


MEMORANDUM

TO: Council, SSC and AP Members

FROM: Clarence Pautzke  
Executive Director 

DATE: September 24, 2001

SUBJECT: Crab Management

ESTIMATED TIME 1 HOUR
--------------------------

**ACTION REQUIRED**

Review the Crab SAFE.

**BACKGROUND**

BSAI Crab SAFE

The Crab Plan Team recently assembled a Stock Assessment and Fishery Evaluation (SAFE) report for king and Tanner crab stocks of the Bering Sea and Aleutian Islands. The SAFE details the current biological and economic status of fisheries, guideline harvest levels (GHL), and support for different management decisions or changes in harvest strategies. Copies of the SAFE have been distributed. The plan team minutes are attached as Item D2(a)(1).

The 2001 survey results are summarized in Item D-2(a)(2). Overall, the status of BSAI crab stocks is poor. Bering Sea *C. bairdi* and St. Matthew blue king crab remain below the minimum stock size threshold (MSST) established. The Pribilof Islands blue king crab stock appears to be approaching MSST, so a rebuilding plan may need to be developed in the future. Not all the news is bad, however, as signs of future recruitment were observed for Bering Sea *C. bairdi* and *C. opilio*.

**DRAFT Minutes of the Bering Sea/Aleutian Islands Crab Plan Team  
Meeting, September 20-21, 2000**

Members Present:

*Doug Pengilly (ADF&G, chair)*  
*Wayne Donaldson (ADF&G)*  
*Forrest Bowers (ADF&G)*  
*Herman Savviko (ADF&G)*  
*Shareef Siddeek (ADF&G)*

*Bob Otto (NMFS)*  
*Jack Turnock (NMFS)*  
*Tom Shirley (UAF)*  
*Gretchen Harrington (NMFS, vice-chair)*  
*Dave Witherell (NPFMC)*

The Bering Sea/Aleutian Islands (BSAI) Crab Plan Team met September 20-21 in Anchorage. The Team meeting was held to prepare the annual stock assessment and fishery evaluation (SAFE) report and review guideline harvest levels (GHLs). The meeting was based on the following agenda.

Introductions, Agenda  
Review survey information and GHLs  
Prepare and review SAFE report  
Review biological seasons for crab  
Status reports on development of biological reference points  
Crab FMP EIS Scoping meeting  
Review of BOF proposals pertaining to crab  
Discussion of biological issues relative to rationalization programs  
Report on Crab EFH SEIS

The team welcomed a new member, Forrest Bowers. Mr. Bowers is the ADF&G Area Management Biologist for the shellfish fisheries of the Bering Sea/Aleutian Islands and replaces Rance Morrison (ADF&G, retired) on the team. The team also voted to add an additional member to the team, Dr. Louis Rugolo. Dr. Rugolo is a fishery research biologist at the NMFS Kodiak Lab with responsibilities including those pertaining to crab assessment and management issues. Dr. Rugolo was formally the director of a fisheries research and stock assessment program for the state of Maryland, was SSC member to the Mid-Atlantic Fishery Management Council process, chair of the NOAA Chesapeake Bay Stock Assessment Committee, and taught fisheries science, management, and population dynamics at the University of Maryland.

**Survey Data and GHLs**

The Team reviewed the survey data, and rationale for the 2001/2002 GHLs. A full summary is provided in the SAFE report. A few additional notes were discussed by the team and included here.

Pribilof Blue king crab - The stock is in a 7 year declining trend and approaching MSST.

Pribilof red king crab -The stock is estimated to be above Bmsy, but survey estimates are highly uncertain. The fishery remains closed in 2001 due largely to concerns about potential blue king crab bycatch, coupled with uncertainty of the red king crab stock abundance estimates. The team expressed continued dismay and frustration at the inability to improve precision of stock abundance estimates, particularly for those of the Pribilof red king crab stock. Present methods and coverage of the NMFS

EBS trawl survey do not provide the data for reliable estimates of abundance and trends that is needed for management of this stock. New surveys may be required for Pribilof red and blue king crabs. The appropriateness of the Bmsy established for this stock was also questioned; Bmsy estimated for this stock from the 1983-1997 data may be too low for current conditions.

**SAFE Report**

This year's SAFE report includes an updated Executive Summary, which now includes information on CDQ fisheries and number of licenses issued under the crab license limitation program, the American Fisheries Act crab sideboards, and the BSAI crab capacity reduction program.

**Biological Seasons**

The Team reviewed Figure E-3 from the FMP, which shows the molting/mating time periods for BSAI crabs. Gretchen brought it to the teams attention given its potential importance relative to season management under future rationalization programs. The team offered its expert opinions on timing of molting/mating periods, and suggested some changes to reflect the best available scientific information. A revised figure will be prepared based on the following molting/mating time periods. The plan team may revise these dates after consulting additional scientific information.

Fishery	Molting/mating time period
C. opilio	May 15 to July 31
C. bairdi	April 1 to July 31
blue king	Feb. 1 to July 31
red king	Jan. 15 to June 30
red king Norton Sound	Sept. 15 to Oct. 31
golden king	Jan. 1 to Dec. 31

At the request of the Plan Team, Tom Shirley provided an overview of results from recent studies on the effects of wind chill on crabs and old shell crab senescence.

**BOF Proposals**

The crab plan team reviewed the proposal categories and management measures for the March 2002 State of Alaska Board of Fisheries meeting. The attached spreadsheet summarizes that review. The team highlighted proposals #414, 416, 419, 422, 424, 425-431, 437, 496, and 51 as issues that the Council may be interested in. There are several groundfish proposals that the Council may have an interest in: 402, 407, and 50. Groundfish proposals are scheduled for public hearing at the January Board meeting, with deliberation on the proposals to occur at the March Board meeting.

**Biological Reference Points**

Shareef Siddeek provided the Team with a review of his work on biological reference points. The team

found the approach to be a promising alternative to the present method for determining overfishing rates, Bmsy, and MSST and that this approach should be strongly considered when the team reevaluates overfishing and Bmsy definitions in 2003. The team requested that he prepare a written report and distribute it to team members for further review by December 2001.

## **BSAI King and Tanner Crab FMP EIS**

Gretchen Harrington presented information on the intent of NMFS to prepare an environmental impact statement for the Fishery Management Plan for Bering Sea/Aleutian Islands King and Tanner Crabs (FMP). This presentation was the first of a series of scoping meetings. NMFS is seeking written public comments on the scope of issues that should be addressed in the EIS and alternatives that should be considered for management of the BSAI crab fisheries. The proposed action to be addressed in the EIS is the rationalization of the BSAI crab fisheries. Given this proposed action, the scope of the EIS will be a programmatic review of the FMP, examining all activities addressing the conduct of the BSAI crab fisheries authorized under the FMP, including components of proposed rationalization programs and potential changes to the management of the fisheries under these programs. The scope of the analysis is intended to be broad enough for the Council and NMFS to make an informed decision on a rationalization program and undertake further analysis of other changes to the FMP as necessary with the implementation of these programs.

### **Discussion of biological issues relative to rationalization programs**

The team discussed questions raised by Mark Fina (Council staff) relative to the Council analysis of BSAI king and Tanner crab fishery rationalization. Biological and management issues discussed included stock projections for the future, inseason management under a quota system, possible changes in management measures that are Category 2 under the FMP (seasons, size limits, pot limits, and GHLS), management of the Pribilof king crab fishery, possibilities for high-grading under a quota system, and allocation of quota in the Aleutians golden king crab fishery. The team provided some guidance on information available for stock projections. The team discussed but did not resolve the issues that would need to be addressed with regard to inseason management under a quota system. A point was made that the new conservative harvest strategies may preclude the need for inseason closures because the GHLS is now a smaller portion of the harvestable stock and so there is a larger margin of error for the abundance estimates. The team noted that proposals to the Board of Fisheries on Category 2 management measures (particularly those pertaining to seasons, pot limits, and minimum GHLS) could be anticipated, but given the suite of issues involved in such measures and the uncertainty on the final form of any rationalization program, the team declined to predict exactly how such measures would change under rationalization. Given the size limits that exist in the crab fisheries and experience with the CDQ fisheries, the team tentatively did not feel that rationalization would lead to a substantial increase in high grading relative to that seen in present fisheries; changes in processor practices related to tiered pricing structures could, however, promote high grading. The team discussed the reasons for the practice of pooling the Pribilof red and blue king crab GHLS into a single Pribilof king crab GHLS and felt that, given the present precision of estimates for those two stocks, the practice would continue under rationalization; substantial price differences between red and blue king crab in the future could, however, raise biological conservation concerns due to changes in fishing practices. The team felt that allocating quota shares for Aleutians golden king crab east and west of 174° W longitude raised no biological concerns as long as the fishery was continued to be managed to separate GHLS established for the areas east and west of 174° W longitude.

## Report on Crab EFH SEIS

The team received a report from Cindy Hartman and Matthew Eagleton of NMFS Habitat Conservation on the SEIS that they will be preparing on the Essential Fish Habitat amendments to the FMP. The team noted the shortcomings on data related to essential fish habitat for crab in the BSAI and reviewed the approach and information supplied by the team relative to those shortcomings for the EFH amendment prepared in 1998. Team members offered to provide suggestions on any alternative approaches to defining crab EFH that may be feasibly employed and analyzed and noted that the team would review the SEIS, if requested by NMFS.

