

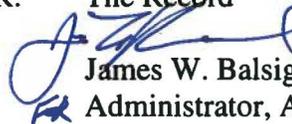


UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic Atmospheric Administration
National Marine Fisheries Service
P.O. Box 21668
Juneau Alaska 99802-1668

December 2, 2016

MEMORANDUM FOR: The Record

FROM:


James W. Balsiger, Ph.D.
Administrator, Alaska Region

SUBJECT:

Categorical Exclusion for Amendment 47 to the Fishery Management Plan for Bering Sea/Aleutian Islands King and Tanner Crabs and Implementing Regulations – RIN 0648- BG15

NOAA Administrative Order (NAO) 216-6, May 20, 1999, as preserved by NAO 216-6A, “Compliance with the National Environmental Policy Act, Executive Orders 12114, Environmental Effects Abroad of Major Federal Actions; 11988 and 13690, Floodplain Management; and 11990, Protection of Wetlands” require all proposed actions to be reviewed with respect to environmental consequences on the human environment. This memorandum summarizes the determination that Amendment 47 and its implementing regulations (action) qualifies to be categorically excluded from further National Environmental Policy Act (NEPA) review pursuant to sections 5.05b, 6.03a.3(b)(1), and 6.03d.4 of NAO 216-6; namely, this action is an amendment to a previously analyzed and approved action and does not have the potential to pose significant effects to the quality of the human environment.

Description of the Action

This action would exempt eastern *Chionoectes bairdi* Tanner (EBT) and western *C. bairdi* Tanner (WBT) crab that is custom processed at a facility through contractual arrangements with the processing facility owners from being applied against the individual processing quota (IPQ) use cap of the processing facility owners. The action would modify the Fishery Management Plan for Bering Sea/Aleutian Islands King and Tanner Crabs and regulations to allow all of the EBT and WBT Class A individual fishing quota crab to be processed at the facilities currently processing EBT and WBT crab and would have significant, positive economic effects on the fishermen, processors, and communities that participate in the EBT and WBT fisheries.

This action would allow EBT and WBT IPQ crab received for custom processing by the three processors currently operating in these fisheries to qualify for a custom processing arrangement exemption and not apply against the IPQ use caps for these processors.



With this action, all EBT and WBT IPQ crab received under custom processing arrangements at the facilities owned by the three existing EBT and WBT processors (Maruha-Nichiro Corporation, Trident Seafoods, or Unisea Seafoods) would not be counted against the IPQ use cap of the facility or the facility owners. The custom processing arrangement exemption would allow these processors to custom process crab for unaffiliated IPQ holders who have custom processing arrangements with the processors, thereby allowing harvesters to fully harvest and deliver their EBT and WBT Class A IFQ crab to IPQ holders with a custom processing arrangement at facilities operating in these fisheries.

Effects of the Action

The environmental impact of the Crab Rationalization Program (CR Program) was analyzed in the Bering Sea/Aleutian Islands Crab Fisheries Final Environmental Impact Statement (EIS). This action is not predicted to have additional impacts beyond those identified in the EIS. The EIS concludes that for the components of the environment analyzed, the effects of the CR Program are insignificant based on the best available scientific information. This action would not have an environmental impact different from the effects of the CR Program.

The anticipated effects of this action include increased processing activity and associated economic benefit for the harvesters, processors, and communities that are currently active in the Tanner crab fishery relative to the no action alternative. These communities include Akutan, Dutch Harbor/Unalaska, King Cove, and Saint Paul. This action would allow processing of the full allocation of the Tanner crab Class A quota by existing processors. This action would avoid the adverse economic impacts to harvesters created by the lack of adequate processing capacity that would otherwise result if the Tanner crab fisheries could not be fully harvested. For the 2015/2016 crab fishing year, this portion of the quota was valued at \$3.4 million.

This action would have social and economic effects, but no effect on the natural or physical environment not already considered in the EIS. This action would not alter the existing process by which total allowable catch is determined, nor would it alter existing reporting, administrative, monitoring, or enforcement requirements analyzed in the EIS. The economic impacts of this action are fully analyzed in the Regulatory Impact Review and Initial Regulatory Flexibility Analysis prepared for Amendment 47.

Categorical Exclusion

This action is a change to a previously analyzed and approved action. This action would not result in any changes to the human environment beyond what was considered in prior actions. As defined in sections 5.05b, 6.03a.3(b)(1), and 6.03d.4 of NAO 216-6, this action is an amendment to a previously analyzed and approved action and the

amendment, individually and cumulatively, does not have the potential to pose significant effects to the quality of the human environment. This action presents no extraordinary circumstances that would remove this action from qualifying as a categorical exclusion. As such, it is categorically excluded from the need to prepare an Environmental Assessment.

CC: AKR NEPA Coordinator
NOAA NEPA Coordinator