

APPENDIX 9

Nicole Kimball

From: Nicole Kimball
Sent: Friday, April 07, 2017 4:54 PM
To: Glenn Merrill NOAA Federal
Subject: Re: AP motion on D 1 crab arbitration

AP just broke and I left. (b)(6)

On Apr 7, 2017, at 4:49 PM, Glenn Merrill NOAA Federal <glenn.merrill@noaa.gov> wrote:

Where are you?

On Fri, Apr 7, 2017 at 16:39 Nicole Kimball <NicoleK@pspafish.net> wrote:

Initiate a regulatory amendment to allow the non binding price formula arbitrator under the BSAI crab rationalization program to consider sector wide operational costs and their impact on the distribution of first wholesale revenue when establishing the non binding price formula.

Alt 1 - No action

Alt 2 – Revise regulations governing the non binding price formula for crab fisheries, to include changes in operational costs in the harvesting and processing sectors as one of the considerations in establishing a price that preserves the historical division of revenues in the fishery.

Alt 3 – Allow the Contract Arbitrator to consider operational costs under the existing non binding price arbitration formula.

They couldn't get to a letter. Even though they mostly agreed it was a policy call. Alt 3 as you notice is not really a reg change.