Others in attendance were: Ben Enticknap, Jeff Steele, Linda Kozak, Dick Powell, Lenny Herzog, Arni Thomson, Steve Davis, Joe Sullivan, Francine Bennis, and Tom Casey (by telephone).

**BS/AI CRAB FMP PROPOSAL CATEGORIES (Board of Fisheries March 15 - March 21)**

9/24/01

<b><u>Proposal</u></b>	<b><u>Category</u></b>	<b><u>Management Measure</u></b>
<b><u>STATEWIDE SHELLFISH</u></b>		
Proposal 403 (specify all shellfish/groundfish pots must have biodegradable twine, at all times)	Category 3	Gear Modifications
Proposal 404 (specify king/Tanner pots must have escape mechanism when onboard commercially registered vessels or in water)	Category 3	Gear Modifications
Proposal 405 (correct Tanner crab tunnel eye description, proposal in error)	Category 3	Gear Modifications
Proposal 406 (clarify that unbaited Tanner crab pots may be placed into storage within 14-day preseason exclusion period)	Category 3	Gear Placement and Removal
Proposal 408 (clarify that unbaited king crab pots may be placed into storage within 14 day preseason exclusion period)	Category 3	Gear Placement and Removal
<b><u>NORTON SOUND</u></b>		
Proposal 409 (earlier opening date for red king crab, change boundaries and modify management plan)	Category 2	Fishing Seasons, GHL, District Subdistrict and Sections
Proposal 410 (Norton Sound Area description – increase closed waters) (to protect Norton Sound subsistence king crab fishery).	Category 2	Closed Waters
<b><u>BERING SEA/ALEUTIAN ISLANDS KING CRAB</u></b>		
Proposal 411 (in Bristol Bay, remove blue king crab and remove 7 inch size limit for all king crab)	Category 2	Fishing Seasons, Minimum Size Limits
Proposal 412 (in Bristol Bay, remove blue king crab and remove 7 inch size limit for all king crab)	Category 2	Minimum Size Limits
Proposal 413 (clarify that unbaited pots may be placed into storage in Bristol Bay any time up to 30 hours prior to red king crab fishery).	Category 3	Gear Placement and Removal
Proposal 414 (allow fishing for P. cod by BBRKC fishers after closure of BBRKC by modifying stand down provision)	Category 3	Other
Proposal 415 (allow BBRKC vessel operators to deliver crab to Adak)	Category 3	Reporting Requirements

or Pribilof Islands)

Proposal 416 (allow otter trawls with headrope greater than 60' onboard crab vessels operating in Bristol Bay red king crab fishery)

Category 3

Other

Proposal 417 (remove red king crab from St. Matthew Island Section and remove 7 1/2 inch king crab size limit in the Pribilof District)

Category 2

Fishing Season, Minimum Size Limits

Proposal 418 (increase transit time before and after the season for the Pribilof District)

Category 3

Vessel Tank Inspections and Reporting Requirements

Proposal 419 (clarify when an AFA overage penalty applies)

Category 3

Other

Proposal 420 (remove blue king crab season from Aleutian Islands and remove 7 1/2 inch legal size limit for king crab)

Category 2

Fishing Seasons, Minimum Size Limits

Proposal 421 (remove blue king crab season from Aleutian Islands and remove 7 1/2 inch legal size limit for king crab)

Category 2

Fishing Seasons, Minimum Size Limits

Proposal 422 (establish management plan for Adak red king crab)

Category 2

Guideline Harvest Levels, Pot Limits

Proposal 423 (allow vessels in BS/AI crab fisheries to unload pots in dry storage prior to departing the management area to deliver)

Category 3

Gear Storage

Proposal 424 (establish no fishing zone for all species)

Category 2

Closed Waters

#### BERING SEA/ALEUTIAN ISLANDS TANNER CRAB

Proposal 425 (revise C.opilio harvest strategy)

Category 2

GHL

Proposal 426 (C.opilio season change to March 15)

Category 2

Fishing Seasons

Proposal 427 (C. opilio season change to March 15 when GHL less than 75 million pounds)

Category 2

Fishing Seasons

Proposal 428 (C.opilio season change according to GHL)

Category 2

Fishing Seasons

Proposal 429 (C.opilio season change according to GHL )

Category 2

Fishing Seasons

Proposal 430 (revise C.opilio pot limits based on vessel size for GHL less than 25 million pounds)

Category 2

Pot Limits

Proposal 431 (revise C. opilio pot limits when GHL less than 75 million lbs.)	Category 2	Pot Limits
Proposal 432 (increase C. opilio post-season deep-water pot storage time from 10 days to 14 days)	Category 3	Gear Placement and Removal
Proposal 433 (allow C. opilio crab pot vessel operator to set P. cod pots prior to removal of opilio pots from fishing grounds)	Category 3	Gear Placement and Removal
Proposal 434 (allow unbaited C. bairdi pots to be placed into storage up to 30 hours prior to BBRKC or 30 days if no BBRKC season)	Category 3	Gear Placement and Removal
Proposal 435 (reopen directed C. bairdi east of 163 W Long when BBRKC closed)	Category 2	District, Subdistrict and Sections
Proposal 436 (modify C. bairdi fishing seasons to occur during BBRKC and on January 15, concurrent to C. opilio)	Category 2	Fishing Seasons
Proposal 437 (allow C. bairdi retention equal to groundfish trawl bycatch cap in BBRKC and C. opilio fisheries.	Category 2	GHL
Proposal 438 (do not allow tank inspections at St. Paul)	Category 3	Vessel Tank Inspections
Proposal 439 (allow replacement of pot buoy tags in Pribilofs)	Category 2	Pot Limits
Proposal 440 (allow vessel operator from Bering Sea to land Tanner crab in Adak)	Category 3	Reporting Requirements
Proposal 441 (close state waters at St. Matthew, Hall and Pinnacle Islands for blue king crab conservation)	Category 2	Closed Waters
Proposal 442 (remove regulatory opening for Aleutian Islands Tanner crab and replace with emergency order opening)	Category 2	Fishing Seasons

**ONBOARD OBSERVERS**

Proposal 487 (establish Pribilof and St. Matthew Island brown king crab preseason registration deadline)	Category 3	State Observer Requirements
Proposal 488 (clarify existing preseason vessel registration deadlines when deadline falls on weekend or state holiday)	Category 3	State Observer Requirements
Proposal 489 (align preregistration dates with recent changes to	Category 3	State Observer Requirements



fishing seasons for Bering Sea *C. bairdi*)

Proposal 490 (increase onboard crab and scallop observer trainee period from 6 to 12 months)

Category 3

State Observer Requirements

Proposal 491 (increase onboard crab and scallop observer trainee period from 6 to 9 months)

Category 3

State Observer Requirements

Proposal 492 (increase onboard observer certification period from 12 to 24 months, prior to decertification)

Category 3

State Observer Requirements

Proposal 493 (clarify requirements for a decertified onboard observer to become recertified)

Category 3

State Observer Requirements

Proposal 494 (allow onboard observers to be deployed for up to 180 days in the Aleutian Islands brown king crab fishery)

Category 3

State Observer Requirements

Proposal 495 (cover catcher-processor vessels under cost recovery funded observer program)

Category 3

State Observer Requirements

Proposal 496 (prohibit late registration in BS/AI crab fisheries)

Category 2

State Observer Requirements, Pot Limits

GROUND FISH

Proposal 51 (reimburse *C. bairdi* fleet the value of *C. bairdi* taken in groundfish trawl fisheries)

?

?

**DRAFT: [9.20.01]**

## RESULTS OF THE 2001 NMFS BERING SEA CRAB SURVEY

### EXECUTIVE SUMMARY

This document summarizes data presented in the Report to Industry on the 2001 Eastern Bering Sea Trawl Survey. Numbers presented are indices of population abundance, not necessarily absolute abundance. Percent changes are relative to 2000. GHs (Guideline Harvest Levels) are for the combined open-access and CDQ fisheries unless otherwise noted. MSST (Minimum Spawning Stock Threshold) are as established in management plan. For further information, contact Dr. Louis J. Rugolo at 907.481.1715 or Dr. Robert S. Otto at 907.481.1711, NMFS, 301 Research Court, Kodiak, AK 99615.

#### Red king crab (*Paralithodes camtschaticus*) Bristol Bay.

Legal males: 5.1 million crabs; 41% decrease.  
Pre-recruits: 4.3 million crabs; 41% decrease.  
Large Females: 21.2 million crabs; 22% increase.  
Outlook: Abundance of mature and legal males declined sharply owing to mortality, fishery removals, and poor recruitment. Respective indices remain at low historical (1966-P) levels. Total mature biomass is above MSST, allowing a 10% exploitation rate on mature males. Effective spawning biomass and total mature biomass levels are comparable to those in 2000.  
GHL: 7.15 million pounds (3,243 metric tons, t), with 6.614 million pounds (3000 t) allocated to the open access fishery, and 0.536 million pounds (243 t) to the CDQ fishery. Fishery will open October 15, 2001.

