



C4 BBRKC Closure Areas

June 2023

Action Memo

Council Staff: Sam Cunningham
Other Presenters: Dr. Mason Smith (NMFS SF)
Action Required: 1. Review initial review analysis
2. Recommend action as necessary

BACKGROUND

In December 2022 the Council initiated this analysis of two action alternatives that could close areas in the Bering Sea to certain groundfish gear(s) with the goal of reducing Bristol Bay red king crab (BBRKC) mortality from groundfish fishing in areas that may be important to that crab stock and where BBRKC may be found year-round. The Council's purpose and need statement notes a goal of promoting optimum yield from the directed BBRKC fishery while minimizing negative impacts on groundfish fleets that may experience area closures, as well as impacts on other target and non-target (prohibited) species that might be encountered by groundfish gears while avoiding areas closed under the action alternatives.

Alternative 2 would close the Red King Crab Savings Area (RKCSA) to all trawl gear (pelagic and non-pelagic) and potentially – depending on which suboptions are selected – pot and/or hook-and-line (HAL) gear. Any RKCSA closure that occurs under Alternative 2 would be in place on a calendar-year basis. Whether or not an RKCSA closure is in effect for a given year depends on whether the selected “trigger” is met. The Council must select one of two candidate trigger options (Options 1 and 2). Selecting Option 1 means that the RKCSA is closed to the specified groundfish gears (trawl, trawl + pot, or trawl + pot + HAL) if the directed BBRKC fishery was closed in the previous year because the State of Alaska did not establish a BBRKC TAC under its harvest strategy. Option 2 means that the RKCSA is closed to the specified groundfish gears if the most recent total area-swept biomass calculated from the NMFS eastern Bering Sea trawl survey is less than 50,000 metric tons. Note that the RKCSA *contains* the Red King Crab Savings Subarea (RKCSS). Non-pelagic trawl gear is already prohibited in all parts of the RKCSA that are not in the RKCSS. For the non-pelagic trawl sector, the force of Alternative 2 would be that the RKCSS is closed when the selected trigger option is met. Existing regulations that sometimes close the RKCSS to non-pelagic trawl gear (as under the No Action alternative) are not modified; existing regulations that limit the proportion of the total Zone 1 RKC PSC limit that the Amendment 80 sector can take in the RKCSS are also not modified.

Alternative 3 applies only to the pot gear directed fishery for Pacific cod. Alternative 3 would close NMFS Area 512 to Pacific cod pot fishing on a calendar-year basis. Area 512 lies to the east of the RKCSA, farther “inshore” with regard to the Bristol Bay region as a whole. The Council must select one of the same two trigger options as described for Alternative 2 (no BBRKC fishery in preceding year, or

area-swept biomass less than 50,000 mt). If the Council selects both action alternatives, it could theoretically choose a different trigger option for each alternative.

This document provides an initial review analysis of the action alternative with respect to the No Action alternative (Alternative 1). The document includes an Environmental Assessment (EA) in Section 6 and the components of a Regulatory Impact Review (RIR) with economic and social/community data in Section 3 with discussion in Section 5. Section 4 of this document stands apart from the typical EA/RIR initial review format but is directly responsive to a Council request; that content is placed in the middle of the “background” sections due to the relevance of its content to understanding the presence of trawl gear on the Bristol Bay seafloor and the history of regulations that currently govern which types of trawl seafloor contact are permissible and how previous Councils have envisioned restrictions on such activity. Section 4 is responsive to the Council’s December 2022 request for “expanded discussion of the [trawl gear] performance standard applicable to vessels in the directed pollock fishery and the regulatory definition of pelagic trawl gear”. Section 4 gives background and the rationale of previous Councils used when establishing the trawl gear performance standard and pelagic trawl gear definition in order to help this Council evaluate whether the standard and definition, as they exist today, are meeting the Council’s previous and current management objectives.