

ALASKA BOARD OF FISHERIES
MARCH 17–21, 2014
STATEWIDE KING AND TANNER CRAB AND SUPPLEMENTAL ISSUES

PROPOSAL 326 - 5 AAC 34.XXX. Closed waters and 5 AAC 35.XXX. Closed waters. Close all commercial king and Tanner crab fisheries in state, except Southeastern Alaska. (*The finfish aspects of this proposal will be considered at the Lower and Upper Cook Inlet Finfish meetings.*)

This proposal will also be addressed in the Upper Cook Inlet Finfish and Lower Cook Inlet Finfish Meeting.

Solutions;

1. Require all commercial salmon setnet gear to be certified as avoiding king salmon interception.
2. Close all commercial herring and crab fisheries identify critical habitat areas for these stocks and protect them until they return to their historic natural levels.
3. Begin increasing all freshwater salmon escapement goals until each systems water nitrogen/phosphorus levels return to their historic natural levels from the resulting rotting salmon.

Our ocean nitrogen/phosphorus levels are currently at a 50 year low. This marine energy is needed to fuel our marine food chains.

4. Require all salmon aquaculture projects to be certified as not promoting or advancing one stock at the expense of other stocks.

ISSUE: The problem is a lack of returning king salmon to all of Cook Inlet and statewide rivers and streams.

WHAT WILL HAPPEN IF NOTHING IS DONE? Our king salmon returns will continue declining until the state is forced to close all of our salmon fisheries for years into the future to rebuild them.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?

1. Yes, if adopted my proposal would not allow commercial set nets to fish until they are certified by the state as avoiding king salmon. This solution would place the king interception problem where it should have always been, on the individuals who are inefficiently and wastefully harvesting their fisheries target.
2. Yes, if adopted my proposal would begin to reverse the negative effects which have resulted from excess commercial harvest of our herring and crab stocks. Our herring and crab stocks are

currently at alltime lows thus providing our predatory fish stocks greatly reduced feed along with reduce survival prospects.

3. Yes, if adopted my proposal would begin to reverse the current negative marine food chain effects, which have resulted from maximizing commercial harvests. This water nutrient increase would be achieved by actually allocating salmon to decompose within our freshwater environments.

4. Yes, if adopted my proposal would prevent anyone from advancing one fish stock while harming other fish stocks.

WHO IS LIKELY TO BENEFIT? All fisheries and users would eventually benefit from the proposed changes because eventually we would arrive at a healthier marine environment, which would generate more fish for everyone. There could be some temporary harvest reductions by some fisheries users but eventually these users would reap the benefits of the changes within my proposal. My proposal would cause fisheries users to benefit by requiring them to actively working to reduce their negative impacts on non-target fish stocks and other user groups.

WHO IS LIKELY TO SUFFER? It is possible that some fisheries users could suffer in the short-term because they may not be able to harvest like they were allowed to in the past. In the long-term these same fisheries users would eventually benefit as the marine environment would again become healthy, thus generating much more surplus fish stocks to be harvested by all users.

OTHER SOLUTIONS CONSIDERED? There are many theoretical solutions to our statewide problems involving returning king salmon. I have specifically rejected them because they do not focus on the marine food chain and user groups conflicting and impacting each other.

I am convinced that the reason we have stable sockeye salmon runs and unstable king salmon runs, is because for a short time in their lives kings and sockeyes feed on the same marine prey. That prey is euphausiids (crab larvae) and juvenile king salmon & sockeye salmon both feed on them. Both salmon begin their lives by feeding on zooplankton like euphausiids. Juvenal kings feed on euphausiids until they reach about (16 inches) in length but they require older euphausiids greater than 17 mm in size. Sockeyes feed on younger euphausiids which are less than 5 mm in sizes. After juvenile kings reach (16 inches) they stop feeding on euphausiids and begin exclusively feeding on things which consume euphausiids like herring and capelin. Sockeye's however continue feeding mainly on very small (3–5 mm) plankton and zooplankton like euphausiids, while juvenile kings are feeding mainly on (>17 mm) euphausiids. It is this king salmon dietary leap which allows kings to then grow to their much greater size. These king salmon feeding characteristics then become the focus of my proposal.