#### Red king crab (*P. camtschaticus*) Pribilof District.

Legal males: 1.8 million crabs; 54% increase.  
Pre-recruits: 2.5 million crabs; 587% increase.  
Large Females: 4.0 million crabs; 549% increase.  
Outlook: Data suggest an increasing trend in abundance of legal males, but caution is urged due to extremely low precision of the estimates. Crabs were highly concentrated. Females are considered to be poorly estimated. Total mature biomass is above MSST; no fishery threshold has been established in the plan.  
GHL: Fishery will not open in 2001 due to concerns about incidental blue king crab catch, and to low confidence in the abundance indices.

#### Pribilof Islands blue king crab (*P. platypus*) Pribilof District.

Legal males: 0.4 million crabs; 16% decrease.  
Pre-recruits: 0.1 million crabs; 48% decrease.  
Large Females: 1.6 million crabs; 17% increase.  
Outlook: Population is in extremely low historical (1974-P) abundance, and declining trends are not easily detectable. Total mature biomass is only slightly (6%) above MSST; the male stock is notably below the fishery threshold definition.  
GHL: Fishery will not open in 2001.

St. Matthew blue king crab (*P. platypus*) Northern District.

Legal males: 1.1 million crabs; 29% increase.  
Pre-recruits: 0.6 million crabs; 80% increase.  
Large Females: 0.2 million crabs; 22% increase.  
Outlook: Population is in extremely low historical (1976-P) abundance following a steep decline from 1997. Total mature biomass is below MSST; the stock remains in overfished condition. Female abundance is considered to be poorly estimated due to their preference for inshore grounds which are untrawlable.  
GHL: Fishery will not open in 2001.

Tanner crab (*Chionoecetes bairdi*) Eastern District.

Legal males: 6.3 million crabs; 28% increase.  
Pre-recruits: 17.3 million crabs; 4% decrease.  
Large Females: 13.2 million crabs; 4% decrease.  
Outlook: Population has declined steeply (86%) since 1990, and is essentially unchanged over the last five years. Legal male abundance remains at extremely low historical (1968-P) levels. Total mature biomass is below MSST; female biomass is below the fishery threshold. The stock remains in overfished condition.  
GHL: Fishery will not open in 2001.

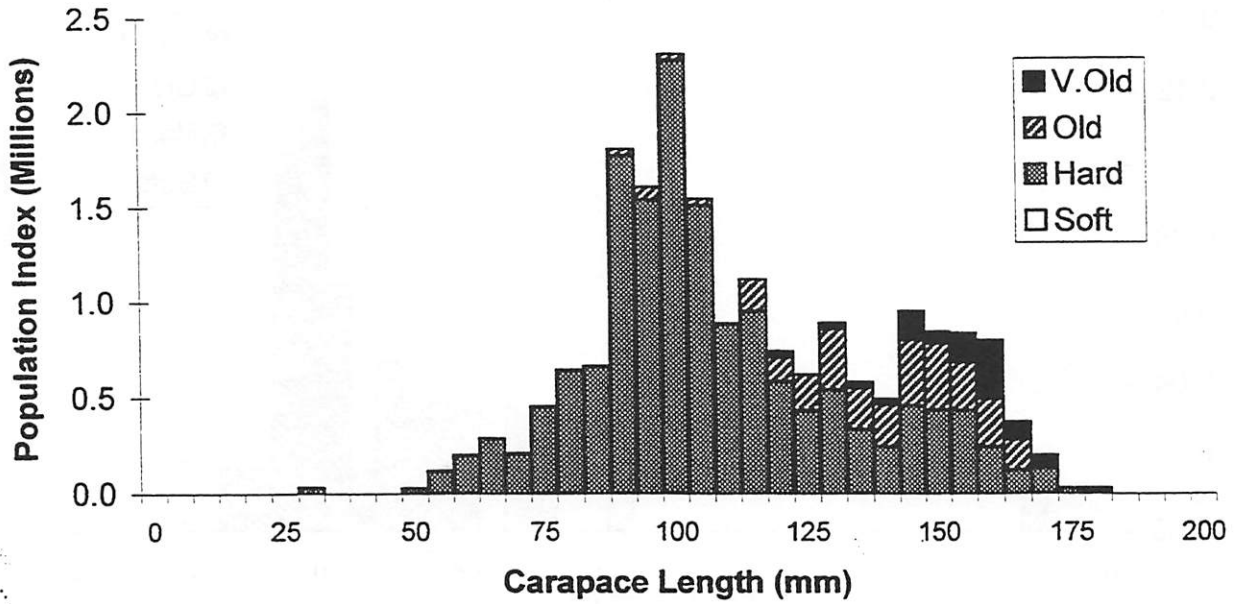
Snow crab (*C. opilio*) All districts combined.

Large males: 77.5 million crabs; 2% increase.  
Small males: 1791 million crabs; 73% increase.  
Large Females: 1524 million crabs; 3% increase.  
Outlook: Abundance of legal males is unchanged, and remains at low historical (1978-P) levels. Population is experiencing recruitment of crabs to smaller size groups which may yield legal males in several years, conditional on losses to mortality and the fishery. Total mature biomass is above MSST and the fishery threshold, but significantly below (62%) the rebuilt threshold.  
GHL: 30.82 million pounds (13,997 t), with 28.51 million pounds (12,930 t) allocated to the open access fishery, and 2.31 million pounds (1,048 t) to the CDQ fishery. Fishery will open January 15, 2002.

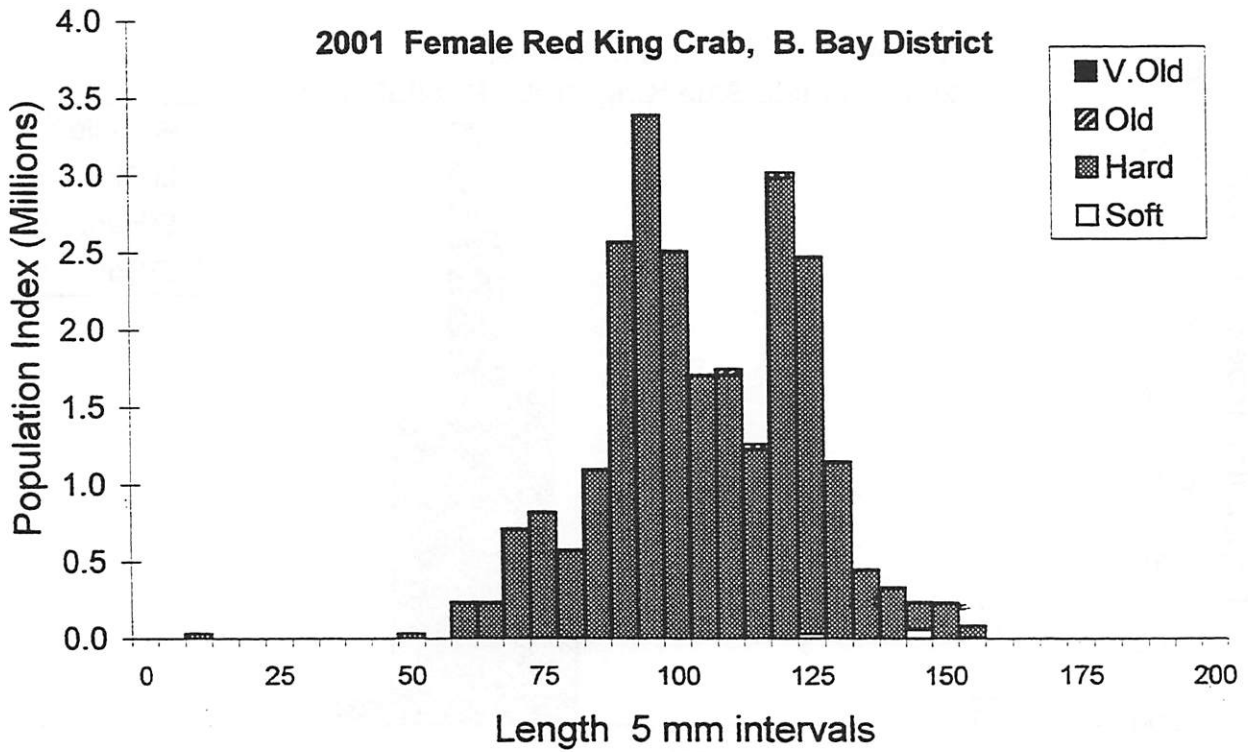
Hair crab (*Erimacrus isenbeckii*) All districts combined.

Large males: 1.8 million crabs; 58% decrease.  
Large Females: Not well estimated.  
Outlook: Population has declined sharply (72%) since 1995, and remains in extremely low levels of historical (1978-P) abundance. Recruitment trends are unclear. The 2000 fishery in the Northern District performed poorly, yet was targeted at notably larger (2.5-fold) levels of legal male abundance than that estimated in 2001.  
GHL: Fishery will not open in 2001.

