(12) **Salmon bycatch incentive plan agreements (IPAs)** -

(i) **Minimum participation requirements.** More than one IPA may be approved by NMFS. Each IPA must have participants that represent the following:

(A) **Minimum percent pollock.** Parties to an IPA must collectively represent at least 9 percent of the BS pollock quota.

(B) **Minimum number of unaffiliated AFA entities.** Parties to an IPA must represent any combination of two or more CDQ groups or corporations, partnerships, or individuals who own AFA-permitted vessels and are not affiliated, as affiliation is defined for purposes of AFA entities in [§ 679.2](https://www.ecfr.gov/current/title-50/section-679.2).

(ii) **Membership in an IPA.**

(A) No vessel owner or CDQ group is required to join an IPA.

(B) For a vessel owner in the catcher/processor sector or mothership sector to join an IPA, that vessel owner must be a member of the entity representing that sector under paragraph (f)(8).

(C) For a CDQ group to be a member of an IPA, the CDQ group must sign the IPA and list in that IPA each vessel harvesting BS pollock CDQ, on behalf of that CDQ group, that will participate in that IPA.

(D) Once a member of an IPA, a vessel owner or CDQ group cannot withdraw from the IPA during a fishing year.

(iii) **Request for approval of a proposed IPA.** The IPA representative must submit a proposed IPA to NMFS at the address in [paragraph (b)(6)](https://www.ecfr.gov/current/title-50/section-679.21#p-679.21(b)(6)) of this section. The proposed IPA must contain the following information:

(A) **Affidavit.** The IPA must include the affidavit affirming that each eligible vessel owner or CDQ group, from whom the IPA representative received written notification requesting to join the IPA, has been allowed to join the IPA subject to the same terms and conditions that have been agreed on by, and are applicable to, all other parties to the IPA.

(B) **Name of the IPA.**

(C) **Representative.** The IPA must include the name, telephone number, and email address of the IPA representative who submits the proposed IPA on behalf of the parties and who is responsible for submitting proposed amendments to the IPA and the annual report required under [paragraph (f)(13)](https://www.ecfr.gov/current/title-50/section-679.21#p-679.21(f)(13)) of this section.

(D) **Third party group.** The IPA must identify at least one third party group. Third party groups include any entities representing western Alaskans who depend on salmon and have an interest in salmon bycatch reduction but do not directly fish in a groundfish fishery.

(E) **Description of the incentive plan.** The IPA must contain a description of the following -

(1) The incentive(s) that will be implemented under the IPA for the operator of each vessel participating in the IPA to avoid Chinook salmon and chum salmon bycatch under any condition of pollock and Chinook salmon abundance in all years.

(2) How the incentive(s) to avoid chum salmon do not increase Chinook salmon bycatch.

(3) The rewards for avoiding Chinook salmon, penalties for failure to avoid Chinook salmon at the vessel level, or both.

(4) How the incentive measures in the IPA are expected to promote reductions in a vessel's Chinook salmon and chum salmon bycatch rates relative to what would have occurred in absence of the incentive program.

(5) How the incentive measures in the IPA promote Chinook salmon and chum salmon savings in any condition of pollock abundance or Chinook salmon abundance in a manner that is expected to influence operational decisions by vessel operators to avoid Chinook salmon and chum salmon.

(6) How the IPA ensures that the operator of each vessel governed by the IPA will manage that vessel's Chinook salmon bycatch to keep total bycatch below the performance standard described in [paragraph (f)(6)](https://www.ecfr.gov/current/title-50/section-679.21#p-679.21(f)(6)) of this section for the sector in which the vessel participates.

(7) How the IPA ensures that the operator of each vessel governed by the IPA will manage that vessel's chum salmon bycatch to avoid areas and times where the chum salmon are likely to return to western Alaska.

(8) The rolling hot spot program for salmon bycatch avoidance that operates throughout the entire A season and B season and the agreement to provide notifications of closure areas and any violations of the rolling hot spot program to the third party group.

(9) The restrictions or penalties targeted at vessels that consistently have significantly higher Chinook salmon PSC rates relative to other vessels fishing at the same time.

(10) The requirement for vessels to enter a fishery-wide in-season salmon PSC data sharing agreement.

(11) The requirement for the use of salmon excluder devices, with recognition of contingencies, from January 20 to March 31, and from September 1 until the end of the B season.

(12) The requirement that salmon savings credits are limited to a maximum of three years for IPAs with salmon savings credits.

(13) The restrictions or performance criteria used to ensure that Chinook salmon PSC rates in October are not significantly higher than those achieved in the preceding months.

(F) **Compliance agreement.** The IPA must include a written statement that all parties to the IPA agree to comply with all provisions of the IPA.

(G) **Signatures.** The names and signatures of the owner or representative for each vessel and CDQ group that is a party to the IPA. The representative of an inshore cooperative, or the representative of the entity formed to represent the AFA catcher/processor sector or the AFA mothership sector under [paragraph (f)(8)](https://www.ecfr.gov/current/title-50/section-679.21#p-679.21(f)(8)) of this section may sign a proposed IPA on behalf of all vessels that are members of that inshore cooperative or sector level entity.