



**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**

*National Marine Fisheries Service*  
*P.O. Box 21668*

*Juneau, Alaska 99802-1668*

August 20, 2002

Ms. Ann G. Rappoport  
Field Supervisor  
U.S. Fish and Wildlife Service  
Anchorage Field Office  
605 West 4<sup>th</sup> Avenue, Room G-62  
Anchorage, Alaska 99501

Dear Ms. Rappoport:

On April 1, 2002, the National Marine Fisheries Service (NMFS), Alaska Region, submitted a Biological Assessment (BA) to the U.S. Fish and Wildlife Service (FWS) that provided the best available scientific information on the Fishery Management Plan for Bering Sea and Aleutian Islands King and Tanner crabs (FMP) and the fisheries authorized under the FMP. The BA analyses the effects of this action on the species listed under the Endangered Species Act (ESA) and their critical habitat. The BA reviewed the current status of the endangered and threatened species of seabirds, the designated critical habitats for spectacled eiders (*Somateria fischeri*) and Steller's eiders (*Polysticta stelleri*), the environmental baseline for the action area, and the effects of the crab fisheries prosecuted under the FMP. Based on the information in the BA, NMFS determined that the actions considered in this BA are not likely to (1) adversely affect seabird species currently listed under the Endangered Species Act (ESA), or (2) destroy or adversely modify their critical habitat.

This letter details changes in the FMP project description that have been mutually agreed upon by the NMFS, FWS and Alaska Department of Fish and Game (ADF&G) through staff interactions. The ADF&G Observer Program will change the way in which it reports fishery/seabird interactions to FWS such that even a complete lack of encounters with listed species will be reported at the conclusion of each season. The FWS will provide two forms to the ADF&G observer program. One form will be filled out by each observer whenever he or she observes a fishery-related interaction with a listed seabird species. This form will replace the existing short-tailed albatross encounter reporting form, and will accommodate reporting of spectacled and Steller's eider encounters, including situations in which these birds strike vessels or vessel rigging.



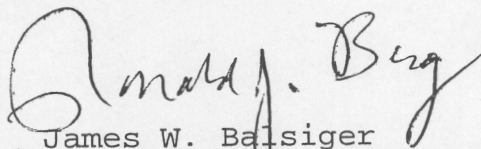
The second form will be filled out by ADF&G Observer Program personnel at the conclusion of each BSAI crab fishing season summarizing all observed encounters between listed bird species and vessels and facilities associated with the crab fisheries. If no interactions exist to report, this lack of interactions itself will be reported. The ADF&G Observer Program will provide a completed fishery/seabird interaction summary form, and copies of the individual observer encounter reporting forms to the Anchorage Fish and Wildlife Service Field Office, 605 W. 4<sup>th</sup> Ave. Rm G-61, Anchorage, AK 99501, within 45 days of the conclusion of each BSAI crab fishing season.

With these improvements in data collection and reporting, NMFS, Alaska Region, seeks your concurrence with our determination that implementation of this FMP is not likely to adversely affect seabird species currently listed as endangered or threatened, or destroy or adversely modify critical habitat.

Commercial harvest for the following species is regulated under the FMP: red king crab (Paralithodes camtschatica), blue king crab (P. platypus), golden king crab (Lithodes aequispina), scarlet king crab (L. couesi), Tanner crab (Chionoecetes bairdi), snow crab (C. opilio), grooved Tanner crab (C. tanneri), and triangle Tanner crab (C. angulatus). The management area is defined as those waters of the U.S. EEZ that lie south of Point Hope, east of the U.S.-U.S.S.R. convention line of 1867, and extend south of the Aleutian Islands for 200 miles between the convention line and Scotch Cap Light.

Please call Gretchen Harrington at (907) 586-7445 if you have any questions or need further information.

Sincerely,



For  
James W. Balsiger  
Administrator, Alaska Region

cc: Mary Schwenzfeier, Alaska Department of Fish and Game  
Lisa Lindeman, NOAA General Counsel  
Kim Rivera, NMFS National Seabird Coordinator