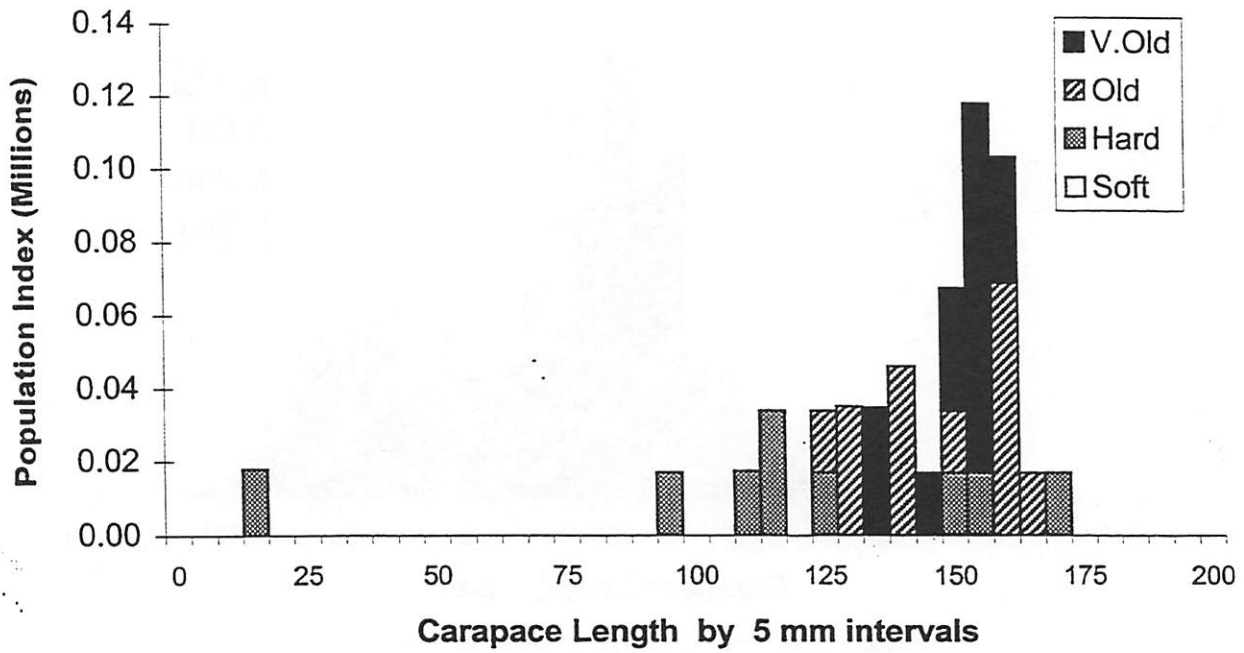
### 2001 Male Red King Crab, B. Bay District



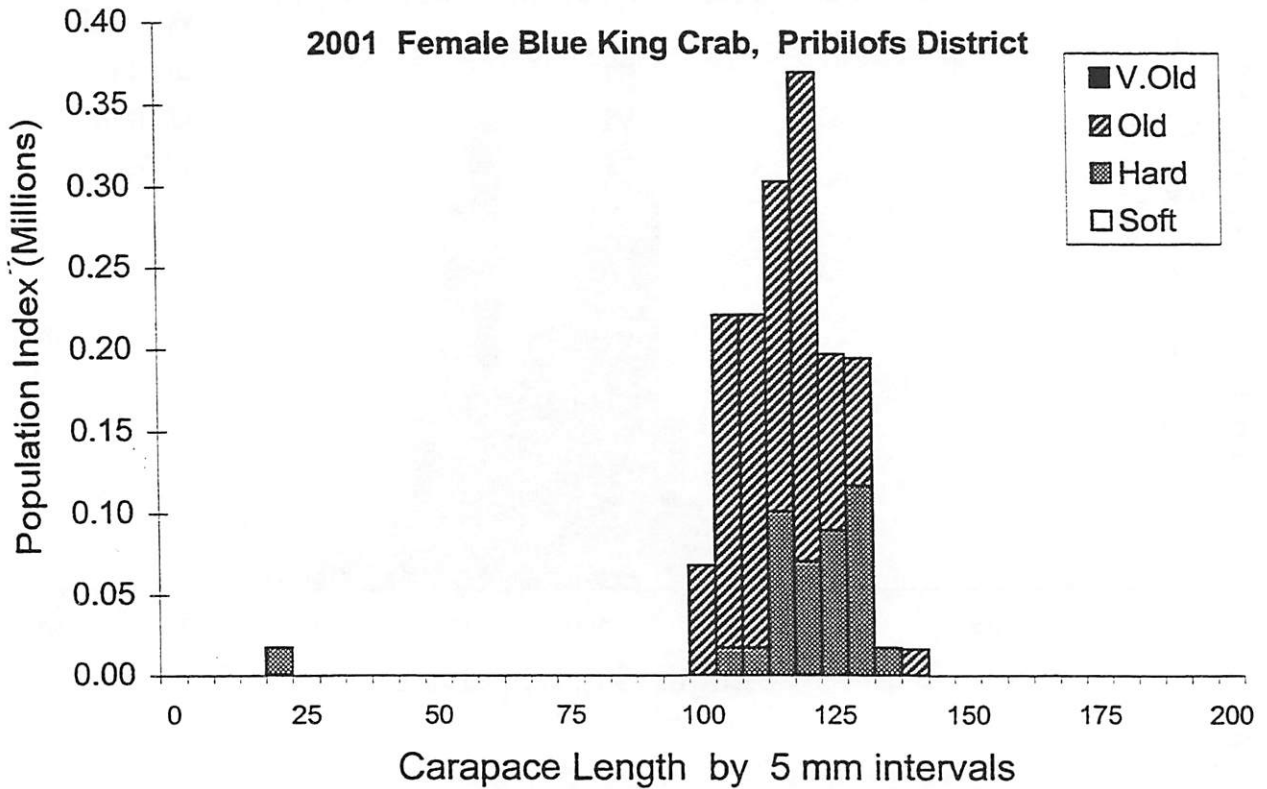
### 2001 Female Red King Crab, B. Bay District



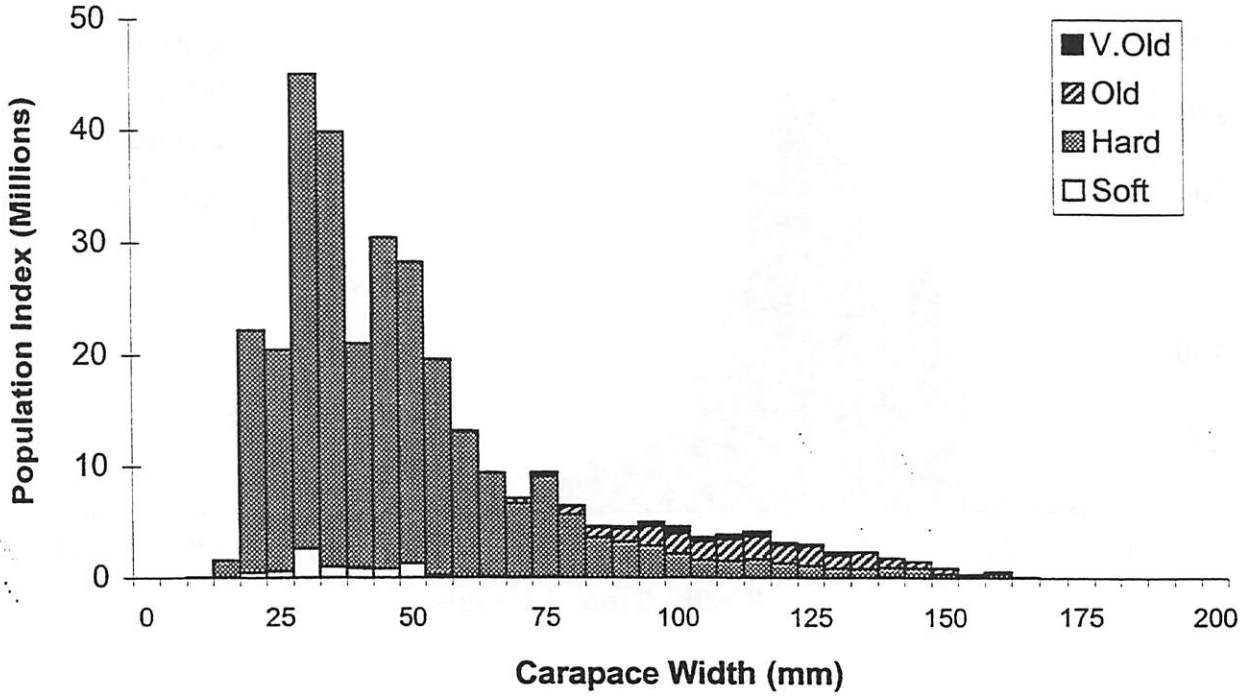
### 2001 Male Blue King Crab, Pribilofs District



