



December 7, 2015

VIA E-MAIL TO NPFMC

Mr. Dan Hull
Chairman
North Pacific Fishery Management Council
605 W. 4th Ave.
Anchorage, AK 99501

Dear Chairman Hull:

On behalf of the North Pacific Crab Association (NPCA), I am writing to support the Council's recommendation that the Secretary of Commerce (Secretary) adopt an Emergency Rule (pursuant to section 305 of the Magnuson-Stevens Fishery Conservation and Management Act), to address a serious regulatory problem in the Eastern Bairdi Tanner (EBT) and Western Bairdi Tanner (WBT) fisheries for the 2015/2016 fishing year.

The NPCA's members hold the vast majority of individual processing quota (IPQ) which was issued pursuant to the Council's crab rationalization program. That program contains a regulation at 50 CFR 680.42 that caps individual processing at 30% of each fishery's total allowable catch (TAC). In this case the processing caps may be reached in the EBT and WBT fisheries resulting in stranded IPQ and its matched individual fishing quota (IFQ). This problem is due to the unforeseen exit from the fishery by one of the major IPQ holding entities. A possible remedy for this problem would be for the new IPQ holder to custom process its quota at an existing processing facility.

The Council, in its Amendment 27 to the crab rationalization program, exempted custom processing agreements from the processing use cap regulation. Unfortunately, the EBT and WBT crab fisheries were closed at the time of Amendment 27. Consequently that amendment does not provide such an exemption.

The Inter-Cooperative Exchange (ICE) has requested an Emergency Rule to waive the crab processing use caps for the 2015/16 crab fishing years for EBT and WBT. The NPCA supports this request and urges the Council to provide its recommendation to the Secretary.

December 7, 2015
Dan Hull

We believe that this problem can be addressed on a more permanent basis during the Council's upcoming deliberations over its 10 Year Review of the Crab Rationalization Program. NPCA will be participating in the review and offering suggested regulatory amendment changes and alternatives to address this current emergency.

Thank you for your consideration.



John Iani

North Pacific Crab Association
1201 Third Avenue, Suite 4900
Seattle, WA 98101

T 206.359.6689
F 206.359.7689

cc. Inter-Cooperative Exchange

Trident Seafoods Corp.

UniSea Inc.

Westward Seafoods, Inc.

Alyeska Seafoods, Inc.

Peter Pan Seafoods, Inc.

57 Degrees North

APICDA

Mr. Chris Oliver-NPFMC Executive Director

Mr. Jim Balsiger, NOAA Fisheries- Alaska Region

Mr. Glenn Merrill, NOAA Fisheries- Alaska Region