



**Request for Approval
PROPOSED INCENTIVE PLAN
AGREEMENT (IPA)**

U.S. Dept. of Commerce
NOAA/National Marine Fisheries Service (NMFS)
Sustainable Fisheries Division
P.O. Box 21668
Juneau, AK 99802-1668
Fax: 907-586-7131
Telephone: 907-596-7228



A proposed IPA must be received by NMFS no later than 1700 hours, A.L.T., on October 1 of the year prior to the year for which the IPA is proposed to be effective.

NOTE: An IPA may take any format. The content of the IPA must include the following information.

AFFIDAVIT

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.

MEMBERSHIP IN AN IPA

- ◆ No vessel owner or Western Alaska Community Development Quota (CDQ) group is required to join an IPA.
- ◆ 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.
- ◆ 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 Bering Sea pollock CDQ, on behalf of that CDQ group, that will participate in that IPA.
- ◆ Once a member of an IPA, a vessel owner or CDQ group cannot withdraw from the IPA during a fishing year.

IPA INFORMATION

Name of IPA

IPA identification number.

If approved, NMFS will assign an IPA identification number to the approved IPA. This number must be used by the IPA representative in amendments to the IPA.

Name of IPA Representative.

The IPA must include the name, telephone number, and e-mail 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

Third party group.

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

Description of the incentive plan.

The IPA must contain a description of the following:

- ◆ 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.
- ◆ How the incentive(s) to avoid chum salmon do not increase Chinook salmon bycatch.
- ◆ The rewards for avoiding Chinook salmon, penalties for failure to avoid Chinook salmon at the vessel level, or both.
- ◆ 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.
- ◆ 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.
- ◆ 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 for the sector in which the vessel participates.

- ◆ 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.
- ◆ 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.
- ◆ The restrictions or penalties targeted at vessels that consistently have significantly higher Chinook salmon prohibited species catch (PSC) rates relative to other vessels fishing at the same time.
- ◆ The requirement for vessels to enter a fishery-wide in-season salmon PSC data sharing agreement.
- ◆ 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.
- ◆ The requirement that credits must last for a maximum of three years for IPAs with salmon savings credits.
- ◆ 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.

Compliance agreement.

The IPA must include a written statement that all parties to the IPA agree to comply with all provisions of the IPA.

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 may sign a proposed IPA on behalf of all vessels that are members of that inshore cooperative or sector level entity.

Duration.

Once approved, an IPA is effective starting January 1 of the year following the year in which NMFS approves the IPA, unless the IPA is approved between January 1 and January 19, in which case the IPA is effective starting in the year in which it is approved. Once approved, an IPA is effective until December 31 of the first year in which it is effective or until December 31 of the year in which the IPA representative notifies NMFS in writing that the IPA is no longer in effect, whichever is later. An IPA may not expire mid-year. No party may join or leave an IPA once it is approved.

AMENDMENTS TO AN IPA.

Amendments to an approved IPA may be submitted to NMFS at any time. An amendment to an approved IPA is effective upon written notification of approval by NMFS to the IPA representative.

SUBMITTAL INFORMATION

Submit the completed application:

- ◆ by mail to Regional Administrator, NMFS
 P.O. Box 21668
 Juneau, AK 99802

- ◆ by courier to Office of the Regional Administrator
 709 West 9th Street
 Juneau, AK 99801

The IPA may not be faxed to NMFS, because original signatures are required.

For assistance, please call NMFS Sustainable Fisheries at 907-586-7228.

PUBLIC REPORTING BURDEN STATEMENT

Public reporting burden for this collection-of-information is estimated to average 40 hours per response, including the time for reviewing the instructions, searching the existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to Assistant Regional Administrator, Sustainable Fisheries Division, NOAA National Marine Fisheries Service, P.O. Box 21668, Juneau, AK 99802-1668.

ADDITIONAL INFORMATION

Before completing this form, please note the following: 1) Notwithstanding any other provision of law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection-of-information subject to the requirements of the Paperwork Reduction Act, unless that collection-of-information displays a currently valid OMB Control Number; 2) This information is mandatory and is required to manage commercial fishing efforts under 50 CFR part 679 and under section 402(a) of the Magnuson-Stevens Act (16 U.S.C. 1801, *et seq.*); 3) Responses to this information request are confidential under section 402(b) of the Magnuson-Stevens Act as amended in 2006. They are also confidential under NOAA Administrative Order 216-100, which sets forth procedures to protect confidentiality of fishery statistics.