With sockeye salmon exclusively feeding on (3–5 mm) euphausiids and juvenile king salmon exclusively feeding on (>17 mm) euphausiids, this creates a feeding conflict. This feeding conflict can be created as fisheries managements manipulate and promote only specific stock type and numbers. As fisheries managers begin to manage for (only maximum sockeye production), that action can have consequences of setting into motion an unusual but intense

feeding factor within our ocean. This feeding factor can then specifically target (3–5 mm *T. spinifera*, euphausiids). These are in fact the same crab larva which juvenile king salmon will seek out later but after they have grown and reached a length greater than 17 mm. Juvenal kings less than 16 inches in length need euphausiids greater than 17 mm in length or they will starve to death. This is the primary marine feed these juvenile kings survive on during this early time in their life. The unfortunate part is that fisheries managers can expand some stocks without expanding others living beside them. This can create a supreme feeding machine with billions of sockeye's and pollock living in the same waters as kings. Together these vastly superior numbers of (small crab larvae feeders) then sweep the ocean for all euphausiid larva near the (3–5 mm) length, thus leaving little (if any) larva to grow larger for juvenal king salmon to feed on. These juvenile kings then have little to nothing to feed on as they attempt to build reserves to allow them to make their jump to feeding on herring or capelin. Because this strategic (>17 mm) euphausiid elements is therefore missing, many of these juvenile king salmon then (starve to death) and therefore never become adults. Ninety-five percent of a sockeye salmon's diet focuses on these young 3–5 mm *T. spinifera*, euphausiids. Ninety-five percent of a juvenile king salmon's diet focuses on the older (>17 mm) euphausiids, which have managed to escape massive sockeye and pollock feedings. King salmon's diets eventually switch over to small fish but the question is how do these juvenal kings get to that (switch-over point) if they cannot forage enough crab larva larger than 17 mm? Our latest marine sciences are now showing a dramatic reduction in the North Pacific marine production of crab larva. This science is telling us that we are now seeing that our (>17 mm) production of euphausiids is currently at about 1% of what it used to be historically. We still have good production levels of smaller (3–5 mm) euphausiids, which are feeding our sockeye and pollock stocks but 99% of the main diet of juvenile king salmon is (now completely missing). All users groups should display shock when they hear that an element like this has gone missing within our marine environment. Currently our ADF&G is not displaying shock, they are claiming that our missing kings are part of a natural marine cycle. I am claiming that it is not natural; it has been constructed by fisheries mismanagement.

Our fisheries managers continue to manage our fisheries as if we still have sufficient euphausiid resources to feed our current juvenile king salmon. Because these managers do not understand the needs of our juvenile kings, they then claim that the resulting lack of returning adult kings salmon is a "Natural Lack Of King Salmon Abundance". There is nothing "natural" about this lack of king salmon. If you follow the bread crumb trail you find it leading back to a lack of (greater than 17 mm crab larva), and that lack is the direct results of fisheries mis-management. If we just assume that these juvenile kings somehow find enough (>17 mm crab larva) to survive on into adulthood, then you must consider their chances of finding enough herring or capelin to survive on as adults. Unfortunately these smaller fish also feed exclusively on the same (>17 mm *T. spinifera*, euphausiids) and because we now only have about 1% of what we used to have in these euphausiids, these small fish are also now faced with the same dramatic lack of feed like juvenal king salmon. This dramatic lack of adequately sized marine food then demands closer examination. That examination needs to focus on the ocean production of plankton, zooplankton, euphausiids, herring, capelin and juvenile kings.

NOAA Technical Memorandum NMFS F/NWC-91, Salmon Stomach Contents, From the Alaska Troll Logbook Program 1977–84, By Bruce L. Wing , October 1985. Type, Quantity, And Size

Of Food Of Pacific Salmon (Oncorhynchus) In The Strait Of Juan De Fuca, British Columbia,
Terry D. Beachami.

Interannual variations in the population biology and productivity of *Thysanoessa spinifera* in Barkley Sound, Canada, with special reference to the 1992 and 1993 warm ocean years.
R. W. Tanasichuk*, Department of Fisheries and Oceans, Pacific Biological Station,
Nanaimo, British Columbia V9R 5K6, Canada.

