

**North Pacific Fishery Management Council**  
**Draft Council Motion for C-5 Crab Rationalization**  
**February 8, 2004**

The Council directs the release the Preliminary Draft BSAI Crab EIS for public comment and review. The Council concurs with the recommendations of the SSC and requests that NMFS and Council staff take those into consideration in preparing the final draft of the EIS.

The Council requested clarification from NOAA-GC concerning the scope of section 402(b)(1) confidentiality waiver in new Section 313(j)(8) of the MSA (from section 801(j)(8) of the Consolidated Appropriations Act, 2004). Further, the Council requests that the analysis be revisited to show the individual PQ allocations that would result under the preliminary preferred alternative, to the extent staff is able to do so under the confidentiality waiver, with special attention to the interplay between those allocations and community protection measures.

The Council direct staff to prepare an analysis for delivery to the Council 18 months after the fleet begins fishing under the crab rationalization program. The analysis will examine effects of the 90/10 A share/B share split and the binding arbitration program on the distribution of benefits between harvesters and processors in the BSAI crab fisheries. On receiving the analysis, the Council will consider whether the 90/10 split and arbitration program are having their intended effects and whether some other A share/B share split (e.g., 80/20, 70/30, or 50/50) may appropriate.