

Inter-Cooperative Exchange

The "Super-Cooperative" of Bering Sea Crab Fishermen
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December 4, 2015

Mr. Dan Hull, Chairman
North Pacific Fishery Management Council
605 W 4th Ave., Suite 306
Anchorage, AK 99501

Re: Crab Rationalization – Petition for Emergency Action

Dear Chairman Hull,

On behalf of Inter-Cooperative Exchange (ICE) and its members, we request that the Council consider a petition for emergency action (Petition) at its December 2015 meeting. We will be submitting the Petition shortly.

In our Petition, we will ask that the Council recommend that the Secretary of Commerce take emergency action to convert certain 2015-2016 Eastern and Western Bering Sea Tanner (Bairdi) crab Catcher Vessel Owner (CVO) A share individual fishing quota (IFQ) to B share IFQ in order to avoid leaving a significant amount of Bairdi crab unharvested.

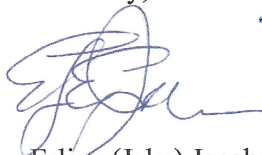
Under crab rationalization program regulations, no person may process more than 30% of the initial processor quota share (PQS) pool of any crab species subject to crab rationalization, unless they received a greater amount at initial allocation. See 50 C.F.R. § 680.42(b)(1)(ii). There is a regulatory exemption to the 30% use cap for custom processing of many crab species, but Bairdi is not among them. See 50 C.F.R. § 680.42(b)(7). Although there are numerous processing platforms in the Bering Sea, because of the affiliation rules, there are currently only 3 "persons" (i.e., Trident, Maruha and Unisea) with operations that could receive and process Bairdi on a viable basis. Icicle, which has processed Bairdi for many years, is no longer doing so. This is an unforeseen event that, if not addressed by emergency action, will cause ICE, its members and other harvesters of Bairdi to suffer material loss.

Absent regulatory relief, there are no practical alternatives for processing Bairdi A share IFQ in excess of the cumulative 90% cap this year, and 10% or more of that IFQ could be stranded. The lack of viable processing alternatives was not something that ICE and its members could have foreseen or done anything about.

Our Petition will more fully address these extremely urgent, special circumstances and provide further support for our request that the National Marine Fisheries Service convert certain 2015-2016 Bairdi A shares to B shares, thereby exempting them from the 30% use restriction. We respectfully request that consideration of our Petition be placed on the agenda to allow Council action at this upcoming meeting.

Thank you for your consideration.

Sincerely,



Erling (Jake) Jacobsen
Executive Director, ICE



C.L. (Louie) Lowenberg
President, ICE

cc Dr. James Balsiger, Regional Director, Alaska Region, National Marine Fisheries Service
Mr. Glenn Merrill, National Marine Fisheries Service
Mr. John Iani, North Pacific Crab Association