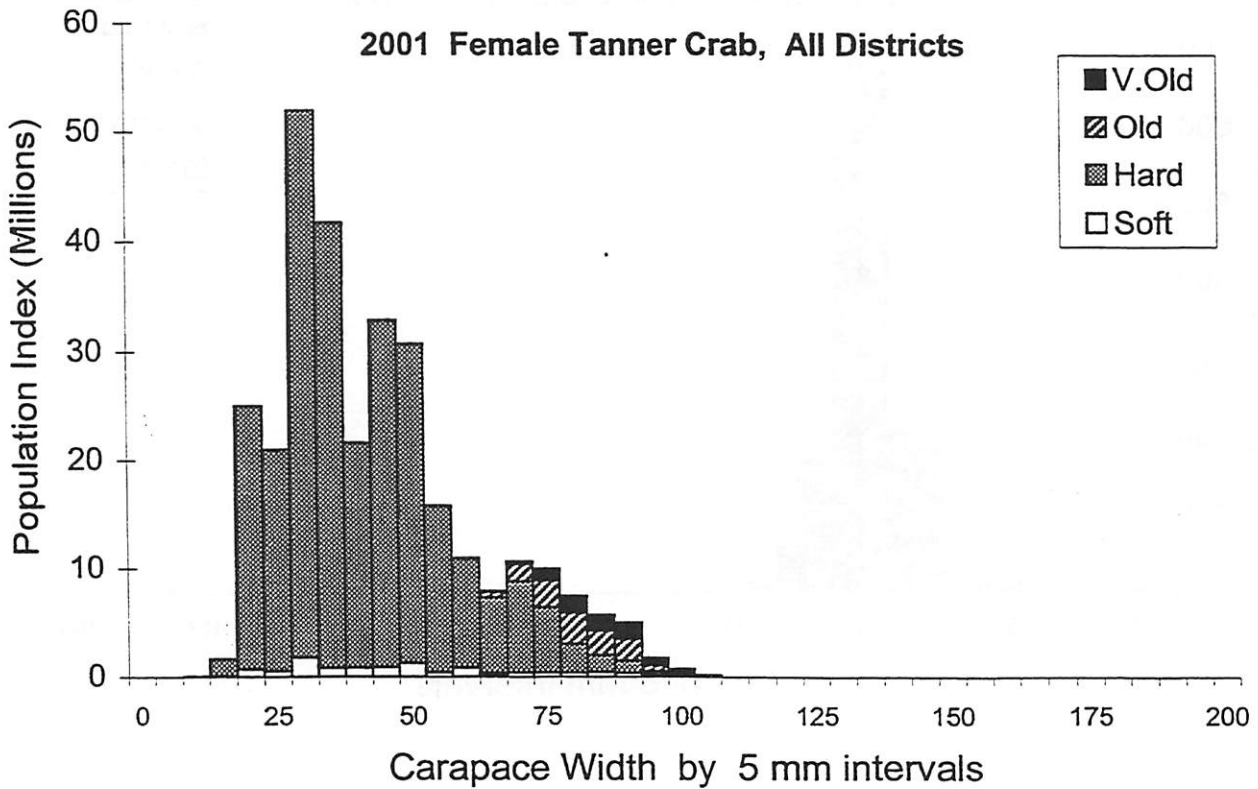
### 2001 Female Blue King Crab, Pribilofs District



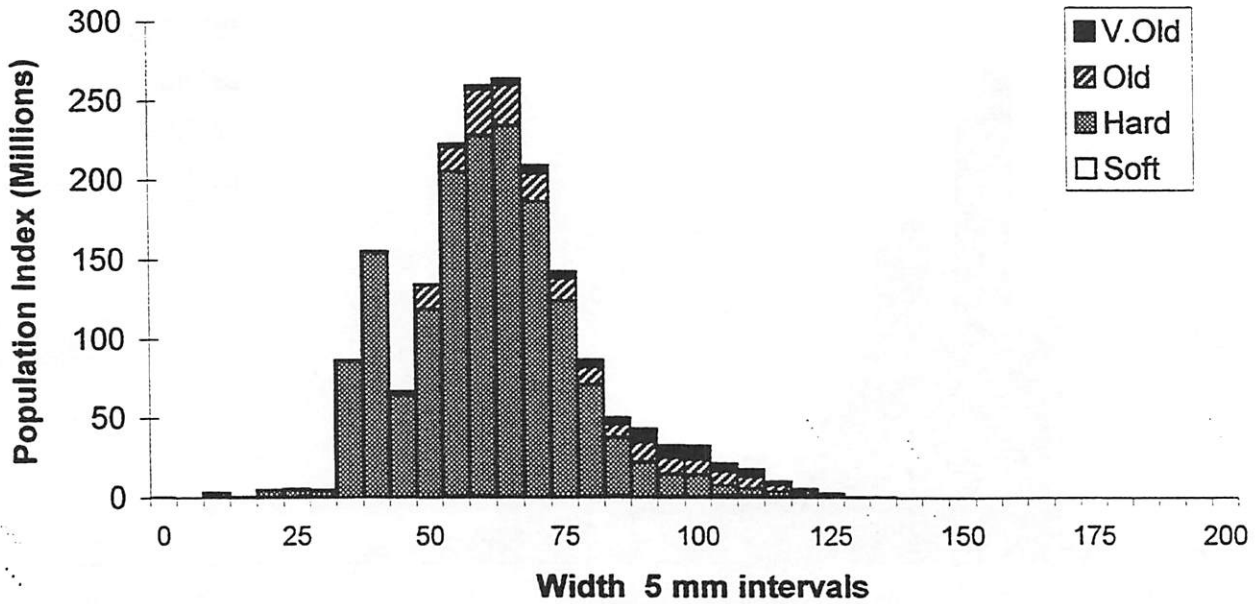
### 2001 Male Tanner Crab, All Districts



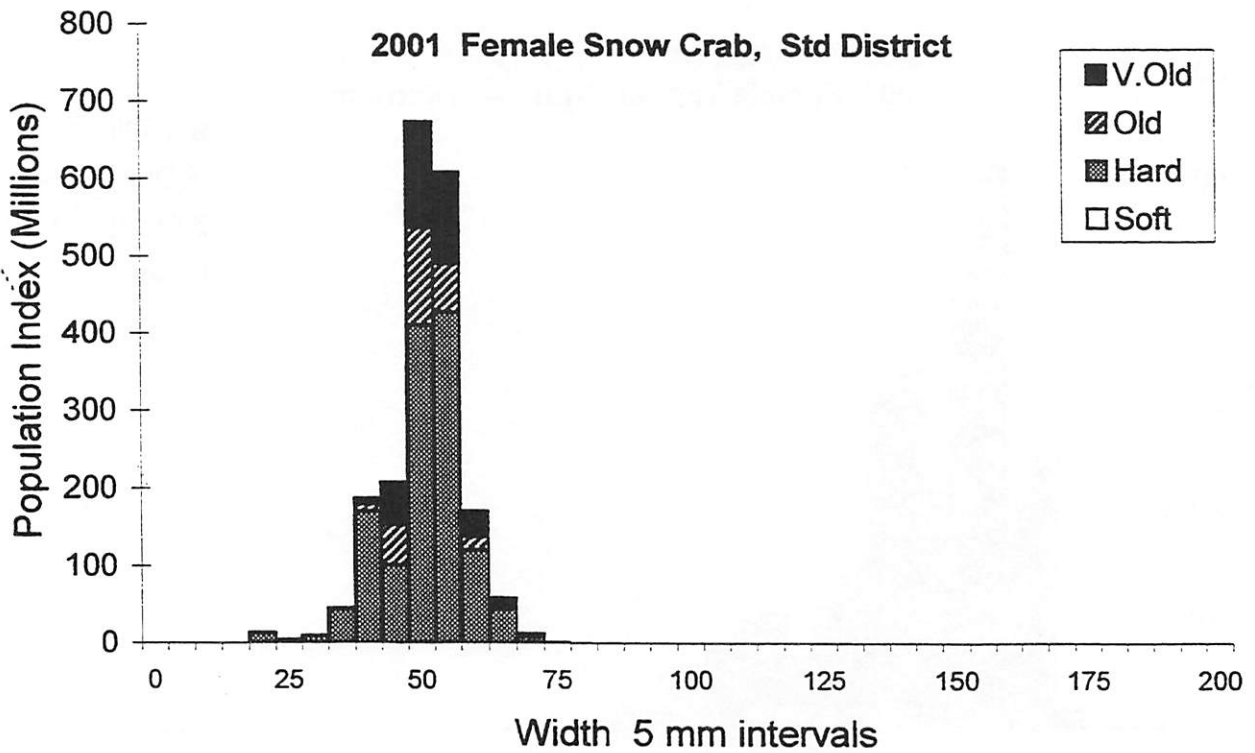
### 2001 Female Tanner Crab, All Districts



