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93-143-FB

DEPARTMENT OF FISH AND GAME

BOARD OF FISHERIES

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June 4, 1993

The Honorable Ronald H. Brown
Secretary
Department of Commerce
Washington, D.C. 20230

Re: Alaska Board of Fisheries explanation for the Bering
Sea/Aleutian Islands Crab Pot Limit.

Dear Mr. Secretary:

The Alaska Board of Fisheries ("Board") manages the Bering Sea/Aleutian Islands (BS/AI) crab fisheries under delegated authority of the Fishery Management Plan for the King and Tanner Crab Fisheries in the Bering Sea/Aleutian Islands ("FMP"). Under the FMP, some management actions available to the Board are in the "frameworked" category, which requires consideration of certain general standards¹. Under this category, in March 1992, the Board passed a limitation on the number of crab pots each vessel could use. Your predecessor, Secretary Franklin, did not disagree with the need for a pot limit, but filed an Interim Rule which overturned the Board's pot limitation scheme after she determined it did not technically meet certain criteria of the framework standards.

The Board again addressed the issue of crab pot limitations at its February 2-10, 1993 meeting, during consideration of comprehensive management of king and Tanner crab fisheries, including those in the BS/AI. The meeting was publicly noticed, consistent with the Alaska Administrative Procedure Act, and was well attended by members of industry and concerned public. In addition, representatives from the National Marine Fisheries Service (NMFS), the North Pacific Fisheries Management Council (NPFMC), State of Alaska Office of the Attorney General (AAG), NOAA General Council and the Alaska Department of Fish and Game (ADF&G) were present.

Six of the current seven member Board were present in both February 1993 and in the March 1992 when the original pot limits for the BS/AI crab fisheries were established. During the February 1993

¹ Some standards are written in general terms which invite varying interpretations.