



ALASKA

Bering Sea Crabbers

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North Pacific Fishery Management Council
605 W. 4th Avenue, Suite 306
Anchorage, AK 99501

November 30, 2015

Dear Chairman Hull and members of the North Pacific Council,

RE: Agenda Item D7 Red King Crab Savings Area EFP

The Alaska Bering Sea Crabbers (ABSC) is a 501c(5) non-profit seafood industry trade association representing approximately 70% of the crab harvesters in the Rationalized Bering Sea/Aleutian Islands crab fisheries. As long-time participants in the king and tanner crab fisheries, our members have a significant stake in the long-term health of Bering Sea crab stocks and their supporting ecosystem and are actively concerned with future access to the important crab resources upon which they depend. As such, we would like to take this opportunity to comment on the Red King Crab Savings Area Exempted Fisheries Permit (EFP) submitted by the Alaska Seafood Cooperative.

In supporting this EFP, ABSC aligns itself with comments made by the Crab Plan Team during its September 2015 meeting. ABSC acknowledges that the primary purpose of the EFP (as proposed) focuses on crab bycatch rate comparisons within and adjacent to the Red King Crab Savings Area, but execution of this permit will also allow for the collection of much needed biological data (e.g., sex, shell condition, length, clutch fullness, and embryo clutches from females) at a time of year for which this information is lacking. Appreciating that current annual crab prohibited species catch (PSC) limits will remain unchanged during the proposed EFP timeframe, ABSC favors this opportunity to collect essential data from a full census of all crab species taken during the course of normal flatfish fishery operations. However, approval of the proposed EFP and completion of this work needs to be considered as part of the broader discussion on crab PSC in the directed groundfish fisheries. Should the Council approve the proposed EFP for 2016 and 2017, it should be done so in conjunction with the overarching BSAI crab bycatch evaluation, which is tentatively scheduled for review during the Council's February 2016 meeting after having been off the Council's meeting agenda for two years.

Currently established crab PSC limits and other management protections, including area/seasonal closures, have not been examined since their initial implementation. During its February 2014 meeting (Agenda Item C6), the Council recognized the need to consider the appropriateness of revising crab PSC limits and other management measures. To aid in this evaluation, some of the information specifically requested by the Council included the following:

- Figures depicting sample size, sex ratio, and size frequency of crab bycatch in groundfish fisheries by gear; and
- Maps that overlay existing closure area(s) with crab stock distribution at the time of survey, the directed crab fishery(s), and groundfish bycatch by trawl, pot, and hook-and-line gear.

A robust and informative analysis needs the best available data in order to adequately consider the appropriateness of revising or implementing crab PSC limits and/or other measures for the most effective management of crab PSC in the directed groundfish fisheries. The biological bycatch data and directed groundfish fishing information intended to be collected as part of the proposed EFP meets the

requested information items above and should significantly aid the Council's consideration of any potential revisions to crab PSC management measures as analysis of the issue develops in to the future. To this end, the CPT noted (and ABSC concurs) that the proposed EFP fits within the Council's priorities to re-examine the effectiveness of crab closure areas.

In conclusion, while ABSC supports the proposed EFP from the Alaska Seafood Cooperative, its consideration and approval by the Council should not be done independent of the larger issue relating to crab PSC in the directed groundfish fisheries. ABSC believes that the data collected during execution of the EFP should be used to better inform the Council's overall management action on crab PSC. ***As such, ABSC respectfully requests that: 1) the Council recognize the need to incorporate biological and fishery data from the proposed EFP into the larger context of crab PSC management and 2) that the Council keep the issue of crab PSC evaluation on its agenda for the near term.***

Thank you for your time and consideration of our comments.

Ruth Christiansen

Ruth Christiansen, Science Advisor/Policy Analyst
Alaska Bering Sea Crabbers



BERING SEA FISHERIES RESEARCH FOUNDATION
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FORGING COOPERATIVE RESEARCH PARTNERSHIPS IN THE BERING SEA

December 1, 2015

Dr. Farron Wallace (Chair, NPFMC Science and Statistical Committee)
Alaska Fisheries Science Center, NMFS/NOAA
7600 Sandpoint Way NE
Seattle, WA 98115

RE: D7 EFP for flatfish fishing inside Red King Crab Savings Area (RKCSA)