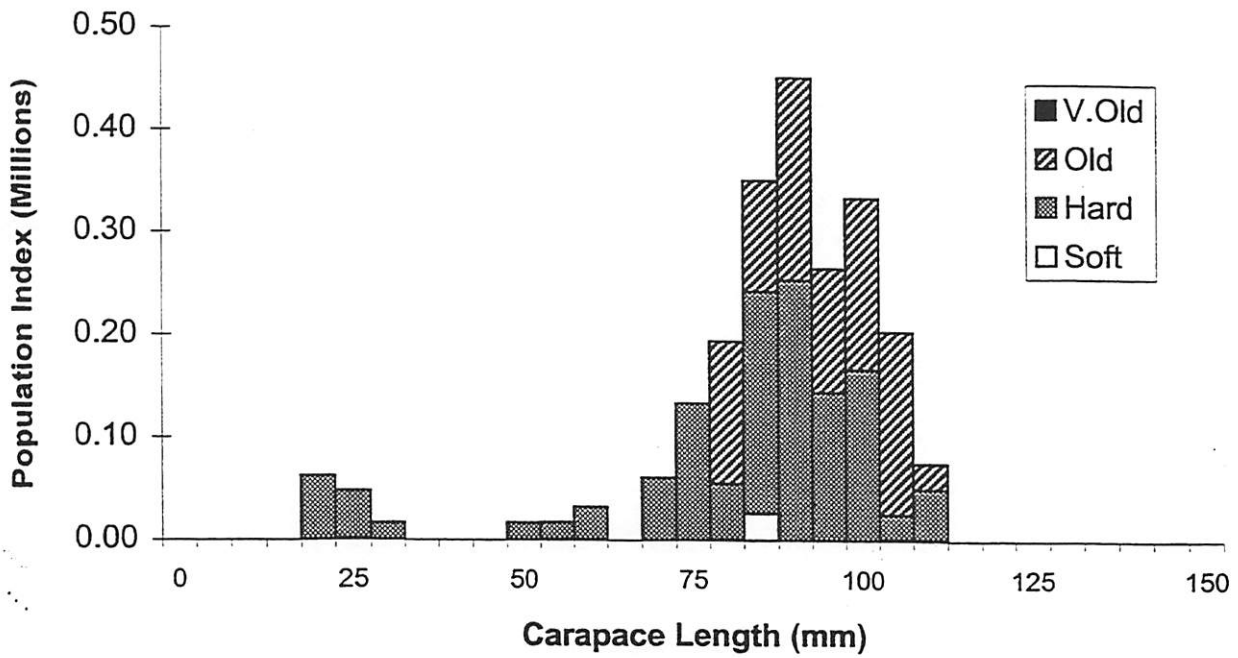
### 2001 Male Snow Crab, Std District



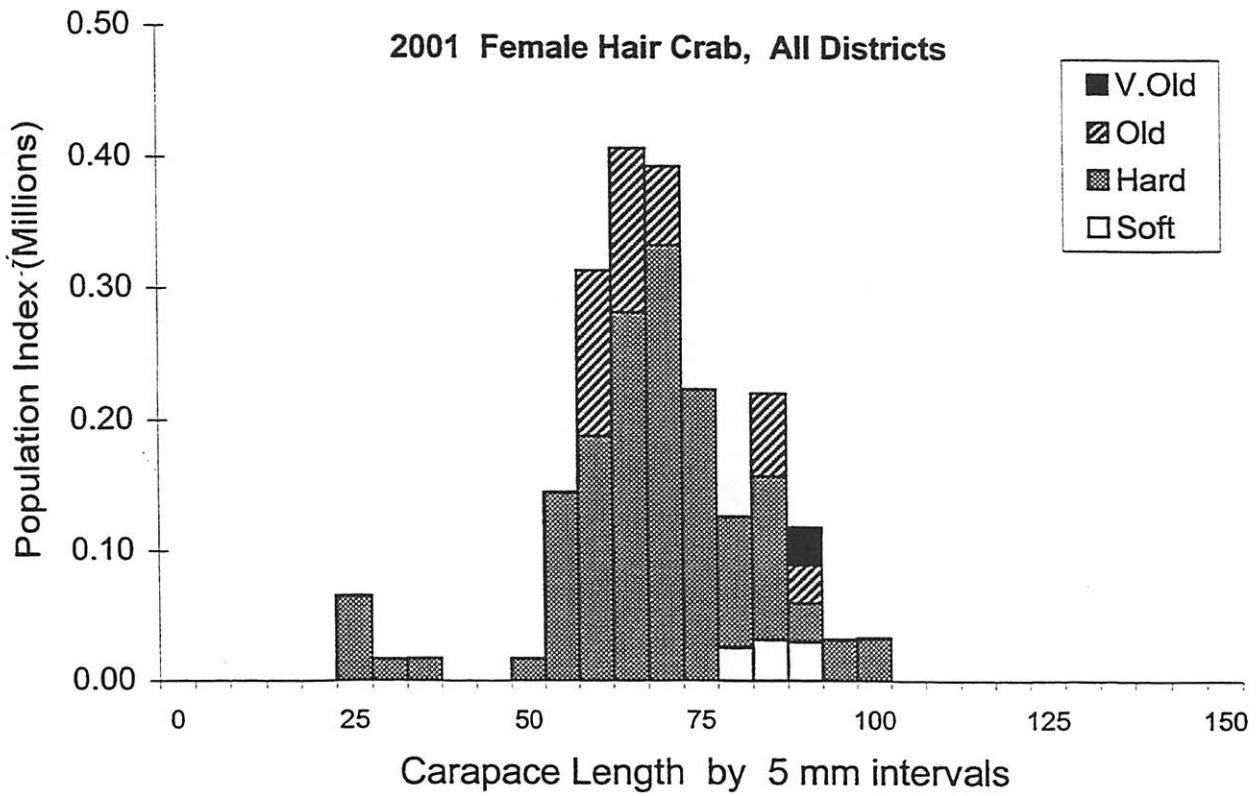
### 2001 Female Snow Crab, Std District



2001 Male Hair Crab, All Districts



2001 Female Hair Crab, All Districts





name, Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to [ecfs@fcc.gov](mailto:ecfs@fcc.gov), and should include the following words in the body of the message, "get form <your e-mail address>." A sample form and directions will be sent in reply.

Parties who choose to file by paper must file an original and four copies of each filing. If participants want each Commissioner to receive a personal copy of their comments, an original plus nine copies must be filed. If more than one docket or rulemaking number appear in the caption of this proceeding, commenters must submit two additional copies for each additional docket or rulemaking number. All filings by paper must be sent to the Commission's Secretary: Magalie Roman Salas, Office of the Secretary, Federal Communications Commission, 445 12th Street, SW, Washington, DC 20554.

Parties who choose to file by paper should also submit their comments on diskette. Diskettes should be submitted to: Ernestine Creech, Room 6 C-317, Accounting Safeguards Division, Federal Communications Commission, 445 12th Street, S.W., Washington, D.C. 20554. The required diskette copies of submissions should be on 3.5-inch diskettes formatted in an IBM compatible format using Word or compatible software. Each diskette should be accompanied by a cover letter and should be submitted in "read only" mode. The diskette should be clearly labeled with the commenter's name, proceeding (CC Docket No. 01-174), type of pleading (comment or reply comment), date of submission, and the name of the electronic file on the diskette. The label should also include the following phrase "Disk Copy—Not an Original." Each diskette should contain only one party's pleadings, preferably in a single electronic file. In addition, parties who choose to file by paper must send diskette copies to the Commission's copy contractor, Qualex International, Portals II, 445 12th Street, SW, Room CY-B402, Washington, DC 20554. Comments and reply comments will be available for public inspection during normal business hours in the FCC Reference Information Center, Courtyard Level, Suite CY-A257, 445 12th Street, SW, Washington, DC.

**Ordering Clauses**

Pursuant to the authority contained in sections 1, 4(i), 11, 201-205, 218-220, 254, and 403 of the Communications Act of 1934, as amended, 47 U.S.C., 151,

154(i), 161, 201-205, 218-220, 254, and 403 this Notice of Proposed Rulemaking is hereby Adopted.

The Commission's Consumer Information Bureau, Reference Information Center, shall send a copy of this Notice of Proposed Rulemaking, including the Initial Regulatory Flexibility Certification, to the Chief Counsel for Advocacy of the Small Business Administration.

Federal Communications Commission.  
 Magalie Roman Salas,  
 Secretary.

[FR Doc. 01-23495 Filed 9-19-01; 8:45 am]  
 BILLING CODE 6712-01-P

**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Part 679**

[I.D. 090701F]

**Fisheries of the Exclusive Economic Zone Off Alaska; King and Tanner Crab Fisheries in the Bering Sea/Aleutian Islands**

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice of intent to prepare an environmental impact statement (EIS); request for written comments; notice of scoping meetings.

**SUMMARY:** NMFS announces its intent to prepare an EIS in accordance with the National Environmental Policy Act of 1969 (NEPA) for the Fishery Management Plan for Bering Sea/Aleutian Islands (BSAI) King and Tanner Crabs (FMP). The North Pacific Fishery Management Council proposes to rationalize the BSAI crab fisheries through an Individual Fishing Quota (IFQ) Program, or a cooperative program. The scope of the EIS will be a programmatic review of the FMP, examining all activities addressing the conduct of the BSAI crab fisheries authorized under the FMP, including components of proposed rationalization programs, and potential changes to the management of the fisheries under these programs.

NMFS will hold public scoping meetings and accept written comments to determine the issues of concern and the appropriate range of management alternatives to be addressed in the EIS.

**DATES:** Written comments will be accepted through November 16, 2001. A public scoping meeting will be held on

Thursday, September 20, 2001, in Anchorage, AK. For dates and times of scoping meetings, see SUPPLEMENTARY INFORMATION.

**ADDRESSES:** Written comments on issues and alternatives for the EIS should be sent to Sue Salvesson, Assistant Regional Administrator for Sustainable Fisheries, Alaska Region, NMFS, P.O. Box 21668, Juneau, AK, 99802, Attn: Lori Gravel, or delivered to the Federal Building, 709 West 9th Street, Juneau, AK. Comments may be sent via facsimile (fax) to 907-586-7557. NMFS will not accept comments by e-mail or the internet. For locations of the public scoping meetings, see SUPPLEMENTARY INFORMATION.

Written comments specifically addressing the Council's analysis of rationalization programs should be sent to the North Pacific Fishery Management Council, 605 West 4th Street, Suite 306, Anchorage, AK 99501-2252.

**FOR FURTHER INFORMATION CONTACT:** Gretchen Harrington, (907) 586-7228 or e-mail [gretchen.harrington@noaa.gov](mailto:gretchen.harrington@noaa.gov).