PROPOSED BY: Don Johnson (HQ-F13-065(b))

PROPOSAL 327 - 5 AAC 34.200. Description of Registration Area E. Update regulatory description of king crab Registration Area E, as follows:

5 AAC 34.200. Description of Registration Area E. Registration Area E has as its western boundary **a line running along** the longitude of Cape Fairfield **at 148° 50.25' W. long., south to the latitude of Cape Douglas at 58° 51.10' N. lat., then west to 149° W. long., then south along 149° W. long.** [(148° 50.25' W. LONG.)], and as its eastern boundary the longitude of Cape Suckling **at 144° W. long.** [(144° W. LONG.)]

ISSUE: The demarcation lines between Registration Area E and Registration Area M have recently been reviewed and updated in certain commercial shellfish regulations. The intent of this proposal is to standardize demarcation lines across commercial fisheries.

WHAT WILL HAPPEN IF NOTHING IS DONE? Ambiguous demarcation lines will exist between registration areas.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED? N/A.

WHO IS LIKELY TO BENEFIT? Commercial fishermen, fishery managers, and enforcement personnel.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED: None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F13-193)

PROPOSAL 328 - 5 AAC 35.300. Description of Registration Area E and 5 AAC 35.305. Description of Registration Area E districts. Update regulatory description of Tanner crab Registration Area E, as follows:

5 AAC 35.300. Description of Registration Area E. Registration Area E has as its western boundary **a line running along the longitude of Cape Fairfield at 148° 50.25' W. long., south to the latitude of Cape Douglas at 58° 51.10' N. lat., then west to 149° W. long., then south along 149° W. long.** [(148° 50.25' W. LONG.)], and as its eastern boundary the longitude of Cape Suckling **at 144° W. long.** [(144° W. LONG.)]

5 AAC 35.305. Description of Registration Area E districts. (a) Northern District: all waters north and west of a line from the southern entrance of Port Nellie Juan at **60° 35.87' N. lat.** [60° 36' N. LAT.] to Point Eleanor to the eastern tip of Smith Island to Johnstone Point, and north of a line from Point Bentinck to Point Whitshed.

(b) Western District: all waters east of **a line from** [THE LONGITUDE OF] Cape Fairfield (148° 50.25' W. long.) **south to the latitude of Cape Douglas at 58° 51.10' N. lat., then west to 149° W. long., then south along 149° W. long.**, south of a line from the southern entrance of Port Nellie Juan at **60° 35.87' N. lat.** [60° 36' N. LAT.] to Point Eleanor to the eastern tip of Smith Island to Montague Point, west of a line from Zaikof Point to Seal Rocks (**60° 09.78' N. lat., 146° 50.30' W. long.**) [(60° 10' N. LAT., 146° 50' W. LONG.)], and west of the longitude of Seal Rocks (**146° 50.30' W. long.**) [(146° 50' W. LONG.)].

(c) Eastern District: all waters east of the longitude of Seal Rocks (**146° 50.30' W. long.**) [(146° 50' W. LONG.)], east of a line from Seal Rocks (**60° 09.78' N. lat., 146° 50.30' W. long.**) [(60° 10' N. LAT., 146° 50' W. LONG.)] to Cape Hinchinbrook, south of a line from Point Bentinck to Point Whitshed, and west of the longitude of Cape Suckling (144° W. long.).

(d) Hinchinbrook District: all waters east of a line from Montague Point to the eastern tip of Smith Island, south of a line from the eastern tip of Smith Island to Johnstone Point, north and east of a line from Cape Hinchinbrook to Seal Rocks (**60° 09.78' N. lat., 146° 50.30' W. long.**) [(60° 10' N. LAT., 146° 50' W. LONG.)], and east of a line from Seal Rocks (**60° 09.78' N. lat., 146° 50.30' W. long.**) [(60° 10' N. LAT., 146° 50' W. LONG.)] to Zaikof Point.

ISSUE: The demarcation lines between Registration Area E and Registration Area J have recently been reviewed and updated in certain commercial shellfish regulations. The intent of this proposal is to standardize demarcation lines across commercial fisheries, as well as update specific demarcation coordinates to reflect the best precision afforded by current technology.

WHAT WILL HAPPEN IF NOTHING IS DONE? Ambiguous demarcation lines will exist between registration areas.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED? N/A.

WHO IS LIKELY TO BENEFIT? Commercial fishermen, fishery managers, and enforcement personnel.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED: None.

