**AGENDA CHANGE REQUEST FORM**
ALASKA BOARD OF FISHERIES

The Board of Fisheries (board) will accept requests to change its schedule under certain guidelines set forth in 5 AAC 39.999. The board will accept these agenda change requests (ACRs) only:

1) for a fishery conservation purpose or reason; or
2) to correct an error in regulation; or
3) to correct an effect on a fishery that was unforeseen when a regulation was adopted.

The board will not accept an agenda change request that is predominantly allocative in nature in the absence of new compelling information, as determined by the board [5 AAC 39.999 (a) (2)].

Please answer all questions to the best of your ability.

1. CITE THE REGULATION THAT WILL BE CHANGED IF THIS ACR IS HEARD. If possible, enter the series of letters and numbers that identify the regulation to be changed. If it will be a new section, enter "5 AAC NEW".

   Alaska Administrative Code Number 5 AAC 34.816(a)(1) Bristol Bay Red King Crab Harvest Strategy

2. WHAT IS THE PROBLEM YOU WOULD LIKE THE BOARD TO ADDRESS? STATE IN DETAIL THE NATURE OF THE CURRENT PROBLEM. Address only one issue. State the problem clearly and concisely. The board will reject multiple or confusing issues.

   The federal *Fisheries Management Plan for the Bering Sea/Aleutian Islands King and Tanner Crabs* (FMP) establishes a state/federal cooperative management regime that delegates management of the Bristol Bay red king crab fishery to the State of Alaska with federal oversight.

   Under the FMP, the State of Alaska is delegated the authority to establish harvest levels for crab stocks. Harvest levels are a category two management measure in the FMP. The state may change how harvest levels are set as long as the harvest level is in compliance with the FMP.

   The Bristol Bay red king crab fishery regulatory harvest strategy contains a minimum total allowable catch (TAC) threshold as follows:

   5 AAC 34.816. Bristol Bay Red King Crab Harvest Strategy

   (a)(1) the threshold level of abundance is 8,400,000 mature female red king crab and 14,500,000 pounds of effective spawning biomass; the Bristol Bay red king crab season may open only if analysis of preseason survey data indicates that the population of red king crab is more than both of these indices of stock reproductive potential; the Bristol Bay red king crab season will not open if preseason survey data indicates that the

population is at or below either of these two indices of stock reproductive potential; ***the minimum total allowable catch threshold (not including the CDQ quota) for the commercial red king crab fishery is 4,000,000 pounds; neither the commercial red king crab fishery or the CDQ fishery under 5 AAC 39.690 will open if the minimum total allowable catch threshold is not met.***

The minimum harvest level was utilized to minimize the risk of the fishery exceeding harvest targets when the fishery was managed inseason under a guideline harvest level. Since the 2005/06 fishing season, the Bristol Bay red king crab fishery has been included in the federal crab rationalization program, and managed under a TAC. Inseason management is no longer conducted by ADF&G under a guideline harvest level.

If ADF&G determines a harvestable surplus of Bristol Bay red king crab is available that is less than the minimum TAC specified under 5 AAC 34.816, the fishery would be closed. ADF&G is requesting that the minimum TAC be removed from the Bristol Bay red king crab management plan because it no longer serves the purpose it was originally developed for.v The department is requesting the board take this issue out-of-cycle based on 5 AAC 39.999 (b).

3. WHAT SOLUTION DO YOU PREFER? Or, if the board adopted your solution, what would the new or amended regulation say?

5 AAC 34.816. Bristol Bay Red King Crab Harvest Strategy

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4. STATE IN DETAIL HOW THIS ACR MEETS THE CRITERIA STATED ABOVE. If one or more of the three criteria set forth above is not applicable, state that it is not.
   1) for a fishery conservation purpose or reason: Not applicable.
   2) to correct an error in regulation: Not applicable.
   3) to correct an effect on a fishery that was unforeseen when a regulation was adopted:

The unforeseen effect is that the existing regulation could close the fishery when a harvestable surplus could be taken without the risk of exceeding the harvest target. The department is concerned that the TAC could fall below the minimum regulatory TAC for the upcoming season; however, the department will not determine the 2012/13 season harvest level until after the August 2012 deadline for ACRs.

5. WHAT WILL HAPPEN IF THIS PROBLEM IS NOT SOLVED PRIOR TO THE REGULAR CYCLE?

   The Bristol Bay red king crab TAC for the 2012/13 season will be determined early October, 2012. If the red king crab TAC is less than the minimum TAC in regulation, the Bristol Bay red king crab season would not open, although a harvestable surplus may be available. The next regularly-scheduled Board of Fisheries meeting for Bering Sea crab will not occur until 2013/14.

6. STATE WHY THIS ACR IS NOT PREDOMINANTLY ALLOCATIVE.

   The Bristol Bay red king crab fishery is managed for a total allowable catch. Although there are no allocations in state regulation, the National Marine Fisheries Service issues individual fishing quota shares (IFQ) to qualified participants. Removing the red king crab minimum TAC will not affect the federal allocation to IFQ holders.

7. IF THIS REQUEST IS ALLOCATIVE, STATE THE NEW INFORMATION THAT COMPELS THE BOARD TO CONSIDER AN ALLOCATIVE PROPOSAL OUTSIDE OF THE REGULAR CYCLE.

   Not applicable.

8. STATE YOUR INVOLVEMENT IN THE FISHERY THAT IS THE SUBJECT OF THIS ACR (e.g., commercial fisherman, subsistence user, sport angler, etc.)

Alaska Department of Fish and Game

9. STATE WHETHER THIS ACR HAS BEEN CONSIDERED BEFORE, EITHER AS A PROPOSAL OR AS AN ACR, AND IF SO, DURING WHICH BOARD OF FISHERIES MEETING.

   Not previously considered.

Submitted by:

**NAME** Alaska Department of Fish and Game
**Individual or Group**

| 211 Mission Road | Kodiak, AK | 99615 |
|---|---|---|
| **Address** | **City, State** | **Zip** |

**SIGNATURE:** _____ **DATE:** _____

**Note: Addresses and telephone numbers will not be published.**