

Amendment 41
Fishery Management Plan for
Bering Sea/Aleutian Islands King and Tanner Crabs

Deletions are stricken and additions are in bold.

Revise the following in chapter 11.0 Voluntary Three-Pie Cooperative Program:

1. Modify section 3.3, p. 72, to read as follows:

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3.3 Delivery and Processing Restrictions

3.3.1 The following provisions apply to the delivery and processing of crab with IFQs or IPQs that are categorized by region:

a. Crab harvested with catcher vessel IFQs categorized for a region must be delivered for processing within the designated region, unless an exemption is approved **under provisions in section 3.3.3. F**for the ~~West designated IFQ in the WAI brown~~ **western Aleutian Islands golden king crab (WAG) fishery, under provisions for exemption from regional delivery requirements are** described in section 3.3.2.

b. Crab purchased with IPQs categorized for a region must be processed within the designated region, unless an exemption is approved **under provisions in section 3.3.3. F**for the ~~West designated IPQ in the WAI brown king crab~~ **WAG fishery, under provisions for exemption from regional delivery requirements are** described in section 3.3.2.

3.3.2 ~~WAI Brown~~ **Western Aleutian Islands Golden King Crab (WAG) Regional Delivery Exemption**

NMFS will approve a request to exempt ~~West designated IFQ holders and IPQ holders~~ from the requirement to deliver and process ~~WAI brown~~ **WAG king crab** west of 174° W. long. for a crab season, if all Eligible Contract Signatories request the exemption in writing for that season. Eligible Contract Signatories are —

a. QS holders: Any person that holds in excess of 20 percent of the West designated WAG QS at the time the contract was signed, or their authorized representative.

b. PQS holders: Any person that holds in excess of 20 percent of the West designated WAG PQS at the time the contract was signed, or their authorized representative.

c. Municipalities: the City of Adak and the City of Atka, or their authorized representatives.

3.3.3 Regional Delivery Exemption

IFQ holders, IPQ holders, and affected community representatives may apply to NMFS for an exemption from the requirements that crab harvested with regionally-designated IFQ be delivered and processed in the designated region. An exemption could be granted for regionally designated IFQ and IPQ in the following fisheries; Bristol Bay red king crab, Bering Sea snow crab, Eastern Aleutian Islands golden king crab, Western Aleutian Islands red king crab, Saint Matthew Island blue king crab, and Pribilof Islands red and blue king crab.

If IFQ holders and IPQ holders wish to request an exemption to regional delivery requirements, they must work with the affected community representatives to establish a framework agreement and submit an application to NMFS before the start of a crab fishing season. The framework agreement would define the steps that the parties would take to avoid seeking an exemption during the fishery, the circumstances under which the parties would apply for an exemption, the actions the parties would take to mitigate the effects of the exemption, and the compensation, if any, that any party would provide to any other party.

In the event that circumstances occur that prevent deliveries of regionally designated IFQ, then the IFQ holders, IPQ holders, and affected community representatives would enter into an exemption contract and apply to NMFS for an exemption. The application must specify the amount of IFQ and IPQ that are subject to the exemption. The exemption would be effective the day after NMFS receives the application.

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2. Revisions as necessary to the Table of Contents.

Fbowers 2/15/2011

Gharrington 2/20/2011, 10/5/2012

Skelly 12/12/2011, 1/25/2012, 4/10/2012

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