**SUPPLEMENTARY INFORMATION:** Under the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), the United States has exclusive fishery management authority over all living marine resources found within the exclusive economic zone (EEZ). The management of these marine resources, with the exception of marine mammals and birds, is vested in the Secretary of Commerce (Secretary). Eight Regional Fishery Management Councils prepare fishery management plans for approval and implementation by the Secretary. The North Pacific Fishery Management Council (Council) has the responsibility to prepare fishery management plans for the fishery resources that require conservation and management in the EEZ off Alaska.

NEPA requires preparation of an EIS for major Federal actions significantly impacting the quality of the human environment. Regulations implementing NEPA at 40 CFR 1502.4(b) state:

Environmental impact statements may be prepared, and are sometimes required, for broad Federal actions such as adoption of new agency programs or regulations. Agencies shall prepare statements on broad actions so that they are relevant to policy and are timed to coincide with meaningful points in agency planning and decision making.

The FMP was approved by the Secretary on June 2, 1989 (54 FR 29080). The Secretary approved a revised and updated FMP on March 9, 1999 (64 FR 11390). The FMP establishes a State/Federal cooperative management regime that defers many aspects of crab

management to the State of Alaska (State), with Federal oversight. The FMP identifies specific aspects of crab management that remain under the jurisdiction of the Federal government, such as limited access.

The FMP is a framework plan for the management measures deferred to the State. For these measures, the framework in the FMP establishes policy objectives and criteria instead of selecting specific management measures. This allows for long-term management of the fishery without frequent amendments to the FMP.

FMP amendments are required for changes to the management measures under Federal jurisdiction and for changes to the framework plan for management measures deferred to the State. FMP amendments are also required to keep the FMP in compliance with the requirements of the Magnuson-Stevens Act.

NMFS has identified the need to prepare an EIS to take a programmatic look at the FMP and possible alternatives to the FMP in light of Council consideration of a program to rationalize the BSAI crab fisheries. NMFS recognizes that the rationalization programs under consideration will result in substantial changes to many of the current management measures and possibly the framework of the FMP and that these programmatic changes may significantly affect the environment. NMFS views this as an opportune time to analyze these potential changes as well as analyze alternative ways to manage the BSAI crab fisheries.

The proposed action to be addressed in the EIS is the rationalization of the BSAI crab fisheries. Given this proposed action, the scope of the EIS will be a programmatic review of the FMP, examining all activities addressing the conduct of the BSAI crab fisheries authorized under the FMP, including components of proposed rationalization programs and potential changes to the management of the fisheries under these programs. The scope of the analysis is intended to be broad enough for the Council and NMFS to make an informed decision on a rationalization program and to undertake further analysis of other changes to the FMP as necessary

with the implementation of these programs.

NMFS is seeking information from the public through the scoping process on the range of alternatives to be analyzed and on the environmental, social, and economic issues to be considered in the analysis.

#### Alternatives

NMFS will evaluate a range of alternative FMPs for managing the BSAI crab fisheries. Alternatives analyzed in the EIS may include those identified here, plus additional alternatives developed through the public scoping process and through working with the Council and the State. Each alternative would constitute a complete FMP, that would include an approach for every aspect needed in an FMP.

The potential alternatives already identified for the EIS include: (1) The existing FMP (no action) and (2) an FMP as modified by a rationalization program (IFQ or cooperatives).

The Council will recommend the specific alternative for the rationalization program in early 2002. In June 2001, the Council adopted a suite of alternatives, elements, and options for an analysis of potential rationalization programs for the BSAI crab fisheries. These alternatives, elements, and options were developed through the Council's rationalization committee, Advisory Panel meetings, and Council meetings. Congressional action would be required to provide statute authority to implement the alternatives under Council consideration.

#### Public Involvement

Scoping is an early and open process for determining the scope of issues to be addressed and for identifying the significant issues related to the proposed action. A principal objective of the scoping and public involvement process is to identify a reasonable range of management alternatives that, with adequate analysis, will delineate critical issues and provide a clear basis for distinguishing between those alternatives and selecting a preferred alternative.

NMFS is seeking written public comments on the scope of issues that should be addressed in the EIS and

alternatives that should be considered for management of the BSAI crab fisheries.

Public comments on specific aspects of the rationalization programs should be submitted to the Council (see ADDRESSES). The public will also be able to provide oral and written comments through the Council process and at Council meetings. Upon completion, the Council will make a draft analysis of these proposed programs available for public review and comment. Copies of the analysis can be requested from the Council (see ADDRESSES).

#### Dates, Times, and Locations for Public Information Meetings

The public is invited to assist NMFS in developing the scope of alternatives and issues to be analyzed for the EIS. Comments will be accepted in writing at the meetings and at the NMFS address (see ADDRESSES).

One public scoping meeting will be held on Thursday, September 20, 2001, from 2 to 4 p.m., at the Hilton Hotel, 500 West 3rd Street, Anchorage, Alaska, in conjunction with the Council's Crab Plan Team meeting.

Two additional scoping meetings will be held in Seattle, Washington: One, on Monday, October 1, 2001, from 2:30 to 4:30 p.m., at the Leif Erikson Hall, 2245 N.W. 57th Street, in conjunction with the Annual Bering Sea/ Aleutian Islands Crab Industry Meeting; and the second on Thursday, October 4, 2001, from 7 to 9 p.m., at the Sea-Tac airport Doubletree, 18740 International Blvd., in conjunction with the October Council meeting.

#### Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Gretchen Harrington, NMFS, (see ADDRESSES), (907) 586-7228, at least 5 days prior to the meeting date.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: September 14, 2001.

Richard W. Surdi,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 01-23470 Filed 9-17-01; 2:29 pm]

BILLING CODE 3510-22-S

**RECEIVED**  
SEP 25 2001  
N.P.F.M.C

**Alaska Crab Coalition**  
3901 Leary Way N.W. Suite #6  
Seattle, Washington 98107  
206 547 7560  
Fax 206 547 0130  
acc-crabak@msn.com

September 25, 2001

Mr. David Benton  
Chairman  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup> Avenue, Suite 306  
Anchorage, Alaska 99501-2252

(TOTAL: 7 Pages)

**RE: AGENDA ITEM D-2 CRAB MANAGEMENT—CRAB RATIONALIZATION  
CLARIFICATION ON ACC PROPOSED OPTIONS, SECTIONS 1.2 OPTION 1, AND  
1.4 OPTION 1, RELATED TO ELIGIBILITY AND DISTRIBUTION OF CRAB  
QUOTA SHARE**

Dear Mr. Benton:

**Background:**

At the June Council meeting, the ACC proposed that initial allocation of quota share be only to persons that own NMFS certified vessels based on the criteria of PL 106-554 and in addition, that the vessels must not at any time since October 10, 1998, been ineligible for a U.S.C.G. fishery endorsement. NMFS/RAM approved replacement vessels, qualified under the Amendment 10 exception for replacement vessels that have not at any time since October 1998 been ineligible for a U.S.C.G. fishing endorsement, would also qualify. (Section 1.2, option 1)

Section 1.4, Option 1, calls for distribution of quota share based on the underlying principle of one history per vessel and the initial allocation of quota share will disallow stacking or combining histories of vessels that are not currently participating in BSAI fisheries, with the exception of Amendment 10 exemptions and replacement vessels with fishery endorsements since October 10, 1998.

Recently, PL 106-554 was amended and dispensed with the concept of "certified vessels" and recognized Amendment 10 replacement vessels and the limited authorization to combine catch histories on replacement vessels.

**Clarification and Restatement of the ACC Proposal:**

At this time the ACC would like to clarify the intent of its proposal embodied in Sections 1.2 and 1.4. of the BSAI crab rationalization options.

- Implicit in the concept of NMFS crab certified vessels is the requirement that vessels must be GQP/EQP and RPP qualified LLP vessels to receive initial quota share.
- The ACC supports and proposes to incorporate qualifications of vessels for BSAI crab fishing quotas on the basis of U.S. ownership and U.S.C.G. documentation

**criteria as provided in the American Fisheries Act, Section 202, Standard for Fishery Endorsements, to include appropriate amendments in 2001.**

**Rationale for the Proposal:**

There are 25 LLP qualified Bering Sea crab vessels that have left the U.S. vessel registry between 1994-1998. Seventeen of these vessels are large catcher processors (CPs), and thirteen of these are greater than 165' in registered length. All 25 of the LLPs derived from the vessels are currently registered on the NMFS LLP data base, and they are registered to U.S. companies involved in the BSAI crab fisheries with other GQP/EQP/RPP-LLP qualified vessels. Depending on how the NMFS interprets Amendment 10-which is to be implemented January 1, 2002, the LLPs and catch histories derived from these non-U.S. documented vessels, could be stacked on current participating LLP vessels. This could add significantly to the quota shares of a handful of vessel owners, some of whom hold the rights to two to eight vessels. On the other hand, it will dilute the quota shares for the remainder of the U.S. owned crab vessels currently participating in the Bering Sea and Aleutian Islands crab fisheries.

Notably, five of the LLPs have been transferred under the provisions of Amendment 10 to current replacement vessels.

On September 4, 2001, the ACC office addressed a memo to the United States Coast Guard Vessel Documentation Center in Washington D.C. requesting verification of U.S. C.G. documentation and fishery endorsements for 24 vessels (and subsequently added an additional vessel, the original Seawind, USCG 610220). (Attachment, memo from Arni Thomson to Joan Woody, NVDC/USCG.)

