

EXHIBIT 3

ATTACHMENT A - SEAFOOD DISTRIBUTION CHAIN DEFINITIONS

Seafood shall be defined as fish and shellfish, including shrimp, oysters, crab, and finfish, caught in the Specified Waters of the Gulf of Mexico. **Seafood** shall exclude menhaden.

This document shall establish **Seafood** distribution chain definitions, as set forth below:

1. **Commercial Fishermen, Seafood Crew, Oyster Leaseholders and Seafood Vessel Owners**

Economic loss claims by **Commercial Fishermen, Seafood Crew, Oyster Leaseholders and Seafood Vessel Owners** shall be governed by the **Seafood Program**.

Definitions for **Commercial Fisherman, Seafood Crew, Oyster Leaseholder and Seafood Vessel Owner** are set forth below:

- a. **Commercial Fisherman** shall be defined as a Natural Person or entity that holds a commercial fishing license issued by the United States and/or the State(s) of Alabama, Florida, Louisiana, Mississippi and/or Texas and derives income from catching and selling **Seafood** that he caught. The following additional definitions are relevant with regard to the **Commercial Fisherman** definition:
 - i. **Shrimp Fisherman** shall be defined as a **Commercial Fisherman** that catches shrimp.
 - ii. **Oyster Harvester** shall be defined as a **Commercial Fisherman** that harvests oysters.
 - iii. **Crab Fisherman** shall be defined as a **Commercial Fisherman** that catches crab.
 - iv. **Finfish Fisherman** shall be defined as a **Commercial Fisherman** that catches finfish.
- b. **Seafood Crew** shall be defined as the **Seafood Boat Captain, Seafood First Mate, Seafood Second Mate, Seafood Boatswain, Seafood Deckhand**, working for a **Commercial Fisherman**.
 - i. **Seafood Boat Captain** shall be defined as a Natural Person who owns or operates a **Commercial Fishing** vessel. In addition, the **Seafood Boat Captain** may plan and oversee the fishing operation, the fish to be sought, the location of the best fishing grounds, the method of capture, the duration of the trip, and the sale of the catch. A person with the job of skipper will be considered to satisfy this definition.
 - ii. **Seafood First Mate** shall be defined as a Natural Person who assists a **Seafood Boat Captain** and assumes control of the **Commercial Fishing** vessel when the **Seafood Boat Captain** is off duty, and who assists in directing the fishing operations and sailing responsibilities of the **Seafood Deckhands**, including the operation, maintenance, and repair of the vessel and the gathering, preservation, stowing, and unloading of the catch.
 - iii. **Seafood Second Mate** shall be defined as a Natural Person who assists in performing the duties of a **Seafood First Mate**.

- iv. **Seafood Boatswain** shall be defined as a Natural Person who is a highly skilled **Seafood Deckhand** with supervisory responsibilities on a **Commercial Fishing** vessel, and who directs the **Seafood Deckhands** as they carry out sailing and fishing operations.
- v. **Seafood Deckhand** shall be defined as a Natural Person who provides services on marine vessels (not personally owned or leased) to any type of **Commercial Fisherman**, including, but not limited to, the following:
 - 1. Operating fishing gear;
 - 2. Letting out and pulling in nets and lines;
 - 3. Extracting the catch;
 - 4. Washing, salting, icing and stowing the catch;
 - 5. Ensuring the decks are clear and clean at all times;
 - 6. Loading equipment and supplies prior to departure; and/or
 - 7. Unloading the catch.
- c. An **Oyster Leaseholder** shall be defined as a Natural Person or entity that is a lessee holding one or more private oyster leases.
- d. **Seafood Vessel Owner** shall be defined as a Natural Person or entity that owns a vessel and earns income from leasing or renting that vessel to a **Commercial Fisherman** and/or **Oyster Leaseholder**. A **Seafood Vessel Owner** may also be a **Commercial Fisherman** and/or an **Oyster Leaseholder**.

2. Primary Seafood Industry

The **Primary Seafood Industry** shall be comprised of entities and Natural Persons that satisfy the definitions of **Landing Site**, **Commercial Wholesale or Retail Dealer A**, and **Primary Seafood Processor**, and Natural Persons employed by a **Landing Site**, **Commercial Wholesale or Retail Dealer A**, or **Primary Seafood Processor**, including **Seafood Dockside Workers**.

Economic loss claims by entities and Natural Persons claiming losses related to business income required to be reported on Internal Revenue Service Form 1040 Schedules C, E or F, and that satisfy the **Primary Seafood Industry** definition above shall be compensated pursuant to the **Compensation Framework for Business Economic Loss Claims**.

Economic loss claims by **Individuals** satisfying the **Primary Seafood Industry** definition above shall be compensated pursuant to the **Framework for Individual Economic Loss Claims**.

Definitions of **Landing Site**, **Commercial Wholesale or Retail Dealer A**, **Primary Seafood Processor**, and **Seafood Dockside Worker** are set forth below:

- a. **Landing Site** shall be defined as a business at which boats first land their catch, including facilities for unloading and handling **Seafood**. A landing site may also include the provision of ice, fresh water fuel and boat repair or service in connection with the landing of **Seafood**. The following additional definition is relevant with regard to **Landing Site**:
 - i. **Seafood Dockside Worker** shall be a Natural Person performing services for a **Landing**

Site.