PROPOSED BY: Alaska Department of Fish and Game

(HQ-F13-194)

PROPOSAL 329 - 5 AAC 35.31X. Guideline harvest range. Establish a guideline harvest range (GHR) for Tanner crab in Prince William Sound based on commercial fishery opened with 10-pot limit, as follows:

Commencing February 1 and ending March 31, 2015 commercial harvest of Tanner crab will be allowed. Participants will be limited to 10 pots. Poundage caught in this fishery will establish GHR. [Repealed 6/30/83].

ISSUE: Lack of Tanner crab fishery.

WHAT WILL HAPPEN IF NOTHING IS DONE? Area E communities will suffer economically as they have for 30 years without a Guideline Harvest Range (G.H.R.)

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Anyone (still alive) who participated in the last Tanner fishery. Anyone who would like to participate in a new fishery.

WHO IS LIKELY TO SUFFER? People who think 26 years is not a long enough interval between fisheries.

OTHER SOLUTIONS CONSIDERED? More waiting but am tired of that.

PROPOSED BY: Robert A. Smith (HQ-F13-029)

PROPOSAL 330 - 5 AAC 35.31X. Guideline harvest range. Establish a guideline harvest range (GHR) for Tanner crab in Prince William Sound based on commercial fishery opened with 15-pot limit, as follows:

Beginning November 1 and ending December 31, 2014, commercial harvest of Tanner crab will be allowed in Area E. Participants will be allowed 15 pots. Poundage caught in this fishery will establish a GHR. [REPEALED 6/30/83].

ISSUE: Alaska Department of Fish and Game repealed GHR in 1983 and has not adopted a harvest strategy since who knows when.

WHAT WILL HAPPEN IF NOTHING IS DONE? The same thing that happened since 35.315 was written in 6/30/83.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? People who fish for a living and local economics who depend on fisheries.

WHO IS LIKELY TO SUFFER? People who believe Tanner crab fisheries in Area E should be closed in perpetuity.

OTHER SOLUTIONS CONSIDERED? Waiting another three decades but I will be 83 years old by then.

PROPOSED BY: Robert A. Smith (HQ-F13-030)

PROPOSAL 331 - 5 AAC 35.31X. Guideline harvest range. Establish a guideline harvest range (GHR) for Tanner crab in Prince William Sound based on commercial fishery opened with 20-pot limit, as follows:

Commencing February 1 and ending March 31, 2015, commercial harvest of Tanner crab in Area E will be allowed. Participants will be limited to 20 pots. Poundage caught in this fishery will establish GHR. [REPEALED 6/30/83].

ISSUE: There has been no GHR since 6/30/83, that's 30 years.

WHAT WILL HAPPEN IF NOTHING IS DONE? Apparently Area E will not have a Tanner crab fishery ever, if BOF does not address this issue.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Local Fishermen, fisheries and local economics.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? Waiting for ADF&G to develop GHR but that hasn't happened for thirty years.

PROPOSED BY: Robert A. Smith (HQ-F13-031)

PROPOSAL 332 - 5 AAC 35.310. Fishing seasons for Registration Area E. Open a commercial Tanner crab fishery in Prince William Sound for intervals no greater than two years, as follows:

There shall be a commercial Tanner crab fishery in Area E at intervals no greater than two year. [THE COMMERCIAL HARVEST OF TANNER CRAB IN PWS AREA IS CLOSED UNTIL THE BOF HAS ADOPTED A STRATEGY IN THIS AREA.].

ISSUE: Alaska Department of Fish and Game has not had a Tanner crab fishery for 26 years.

WHAT WILL HAPPEN IF NOTHING IS DONE? Local fishermen, fisheries and local economies will suffer.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, there are no quality issues when there is no harvest.

WHO IS LIKELY TO BENEFIT? Local fishermen, local economies.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? Waiting for ADF&G to adopt a harvest strategy.

PROPOSED BY: Robert A. Smith (HQ-F13-032)

PROPOSAL 333 - 5 AAC 35.310. Fishing seasons for Registration Area E. Open a commercial Tanner crab fishery in Prince William Sound in March and April with vessel length and pot limit, as follows:

A commercial opening for Tanner crabs in Prince William Sound, with a 53' boat length limit, and a maximum of 20 pots. The season would be held from March 1 to April 30, closely monitored, and subsequently subject to emergency closures.

