



C2 BBRKC Closure Areas

February 2024 Council Meeting

Action Memo

Council Staff: Sam Cunningham, Sarah Rheinsmith

Other Presenters: Dr. Mason Smith (NMFS HCD), Alex Perry (NOAA OLE), Andrew Olson (NMFS SF)
Sean Dwyer and Elizabeth Reed (PNCIAC report)

Action Required: 1. Review initial EA/RIR
2. Review PNCIAC Report
3. Recommend action as necessary (may select preliminary preferred alternative)

BACKGROUND

The Council is considering a second initial review draft of an Environmental Assessment (EA) and Regulatory Impact Review (RIR) for action alternatives that could result in areas that are closed to certain groundfish gears on a calendar-year basis, conditional on triggering mechanisms that are assessed annually. The Council’s purpose and need statement notes 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, as well as promoting optimum yield from the directed BBRKC fishery while minimizing negative impacts on groundfish fleets that may experience area closures. The Council is also considering impacts on other species that groundfish gears might encounter as a result of avoiding closed areas.

The Council may choose to proceed to final action with the alternatives considered in this document, with modified alternatives, or request additional review. The previous version of this EA/RIR was reviewed in June 2023. The alternatives are largely unchanged but the Council requested additional analyses and information to be gathered from stock assessment experts, Federal/State/industry researchers studying red king crab, and fishery participants. This memo highlights new or substantially revised elements of the EA/RIR.

The action alternatives are Alternatives 2 and 3. The action alternatives are not mutually exclusive – either/both may be selected. Alternative 2 would result in annual closures of the Red King Crab Savings Area (RKCSA) to certain groundfish gears. If an annual closure is in place for a given year, both pelagic and non-pelagic trawl gears would be excluded from the RKCSA; pot and hook-and-line (HAL) gear would be excluded depending on suboptions that could carve-in/out pot and/or HAL gear from any closure under Alternative 2. Note that the RKCSA contains the Red King Crab Savings Subarea (RKCSS) and thus Alternative 2 may affect the non-pelagic trawl sector relative to “no action” under certain circumstances. Alternative 3 applies only to the pot gear directed fishery for Pacific cod. Alternative 3 would result in NMFS Area 512 being closed Pacific cod pot fishing in years when the triggering mechanism is met. Area 512 lies east of the RKCSA – farther inshore with regard to the Bristol Bay region as a whole – and is contained within the Nearshore Bristol Bay Trawl Closure Area (NBBTCA) which is already closed to all trawling year-round.

For whichever action alternative(s) might be selected, the Council must choose a mechanism that would trigger its effectiveness for the calendar-year. There are two options that could apply to either alternative, if selected.

Option 1: The associated area-gear closure is in effect if the directed BBRKC fishery was closed in the preceding calendar-year because the State of Alaska did not establish a BBRKC total allowable catch (TAC) under its harvest strategy.

Option 2: The associated area-gear closure is in effect if the most recent total area-swept biomass calculated from the NMFS eastern Bering Sea (EBS) trawl survey is less than 50,000 metric tons.

The alternatives and options are described in Section 2 of the document. In June 2023, the Council requested additional for assessing the merits and trade-offs of one Option versus the other; that information is provided with input from stock assessment experts in Section 2.4.

Section 3.3 of the document contains an expanded analysis of how groundfish effort might be redistributed spatially and temporally in response to the considered area closures. This section presents two parallel analyses for comparison: an approach based on observed prohibited species catch (PSC) rates, and an approach based on spatially and temporally defined groundfish catch per unit effort (CPUE). Per Council and SSC requests at the June 2023 meeting, the PSC rate analysis is expanded in terms of the number of historical years considered and accounting for seasonality. The CPUE approach is a new addition to the initial review document and was developed based on SSC recommendations. A full reporting of analytical methods and results is provided in Appendix 2 (attached separately under the C2 agenda item).

The EA (Section 5) has been updated with the most recent EBS trawl survey data as well as 2023 BBRKC stock assessment and ecosystem and socioeconomic profile (ESP) information. An overview of recent and ongoing research on BBRKC spatial and temporal distribution is provided in Section 5.3.1. That discussion includes a report on the results of the first phase of the Collaborate Pot Sampling Project (CPS1) to study BBRKC movement over the fall-to-spring time gap in survey and fishery-dependent information, and plans for a future CPS2 follow-up project. The information surrounding impacts to habitat in the Bristol Bay region is augmented with species distribution model (SDM) habitat-occupied maps that were refined to show habitat occupied for RKC within the BBRKC stock boundary broken out by life stage and differentiated by season – summer and fall (Section 5.5.2). Updated work on estimates of seafloor contact by groundfish gears is included in Section 5.5.3.

Per the Council's request, Section 8 of the document moves forward the discussion between NMFS, NOAA Office of Law Enforcement, and fishery participants on how to make the existing Bering Sea pelagic trawl gear performance standard enforceable. This discussion is not directly related to the current suite of alternatives. At the Council's discretion, it could remain tied to this action item as an embedded discussion topic or addressed separately in the future.

Finally, the Council requested further discussion of "framework" approaches to area-management that have similar goals to the action alternatives but might be relatively more dynamic and responsive to seasonal distributions of BBRKC (or subsegments of the BBRKC population). This discussion is also not directly related to the current alternatives but the topic has been discussed previously in Appendix 1 of the June 2023 initial review and in the series of discussion papers that preceded the definition of alternatives for analysis. The discussion in this document is located in Appendix 4 and, per the Council, is focused on ideas for – and feedback from – the trawl and pot groundfish sectors.

A report from the Pacific Northwest Crab Industry Advisory Committee (PNCIAC) will also be attached under C2 when finalized. The PNCIAC is an advisory committee established in the BSAI Crab Fishery Management Plan, sanctioned by and operating under the direction of the Council. This group, representing both crab harvesters and processors, has broad authority to provide advice and

recommendations to both the Council and the Alaska Board of Fisheries on measures for the conservation and management of crab as described under “Functions” in the groups’ Terms of Reference.¹ The PNCIAC met Tuesday January 30, 2024 virtually to discuss the proposed actions regarding BBRKC Area Closures, the upcoming Board of Fisheries proposals on size limits, and the upcoming Crab Rationalization program review. Recommendations related to BBRKC Area Closures will be presented under C2 to the AP and the Council.

¹ Link to Terms of Reference for PNCIAC: https://www.npfmc.org/wp-content/PDFdocuments/membership/PNCIAC/PNCIAC_TOR_9-29-03.pdf