- b. **Commercial Wholesale or Retail Dealer A** shall be defined as an entity or Natural Person that holds a commercial wholesale or retail dealer license issued by the State(s) of Alabama, Florida, Louisiana, Mississippi and/or Texas for which 75% or more of the 2009 cost or weight in pounds of the product it purchases constitutes **Seafood** purchased directly from **Commercial Fisherman** or **Landing Site** and re-sells to **Primary Seafood Processors, Seafood Distributors, Seafood Wholesalers** and **Seafood Retailers**.
- c. **Primary Seafood Processor** shall be defined as an entity or Natural Person that receives and prepares **Seafood** purchased from a **Commercial Fisherman, Landing Site, or Commercial Wholesale or Retail Dealer** including, but not limited to, cleaning, cooking, canning, smoking, salting, drying or freezing, grading by size, packing storing **Seafood** for shipment.

3. **Secondary Seafood Industry**

The **Secondary Seafood Industry** shall be comprised of entities that satisfy the definitions of **Commercial Wholesale or Retail Dealer B, Secondary Seafood Processor, Seafood Wholesaler or Distributor, and Seafood Retailer**, and Natural Persons employed by a **Commercial Wholesale or Retail Dealer B, Secondary Seafood Processor, Seafood Wholesaler or Distributor, or Seafood Retailer**.

Economic loss claims by entities and Natural Persons claiming losses related to business income required to be reported on Internal Revenue Service Form 1040 Schedules C, E or F, and that satisfy the **Secondary Seafood Industry** definition above shall be compensated pursuant to the **Compensation Framework for Business Economic Loss Claims**.

Economic loss claims by **Individuals** satisfying the **Secondary Seafood Industry** definition above shall be compensated pursuant to the **Framework for Individual Economic Loss Claims**.

Definitions of **Commercial Wholesale or Retail Dealer B, Secondary Seafood Processor, Seafood Wholesaler or Distributor, and Seafood Retailer** are set forth below:

- a. **Commercial Wholesale or Retail Dealer B** shall be defined as an entity or Natural Person that holds a commercial wholesale or retail dealer license issued by the State(s) of Alabama, Florida, Louisiana, Mississippi and/or Texas for which less than 75% of the cost or weight in pounds of the product it purchases constitutes **Seafood** purchased directly from a **Commercial Fisherman** or **Landing Site**, and re-sells to **Primary Seafood Processors, Seafood Distributors, Seafood Wholesalers** and **Seafood Retailers**.
- b. **Secondary Seafood Processor** shall be defined as an entity or Natural Person that purchases **Seafood** from a **Primary Seafood Processor** in order to add further value including, but not limited to, cleaning, cooking, canning, smoking, salting, drying or freezing, grading by size packing and storing **Seafood** for shipment.
- c. **Seafood Wholesaler or Distributor** shall be defined as an entity or Natural Person that purchases **Seafood** in bulk quantities and sells to retailers such as restaurants, fish shop and supermarkets.

- d. **Seafood Retailer** shall be defined as an entity that is an end user of **Seafood** such as a restaurant, fish market or super market for which 25% or more of total food costs for 2009 constitute **Seafood**.

Concerning Item 1 of the PSC's Package To Close, dated March 1, 2012, it states: "PSC will take Deckhands and Crew—working on boats (non-Dockside workers) into the Seafood Program (Attachment "A")."

Subject to the understanding expressly set forth below, concerning Attachment A, BP agrees with the PSC's deletions on page 1 of the Attachment A, which is entitled "Seafood Distribution Chain Definitions", specifically BP agrees to delete the following from the Definitions: "and/or Other Seafood Crew....".

Subject to the same understanding expressly set forth below, BP also agrees with the PSC's deletions on page 2 of that same Attachment A, specifically, BP agrees to delete the following from the Definitions: "(6) Ensuring that the vessel's engines and equipment are kept in good working order" and BP also agrees with the other deletion on page 2 of the same Attachment A: "vi. Other Seafood Crew shall be defined as any Natural Person who provides any other services not covered by the definition of Seafood Boar Captain, Seafood First Mate, Seafood Second mate, Seafood Boatswain, or Seafood Deckhand, to any type of Commercial Fisherman, including dockside series not provided by an employee of a Landing Site."

With respect to each of the deletions from the Attachment A as set forth and quoted above, however, BP's agreement to make each of the deletions is expressly conditioned upon the express understanding with the PSC that if a member of a boat crew also performs dockside work or services incidental to or because of his primary job of serving as a member of an on-the-water crew, then such persons are included in Attachment A, and are not deleted or excluded from Attachment A's definitions. For example, if a member of the boat crew also acts as the boat's engineer, then his or her engineering services are incidental to their on the water boat crew services and hence are not deleted from Attachment A. Similarly, if a boat crew member performs dockside work incidental to his or her work for the boat, then that person is not excluded from Attachment A.