ISSUE: The closure of commercial harvests of Tanner crabs within Prince William Sound. The commercial harvest of Tanner crabs began in 1968, with 1.2 million pounds landed. The fishery peaked in the 1972–3 season, with 13.9 million pounds harvested prior to a sharp decline in Tanner crab populations from the late 70's to the early 80's. Subsequently, size limits were implemented in 1976. The low harvest numbers preceded district closures, and subsistence-only harvests. Two reasonable explanations for the crash have been identified as:

1. Overharvest of immature males, and females prior to the adoption of the minimum size limit of 5.3 inches in 1976.
2. Lengthy seasons had adverse effects upon the crab fishery, due to excessive harvest, lost gear, and handling practices. The seasons were seven months long from 1976–1981, which is when the sharp decline began.

Both of these explanations are preventable through adhering to proper management techniques. Recent subsistence harvests have shown a trend of a rebounding population of Tanner crabs in Prince William Sound, and therefore a closely monitored commercial opener should be considered.

WHAT WILL HAPPEN IF NOTHING IS DONE? Commercial fishermen will continue to be adversely affected by the loss of harvest opportunities within Prince William Sound.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Commercial fishermen in Prince William Sound, seafood processors, and vendors of seafood worldwide.

WHO IS LIKELY TO SUFFER? Conflicts between subsistence and commercial users are possible, however subsistence users could benefit by participating in the re-established commercial Tanner crab fishery.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Native Village of Eyak (HQ-F13-163)

PROPOSAL 334 - 5 AAC 35.408. Registration Area H Tanner crab harvest strategy. Modify the harvest strategy for Registration Area H Tanner crab, as follows:

5 AAC 35.408. Registration Area H Tanner crab harvest strategy.

(d) The non-commercial Tanner crab fisheries guideline harvest level may not exceed 10 percent of the recent **three-year** [FIVE-YEAR] average of legal male stock abundance when legal male stock abundance is below the minimum stock threshold for a commercial fishery. The non-commercial Tanner crab fisheries will be closed

(1) in that portion of the Southern District east of a line from Pt. Pogibshi to Anchor Point, if the

(A) recent **three-year** [FIVE-YEAR] average stock abundance of legal male Tanner crab estimated from the Kachemak Bay trawl survey is less than 100,000 Tanner crab; **or**

(B) [ESTIMATED STOCK ABUNDANCE OF LEGAL MALE TANNER CRAB FROM THE KACHEMAK BAY TRAWL SURVEY IS LESS THAN 100,000 TANNER CRAB FOR THREE CONSECUTIVE YEARS; OR

(C)] estimated stock abundance level of legal male Tanner crab is less than 50,000 Tanner crab in any given year.

(2) in the Southern District west of a line from Pt. Pogibshi to Anchor Point and the Kamishak and Barren Islands Districts, if the

(A) recent **three-year** [FIVE-YEAR] average stock abundance of legal male Tanner crab estimated from the Kamishak Bay trawl survey is less than 50,000 Tanner crab; or

...

ISSUE: Tanner crab in Lower Cook Inlet (LCI; Kachemak and Kamishak bays) are in a skip-molt and terminal molt status, meaning that they do not live more than three years past maturity. When this harvest strategy was adopted, skip and terminal molts were not the persistent condition, and crab lived for five years past maturity. Taking into account the current molt status of Tanner crab in the LCI area, switching to a three-year average of abundance provides more accurate harvest estimates, and estimates that use only crab available for harvest. A three-year average also tracks the current population trends more closely. It is important to use the best estimate of abundance for crab in the future.

WHAT WILL HAPPEN IF NOTHING IS DONE? The department will be continue to manage noncommercial Tanner crab fisheries based on a five-year average, which could lead to overharvest of the resource.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED? Yes.

WHO IS LIKELY TO BENEFIT? Fishermen will benefit from more accurate estimates of harvestable crab in the two portions of the management district, leading to sustainable fisheries.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED: None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F13-195)

PROPOSAL 335 - 5 AAC 35.410. Fishing seasons for Registration Area H; 5 AAC 58.022. Waters; seasons; bag, possession, and size limits; and special provisions for Cook Inlet-Resurrection Bay Saltwater Area; 5 AAC 77.516. Personal use Tanner crab fishery. Change season dates of the fisheries to October 15 through March 31, as follows:

Kachemak Bay Tanner crab season dates October 15–March 31. This would protect crab when they are soft, reduce effort and harvest, and allow two weeks more fishing in the spring.