On September 20, 2001 the USCG responded back to the ACC office with a memorandum and verification that 24 of the 25 vessels are currently deleted from the U.S. registry, the Mr. B being the only vessel that has current operational endorsements, and it just returned to the U.S. registry in June 2001. (See the attached memo from Joan Woody NVDC/USCG to Arni Thomson and the attached list of vessels.)

In conclusion, the ACC is hopeful the NPFMC will take the appropriate action to incorporate current language from the American Fisheries Act Section 202 Standard(s) For Fishery Endorsements in the Crab Rationalization analysis, and, if necessary clarify this in Sections 1.2 and 1.4 of the analysis.

Sincerely,



Arni Thomson  
Executive Director

cc: Honorable Ted Stevens  
Phil Smith, NMFS/RAM/AKR

**ARNI THOMSON**

---

**From:** "ARNI THOMSON" <acc-crabak@msn.com>  
**To:** "Joan Woody" <jwoody@nvdc.uscg.mil>  
**Sent:** Wednesday, September 05, 2001 7:09 AM  
**Attach:** Crab Boats Ineligible for USCG endorsements 9-4.doc  
**Subject:** Fw: FISHING VESSELS THAT HAVE LOST U S DOCUMENTATION AND ENDORSEMENTS

Resent this morning, address incorrect yesterday.

— Original Message —

**From:** Ami Thomson  
**Sent:** Tuesday, September 04, 2001 3:57 PM  
**To:** Joan Woody  
**Subject:** FISHING VESSELS THAT HAVE LOST U S DOCUMENTATION AND ENDORSEMENTS

Joan: Good morning.

I look forward to your call tomorrow. I have been referred by John Marquez at MARAD.

I am attaching a list of 24 reflagged vessels, with their accompanying USCG numbers, most of which reflagged and left U.S. Bering Sea crab fisheries in 93, 94, 95, 96, and a few in 98. I am requesting vessel documentation verification on the vessels. I can fairly accurately provide the year in which the vessels would have reflagged, if that will be of assistance.

All of these vessels are over 100 feet registered length, and you will note that several are over the AFA standard of 165 feet registered length.

All of them may currently— not be U.S. documented, except the Mr. B.

Can USCG verify to me (or to the North Pacific Fishery Management Council) the U.S. documentation status and whether these vessels currently have a USCG fishery endorsement? and have these vessels continuously held these endorsements since October 10, 1998?

The North Pacific Fishery Management Council (and NMFS) is in the process of further developing a limited entry program and contemplating IFQs for Bering Sea crab fishing vessels. One of the elements to be considered for eligibility is U.S. documentation and USCG fishery endorsements since October 10, 1998. The intent of the proposal is to establish some consistency with the American Fisheries Act U.S. documentation standards as regards eligibility for the Bering Sea pollock fishery.

*Some*  
The owners of the fishing vessels still hold title to the fishing rights and they are currently registered with the NMFS as the holders of the fishing rights. However, the vessels are no longer active in the U.S. fisheries.

Awarding quota share to the title holders of the fishing rights—for inactive boats—that are not U.S. documented, effectively dilutes the entitlements of over 250 U.S. vessels and their owners.

Regards,

Ami Thomson  
206 547 7560

Revised 9-4-01

**LIST OF BERING SEA CRAB VESSELS THAT REFLAGGED, AND THAT HAVE NOT CONTINUOUSLY HELD USCG FISHERY ENDORSEMENTS SINCE OCTOBER 10, 1998, CURRENTLY LISTED WITH NMFS/RAM DIVISION, MOST OF THESE VESSELS HAVE BEEN IN RUSSIA AND LOST U.S. DOCUMENTATION**

Fishing vessels, that have not continuously held USCG fishery endorsements since October 10, 1998. The NMFS License Limitation Permits (LLPs) are currently being held by U.S. companies involved in the BSAI crab fisheries with other qualified crab LLP vessels. Depending on how NMFS Amendment 10 is interpreted, the LLPs and catch histories derived from these foreign flagged vessels, could be stacked on current participating LLP Vessels, thus diluting the quota share (IFQ) for the remainder of the U.S. owned crab vessels currently participating in the Bering Sea crab fisheries.

Vessel Name	USCG	ADF&G	LOA	Recency	Additional Information
Arctic Discovery	572452	55175	180	No	CP (Catcher Processor)
Bering Empire	636416	59501	166	No	CP
Deep Sea Harvester	627840	54822	180	Yes	CP
Jacquelyn R	612288	54677	154	Yes	CP
Mr. B	600325	34905	154	Yes	CP
Northern Enterprise	629978	53764	180	Yes	CP
Seawind #2	597261	04067	185	Yes	CP
American Champion	527411	00049	201	No	CP
Arctic Orion	596653	56155	166	No	CP
Atka Enterprise	555416	62911	190	No	CP
Karla Faye	960004	62525	180	No	CP
Olympic	599434	56174	180	No	CP
Pacific Orion	960005	62776	180	No	CP
Sjovind	587409	56963	180	No	CP
Western Enterprise	629826	56139	180	No	CP
Windance	577231	56524	185	No	CP

(Note: The above CPs, a total of 16, with the exception of Jacquelyn R, Mr. B, and Arctic Orion, are greater than 165' in "registered length" and barred to reentry into U.S. fisheries by the provisions of the American Fisheries Act (AFA). The above lengths are "length overall", but the registered lengths have been verified.)

**ADDITIONAL BERING SEA CRAB FISHING VESSELS THAT HAVE NOT CONTINUOUSLY HELD USCG FISHERY ENDORSEMENTS SINCE OCTOBER 10, 1998, CURRENTLY LISTED WITH NMFS/RAM DIVISION, THESE VESSELS HAVE BEEN IN RUSSIA AND THEY NOT BEEN CONTINUOUSLY U.S. DOCUMENTED:**

Alaska Trader	567664	35843	132	No	CV (Catcher Vessel)
Juno	260614	06460	124	No	CV
Magnum	529675	60832	126	No	CV
Ocean Tempest	509743	55044	156	No	CV
Rondys	291085	03725	124	No	CV
Sea Producer	284437	52014	172	No	CV
Shelikof	597967	59118	150	No	CV
Sourdough	597229	35523	166	No	CV

**ARNI THOMSON**

---

**From:** "Woody, Joan" <JWoody@NVDC.uscg.mil>  
**To:** "ACC-CRABAK@MSN.COM" <ACC-CRABAK@msn.com>  
**Sent:** Thursday, September 20, 2001 3:25 PM  
**Attach:** FISHING VESSELS.doc  
**Subject:** FISHING VESSELS

<<FISHING VESSELS.doc>>

Attachment is a follow-up to our e-mails and telephone conversation.

If you need additional information, send a fax to our data administration dept. at 304-271-2500. Fees may apply.



Dear Mr. Arni Thomson:

This letter is written in response to your inquiry that involved 24 vessels. You were requesting vessel documentation status on these vessels. Our findings are as follows:

<u>VESSEL NAME</u>	<u>OFFICIAL NUMBER</u>	<u>COD STATUS</u>
Arctic Discovery	ON: 572452	Deleted
Bering Empire (Kapitan Basov)	ON: 636416	Deleted
Deep Sea Harvester	ON: 627840	Deleted
Jacquelyn R (Atamah)	ON: 612288	Deleted
Northern Enterprise	ON: 629978	Deleted
Seawind #2 (Northern Wind)	ON: 597261	Deleted
American Champion (Geco Triton)	ON: 527411	Deleted
Arctic Orion	ON: 596653	Deleted
Atka Enterprise	ON: 555416	Deleted
Karla Faye	ON: 960004	Deleted
Olympic	ON: 599434	Deleted
Pacific Orion	ON: 960005	Deleted
Sjovind	ON: 587409	Deleted
Western Enterprise	ON: 629826	Deleted
Windance (Vindans)	ON: 577231	Deleted
Seawind	ON: 610220	Deleted
Alaska Trader	ON: 567664	Deleted
Juno	ON: 260614	Deleted
Magnum	ON: 529675	Deleted
Ocean Tempest	ON: 509743	Deleted
Rondys	ON: 291085	Deleted
Sea Producer	ON: 284437	Deleted
Shelikof	ON: 597967	Deleted
Sourdough	ON: 597229	Deleted

In addition the to vessels listed above, you also wanted verification for the vessel named Mr. B. with the official number 600325. Currently this vessel has the operational endorsements of Coastwise, Fishery and Registry. The Certificate of Documentation is valid .

We are unable to find any information for the vessel named ADF&G 54744. If you can provide a 6 or 7-digit official number, we will search again.

**F/V ERLA-N**  
Alan Bing Henkel, Owner/Operator

**RECEIVED**  
SEP 25 2001  
N.P.F.M.C

September 20, 2001


Honorable David Benton,  
Chairman  
North Pacific Fishery Management Council  
605 West 4th Avenue Suite 306  
Anchorage, Alaska 99501-2252

David Benton,

It is the consensus of the vast majority of the participating vessels in the Aleutian Island brown crab fishery that quota share should be distributed according to area of historical participation. The Dutch Harbor and the Western Aleutian Island areas should remain separate. To allow distribution in any other way would have a negative impact on safety and economic reliance of our vessels.

I am confident you will give these matters careful consideration.

Sincerely,



Bing Henkel