



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

*National Marine Fisheries Service*

*P.O. Box 21668*

*Juneau, Alaska 99802-1668*

September 1, 2009

Mr. Denby S. Lloyd, Commissioner  
Alaska Department of Fish and Game  
P.O. Box 115526  
Juneau, Alaska 99811-5526

Dear Mr. Lloyd:

Thank you for your letter regarding the 2009/2010 snow crab (*Chionoecetes opilio*) stock status and harvest strategy. Specifically, your letter requests that NMFS provide written notification by September 21, 2009, regarding whether the snow crab stock has failed to make adequate progress toward rebuilding under the rebuilding plan and whether NMFS has determined that a more conservative harvest strategy is required beyond the prescribed default harvest strategy in 50 CFR 600.310(j)(3)(ii). Your letter also requests that NMFS confirm that the 2009/2010 total allowable catch (TAC) setting process described in your letter complies with federal requirements.

We will notify the North Pacific Fishery Management Council (Council) if we determine that the snow crab stock has failed to make adequate progress toward rebuilding, as required by section 304(e)(7) of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). We will make this determination once the most recent stock assessment and scientific information becomes available and has been vetted at the September 14 to 16 Crab Plan Team meeting. We also will recommend conservation and management measures to improve progress towards rebuilding the stock for the Council to consider in developing the new rebuilding plan. Last, we will identify the maximum harvest rate for the 2009/2010 fishery that we determine is required by federal law based on the best available scientific information. We aim to provide this written notification by September 21, 2009.

Based on the information available at this time, I agree that the process described in your letter for applying the prescribed default harvest strategy for the 2009/2010 fishing season complies with the Fishery Management Plan for Bering Sea and Aleutian Islands King and Tanner Crabs



and the National Standard 1 Guidelines. We will notify the Council and ADF&G if we determine that a different approach is warranted under Section 304(e)(4)(A)(i) of the Magnuson-Stevens Act.

Sincerely,

A handwritten signature in blue ink, appearing to read "R. Mecum", with a stylized flourish at the end.

Robert D. Mecum  
Acting Administrator, Alaska Region

cc: Eric Olson, Chairman, North Pacific Fishery Management Council