ISSUE: Date of Kachmak Bay Tanner crab season opens too early. This has resulted in high discard mortality, exceeding the GHL, and contributed to the closure of the fishery after three years.

WHAT WILL HAPPEN IF NOTHING IS DONE? When the numbers of crab reach a level where it is opened again, early season effort will heavily affect light molted crab. When crab are soft, discard mortality is high. The early opening date has also forced the department to do survey trawls on soft crab, resulting in needless mortality.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, conservatively managed, this fishery should be sustainable.

WHO IS LIKELY TO BENEFIT? All who want the continued opportunity to harvest Tanner crab in Kachemak Bay.

WHO IS LIKELY TO SUFFER? Those who cannot participate in winter fisheries due to weather or seasonal absence.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Homer Fish and Game Advisory Committee (HQ-F13-384)

PROPOSAL 336 - 5 AAC 58.022. Waters; seasons; bag, possession, and size limits; and special provisions for Cook Inlet-Resurrection Bay Saltwater Area. Modify sport fishing season, pot size requirements, pot limit, and bag limit for Cook Inlet Tanner crab, as follows:

Allow two one month seasons for Tanner crab, November and February. Impose pot size limit, two pot limit and two crab limit.

ISSUE: No opportunity for sport Tanner crab fishing in Cook Inlet.

WHAT WILL HAPPEN IF NOTHING IS DONE? All sport crabbers will continue not to be able to have limited harvest of Tanner crab.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED? Yes, use sport fishery to more accurately determine winter Tanner crab abundance and movements. Currently the department only conducts a survey in June.

WHO IS LIKELY TO BENEFIT? Crabbers, ADF&G, and the resource.

WHO IS LIKELY TO SUFFER? No One.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Joe Hanes (HQ-F13-129)

PROPOSAL 337 - 5 AAC 02.425. Subsistence Tanner crab fishery. Repeal prohibition on subsistence Tanner crab fishing 14 days before participating in a king and Tanner crab commercial opening, as follows:

Repeal subsistence regulations (5 AAC 02.425(2)) that prohibits subsistence Tanner crab fishing in water greater than 25 fathoms or more in depth during the 14 days immediately prior to the start of commercial king or Tanner crab season.

ISSUE: Subsistence fishing for Tanner crab in the Kodiak Area is prohibited for 2 weeks before the start of a commercial Tanner crab season. Commercial regulations prohibited commercial fishermen from subsistence or sport fishing for Tanner crab prior to the start of a commercial season to prevent vessels from prospecting of preempting the fishing grounds. There is no reason to hold subsistence fishermen to the same standards as they do not participate in the commercial fishery.

WHAT WILL HAPPEN IF NOTHING IS DONE? Continued loss of Tanner crab fishing opportunity for subsistence users around Kodiak Island.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Subsistence Tanner crab fishermen.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Ed Monkiewicz (HQ-F13-028)

PROPOSAL 338 - 5 AAC 02.420. Subsistence king crab fishery; 5 AAC 02.425. Subsistence Tanner crab fishery; 5 AAC 34.43X. Closed waters in Registration Area K; and 5 AAC 35.535. Closed waters in Registration Area J. Close Alitak Bay to subsistence and commercial king and Tanner crab fishing, as follows:

This is a companion proposal to Kodiak Finfish Proposal 061.

It is time to try something new: We need to make one of our crab systems (Alitak Bay in the Southwest Section of the Kodiak District of Area J) a sanctuary that would be closed to crab fishing and other fishing/gear types that adversely affect the crab population. No fishing with king, tanner, or cod pots would be allowed, including subsistence fishing. Trawling would not be allowed as well. All other existing fisheries would be allowed. The purpose of the sanctuary/closure is to observe, study, and record the status of the crab population. The duration of the closure should be a period of not less than seven years, it should be long enough for all generations (year-classes) of tanners to develop and grow their numbers. It is my belief that the tanner crab will grow themselves back to historically high levels.

ISSUE: The current Bairdi Tanner Crab Management Policy in Area J-Kodiak effectively eliminates any and all opportunity for the resource to rebound to healthy, historically higher, biomass levels by allowing harvests on schools of crab that are struggling to recover. Every time an encouraging number of crabs come along, instead of letting them grow their numbers and fully recover, we wipe them out by harvesting. This leads to closed seasons/sections until the next promising numbers show up – at which time, we wipe them out again, thus perpetuating the self-defeating cycle.