Hello Dr. Wallace and SSC members,

The Bering Sea Fisheries Research Foundation (BSFRF) is a non-profit research foundation formed in 2003 by the Bering Sea crab industry to help improve the science and sustainability of Bering Sea crab stocks. Our work has been primarily funded by voluntary industry-sponsored support (both the harvesting and processing sectors) and conducted as cooperative research partnering with NMFS, ADF&G and several other researchers. One of our "best practices" learned through several years of cooperative research is working in a transparent manner to share results and communicate about our research. Importantly, we are also attentive to other cooperative research focused on Bering Sea groundfish fisheries which may impact the management of Bering Sea crab stocks. BSFRF recognizes that the accurate specification of red king crab bycatch levels (PSC limits) both spatially and temporally in Bristol Bay is an important component of BBRKC annual assessment. We have reviewed the proposed EFP, shared information and spoken with Mr. John Gauvin recently and we would like the SSC to consider the following:

- 1) The proposed EFP study design includes some description of gear and methods consistency (i.e. no footrope changes). If possible, tow speed and tow durations should be similar (less variable in the adjacent study areas in and out of the RKCSA). Many variables influence how crab are captured by trawls and if the proposed EFP methods can be standardized as much as possible then results will likely be easier to analyze. This may also include consideration of proposed EFP tows conducted in daylight v. darkness.
- 2) We acknowledge and agree that whole-haul sampling (full census) of RKC in the proposed EFP tows is important to avoid bias and imprecision associated with potential bycatch of crab in patchy areas of distribution.

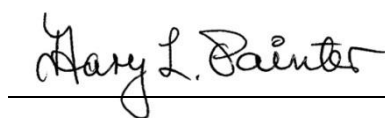
- 3) Given that tow speeds and footrope ground gear configurations will likely lead to some crab in the path of the trawl not being captured in the cod end, we suggest that video cameras be placed on some of the proposed EFP tows. We recognize the proposed EFP work is conducted as commercial fishing operations with intentions of productive fishing in challenging weather, etc. but some video footage recorded when conditions allow could prove to be very helpful in understanding interactions of RKC with the proposed EFP tows and the extent of crab aggregations at this time of year.
- 4) We agree with AFSC comments that the timing of proposed EFP fishing should extend no later than May 1 in either year to avoid influencing RKC molting/mating and/or catches during the NMFS summer surveys which typically begin in Bristol Bay, June 1 of each year.
- 5) We recognize that a chief limitation of data collected during the proposed EFP work is that it will come from where flatfish fishing occurs. Rather than a fully developed "survey design" applied to the EFP sampling/flatfish fishing it may be helpful and useful to identify high density flatfish areas, and assign some EFP fishing effort across those subareas if practicable during EFP fishing to increase the spatial sampling coverage.
- 6) Data from the first year should be analyzed prior to trawling in the second year.

In summary the BSFRF recognizes that resource utilization and fishing interests across the variety of important commercial species and gear sectors in the Bering Sea compete with each other. BSFRF believes that research to reduce and avoid negative impacts to Bering Sea crab resources is important.

Sincerely,



BSFRF Executive Director,
Scott Goodman



BSFRF President
Gary L. Painter



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December 1, 2015

Mr. Dan Hull, Chair
North Pacific Fishery Management Council
605 W. Fourth Avenue, Suite 306
Anchorage, AK 99501-2252

Dr. Jim Balsiger, Regional Administrator
NOAA Fisheries, Alaska Region
709 West Ninth Street
Juneau, AK 99802-1668

RE: D-7 Red King Crab Savings Area Exempted Fishing Permit

Dear Mr. Hull, Dr. Balsiger, and Council members:

Thank you for the opportunity to review and comment on the application for an Exempted Fishing Permit (EFP) to operate in the habitat protection areas of the Red King Crab Savings Area (RKCSA) and no trawl zone (Area 516).

We can understand the incentive for members of the head and gut fleet to apply for this EFP. While the prohibited species caps for crab species have not been constraining for the trawl fleet in recent years, access to habitats that have been closed to trawling could have the potential for increased operational efficiency and lucrative fishery catches. The EFP proposes to investigate whether commercial groundfish trawling in the closed areas would increase or decrease bycatch rates and the overall catch of crabs. However, the EFP should be denied because it is inconsistent with the management objectives of the Groundfish and Crab Fishery Management Plans (FMP)s, and because of potential detrimental impacts to the Bristol Bay Crab stock, halibut, Essential Fish Habitat (EFH), and walrus. Further, this EFP does not qualify for a categorical exclusion under the National Environmental Policy Act (NEPA) and the National Oceanic and Atmospheric Association (NOAA) NEPA implementing guidance because of its potentially significant adverse impacts to the environment.

