFQ ITQ
Territorial Use Right Fishery TURF
------Small region or Community scale
Geographic Scale

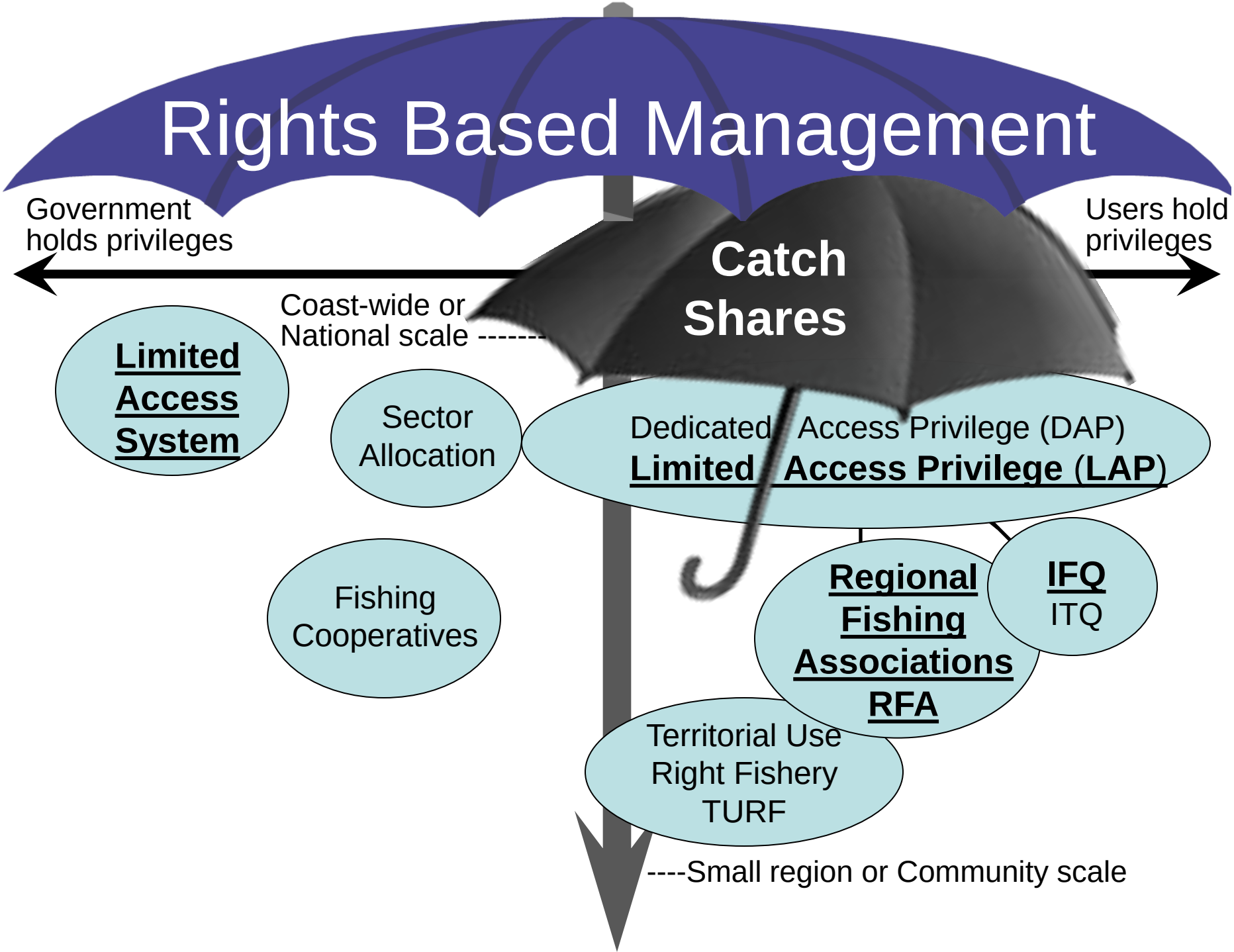
Glossary of Catch Share Terms

NOAA Office of Policy, Nov. 2009

- ***Territorial Use Right Fishery-*** Not defined in the MSA. ***A single fisherman (or firm, organized group, community, etc.) having an exclusive privilege to fish in a geographically designated fishing ground.*** [Note: Even though the term itself uses the word "right" the catch share programs in this policy are defined in terms of a granting of a privilege, not a property right.]

- ***Sector Allocation-*** Not defined in MSA. An ***exclusive assignment of some portion of the TAC*** to a group of two or more ***individuals holding permits*** in a fishery that have fulfilled Council eligibility and participation criteria, and have ***agreed to collaborate, voluntarily and for a specified period of time***, in order to achieve a common set of objectives. The ***group may be organized around a particular gear type, species or geographic area*** with its purpose being the receipt of an exclusive privilege to fish.

- ***Fishing Cooperatives-*** Not defined in MSA; defined under the Fishermen's Collective Marketing Act (FCMA) of 1934 (15 USC 521). A ***group comprised of "persons engaged in the fishing industry*** as fishermen, catching, collecting, or cultivating aquatic products, or as planters of aquatic products on public or private beds, ***that may act together in association, corporate or otherwise."***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----Small region or Community scale

Catch Share Components

Anderson and Holliday NOAA Tech Memo (2007)

The design of privileges that will be held by government, devolved to resource users, and/or shared under any catch share system takes place during the process of defining program components

- ***Program/ Permit Duration***
- ***Specification of the Management Unit***
- ***Denomination of Privilege Units***
- ***Eligibility to Acquire or Hold Privileges***
- ***Privilege Transferability***
- ***Determination of Excessive Share***
- ***Initial Allocation***

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IFQ
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Program function is dependent on the design of the PRIVILEGES

Territorial Use Right Fishery TURF

----Small region or Community scale

Questions??