WHAT WILL HAPPEN IF NOTHING IS DONE? The Bairdi Tanner crab resource in the Kodiak area will most-likely never recover under current conditions and this management strategy.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? The sole purpose of this proposal is to improve the quantity of

the resource. In so doing, the quality (more large crab) will improve, as will the economic benefit to the Kodiak community.

WHO IS LIKELY TO BENEFIT? Kodiak crab fishermen, crab processors, and the community in general. If this proposal works, the benefits could apply to all Bairdi Tanner resources statewide.

WHO IS LIKELY TO SUFFER? A few trawlers, a few pot-cod fishermen, a few subsistence crab fishers.

OTHER SOLUTIONS CONSIDERED? Private ownership/management of Tanner resources/stocks/schools would provide a much healthier and stable fishery, both biologically and economically. (It would be managed in a similar manner as oyster farming/fishing) This idea is rejected because the State of Alaska probably isn't ready for that type of management.

PROPOSED BY: Tim Abena (HQ-F13-060)

PROPOSAL 339 - 5 AAC 34.400. Description of Registration Area K and 5 AAC 34.405. Description of Registration Area K districts. Amend description of area and districts, as follows:

5 AAC 34.400. Description of Registration Area K. Registration Area K consists of Pacific Ocean waters south of the latitude of Cape Douglas (58° 51.10' N. lat.), west of 149° 00.00' W. long., and east of a line extending south from Cape Kumlik along 157° 27.00' W. long. [HAS AS ITS NORTHERN BOUNDARY THE LATITUDE OF CAPE DOUGLAS (58° 51.10' N. LAT.), AND AS ITS WESTERN BOUNDARY THE LONGITUDE OF CAPE KUMLIK (157° 27' W. LONG.)]

5 AAC 34.405. Description of Registration Area K districts. (a) Northeast District: all waters of Registration Area K northeast of a line extending 168° from Cape Barnabas at 57° 09.07' N. lat., 152° 52.20' W. long., east of 153° 16.00' W. long. in Sitkalidak Strait, east of a line between Inner Point and Afognak Point along 152° 47.75' W. long., east of 152° 30.00' W. long. in Shuyak Strait, and east of a line extending north from Shuyak Island along 152° 20.00' W. long. [NORTHEAST OF A LINE EXTENDING 168° FROM THE EASTERNMOST TIP OF CAPE BARNABAS, EAST OF A LINE FROM THE NORTHERNMOST TIP OF INNER POINT TO THE SOUTHERNMOST TIP OF AFOGNAK POINT, EAST OF 152° 30' W. LONG. IN SHUYAK STRAIT, AND EAST OF THE LONGITUDE OF THE NORTHERNMOST TIP OF SHUYAK ISLAND (152° 20' W. LONG.)]

(b) Southeast District: all waters of Registration Area K west of 153° 16.00' W. long. in Sitkalidak Strait, west of a line extending 168° from Cape Barnabas at 57° 09.07' N. lat., 152° 52.20' W. long., east of 156° 20.22' W. long., and south of a line extending 222° from Cape Trinity at 56° 44.80' N. lat., 154° 08.90' W. long. [SOUTHWEST OF A LINE EXTENDING 168° FROM THE EASTERNMOST TIP OF CAPE BARNABAS AND EAST OF A LINE EXTENDING 222° FROM THE SOUTHERNMOST TIP OF CAPE TRINITY.]

(c) Southwest District: all waters of Registration Area K west of a line extending 222° from Cape Trinity at 56° 44.80' N. lat., 154° 08.90' W. long., east of 156° 20.22' W. long., and south of a line from Cape Ikolik at 57° 17.40' N. lat., 154° 47.40' W. long. to the Alaska Peninsula (near Kilokak Rocks) at 57° 10.34' N. lat., 156° 20.22' W. long., including all of Alitak and Olga bays [WEST OF A LINE EXTENDING 222° FROM THE SOUTHERNMOST TIP OF CAPE TRINITY, SOUTH OF A LINE FROM THE WESTERNMOST TIP OF CAPE IKOLIK TO THE SOUTHERNMOST TIP OF CAPE KILOKAK AND EAST OF THE LONGITUDE OF CAPE KILOKAK (156° 19' W. LONG.)].