NMFS closed the Red King Crab Savings Area to bottom trawling almost 20 years ago after the Council recommended a year-round closure of the RKCSA to ensure conservation of the red king crab resource in the Bristol Bay area, citing the need for increased protection of adult red king crab and their habitat.¹ The EFP's potential detrimental impacts to the Bristol Bay red king crab stock and its EFH are inconsistent with FMP management objectives. It was not too long ago that the trajectory of the Bristol Bay red king crab stock was cause for alarm and a multitude of FMP amendments intended to rebuild crab populations were instituted. These included stricter harvest limits, crab bycatch controls,

¹ Federal Register / Vol. 61, No. 178 / Thursday, September 12, 1996 / Proposed Rules
<http://www.gpo.gov/fdsys/pkg/FR-1996-09-12/pdf/96-23039.pdf>



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and area closures – all intended to improve the crab stock and habitats.² Since implementing these measures, indices of the Bristol Bay red king crab stock improved substantially.³ Mean recruitment of males and females increased by 48 and 134%, respectively, over the 14 years of implementation (1996–2009), compared with the preceding 10 years (1986–1995), with an increase only significant for females (*t*-tests for unequal sample size, unequal variance: $p < 0.01$).³ In concert, the reduced fishing mortality, lower bycatch in groundfish fisheries, and improved habitat protection have all contributed to the recovery of the Bristol Bay stock of red king crabs.³ The Bristol Bay king crab stock is one of the few red king crab stocks in Alaska that has recovered to the point of being able to support a sizable fishery. The relative contribution of each management component to the recovery of the stock is unknown. Consequently, reducing the habitat protection component by opening the closed areas to commercial trawling may have detrimental effects to EFH and the crab stock.

Further, as noted by NMFS, the proposal does not have a survey design that can test for statistically significant differences of bycatch rates inside and outside the habitat areas. Even if it did, bycatch rates from a commercial trawl fishery are not necessarily an indicator of the importance of crab habitat areas or the distribution and movement of the Bristol Bay crab stock. The distribution of crab in Bristol Bay in any given year is influenced by a combination of many factors including environmental conditions (i.e. the presence of a “cold pool”), underlying habitat preferences, fishery removals, and the population dynamics of the stock.⁴

Understanding the distribution of the Bristol Bay crab stock is important. That is one of the purposes of the annual NMFS Groundfish and Crab trawl survey, which includes the crab protection areas of RKCSA and Area 516.⁵ That survey regularly finds some of the highest concentrations of red king crab in the crab protection areas, as it did again in 2015.⁵ While there is value in studying the distribution of crab during other times of year, additional trawling at a commercial scale adds to the cumulative habitat impacts to Bristol Bay. The distribution of crab in other times of year could be investigated through a stratified

² Ackley D., Witherell D. 1999. Development of a marine habitat protection area in Bristol Bay. in Alaska Ecosystem Approaches for Fisheries Management. Fairbanks, AK: University of Alaska Sea Grant College Program Report 99-01; p. 511-526. 756 pp.

³ Kruse, G. H., Zheng, J., and Stram, D. L. 2010. Recovery of the Bristol Bay stock of red king crabs under a rebuilding plan. – ICES Journal of Marine Science, 67: 1866–1874.

⁴ NPFMC. 2015. Stock Assessment and Fishery Evaluation Report for the king and Tanner crab fisheries of the Bering Sea and Aleutian Islands Regions. North Pacific Fisheries Management Council, Anchorage, AK.

⁵ Daly, B. J., Armistead C. E., and R. J. Foy. 2015. The 2015 Eastern Bering Sea Continental Shelf Bottom Trawl Survey: Results for Commercial Crab Species. Figure 15, pg. 62.



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randomized pot sampling survey inside and outside the protected areas during a “cold-pool” and “non-cold-pool” conditions. The information could be gathered without additional trawl impacts to habitat and the potentially high bycatch from a trawl fishery.

We support adaptive fisheries management including evaluation and adjustment of boundaries of marine protected areas to accomplish management objectives. This EFP however, fails to provide adequate justification for the Council to recommend its approval and should be denied.

Sincerely,

A handwritten signature in black ink, appearing to read "Jon Warrenchuk". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Jon Warrenchuk,
Senior Scientist and Campaign Manager,
Oceana