(d) Semidi Island District: all waters of Registration Area K west of a line extending south from the Alaska Peninsula (near Kilokak Rocks) along 156° 20.22' W. long. and east of a line extending south from Cape Kumlik along 157° 27.00' W. long. [WEST OF THE LONGITUDE OF CAPE KILOKAK AT 156° 19' W. LONG. AND EAST OF THE LONGITUDE OF CAPE KUMLIK AT 157° 27' W. LONG.]

(e) Shelikof District: all waters of Registration Area K north of a line from Cape Ikolik at 57° 17.40' N. lat., 154° 47.40' W. long. to the Alaska Peninsula (near Kilokak Rocks) at 57° 10.34' N. lat., 156° 20.22' W. long., west of a line between Inner Point and Afognak Point along 152° 47.75' W. long., west of 152° 30.00' W. long. in Shuyak Strait, and west of a line extending north from Shuyak Island along 152° 20.00' W. long. [NORTH OF A LINE FROM THE WESTERNMOST TIP OF CAPE IKOLIK TO THE SOUTHERNMOST TIP OF CAPE KILOKAK, WEST OF A LINE FROM THE NORTHERNMOST TIP OF INNER POINT TO THE SOUTHERNMOST TIP OF AFOGNAK POINT, WEST OF 152° 30' W. LONG., IN SHUYAK STRAIT, AND WEST OF THE LONGITUDE OF THE NORTHERNMOST TIP OF SHUYAK ISLAND (152° 20' W. LONG.)].

ISSUE: As commercial shellfish regulations developed, demarcation lines within and between management areas sometimes changed independently of each other. The intent of this proposal is to standardize demarcation lines across commercial fisheries, as well as update specific demarcation coordinates to reflect the best precision afforded by current technology.

WHAT WILL HAPPEN IF NOTHING IS DONE? There will be continued use of ambiguous demarcation lines.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BY IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Commercial fishermen, fishery managers, and law enforcement will benefit from clear and consistent regulations.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F13-190)

PROPOSAL 340 - 5 AAC 35.510. Fishing seasons for Registration Area J. Clarify weather-delay regulations to open the Tanner crab seasons in the Kodiak and South Peninsula, as follows:

5 AAC 35.510(a)(2) the inspections required under 5 AAC 35.555 and the season opening shall be delayed for 24 hours if the January 14, 4:00 a.m. National Weather Service forecast for the current day and night **or** [PLUS] the following day and night for any section of the Kodiak District, except in the Semidi Island Overlap and Southwest Sections, contains **a gale warning** [GALE FORCE WIND WARNINGS (35 KNOTS OR HIGHER)], in which case the season opening in all sections of the Kodiak District eligible for a season opening will be delayed 24 hours; if after the initial weather delay, the 4:00 a.m. National Weather Service forecast for the current day and night **or** [PLUS] the following day and night again contains **a gale warning** [GALE WARNINGS], the season opening in all sections will be delayed an additional 24 hours; the season opening delays may continue on a rolling 24-hour basis until 12:00 noon on January 25, when the season will open regardless of any gale **warning** [FORCE WIND WARNINGS] in the National Weather Service forecasts; for the purposes of this paragraph, the corresponding National Weather Service forecast areas for the sections of the Kodiak District are as follows:

5 AAC 35.510(c)(2) the inspections required under 5 AAC 35.555 and the season opening shall be delayed for 24 hours if the January 14, 4:00 a.m. National Weather Service marine forecast for the current day and night **or** [PLUS] the following day and night contains **a gale warning** [GALE FORCE WIND WARNINGS (35 KNOTS OR HIGHER)]; if after the initial weather delay, the 4:00 a.m. National Weather Service marine forecast for the current day and night **or** [PLUS] the following day and night again contains **a gale warning** [GALE FORCE WIND WARNINGS], the season opening will be delayed an additional 24 hours; the season opening delays may continue on a rolling 24-hour basis until 12:00 noon on January 25, when the season will open regardless of the National Weather Service marine forecasts; for the purposes of this paragraph, the corresponding National Weather Service marine forecast area for the South Peninsula District is Area 155: Coastal Waters South of the Alaska Peninsula Castle Cape to Cape Sarichef.

ISSUE: As currently written, the Kodiak District and South Peninsula District Tanner crab seasons will be delayed if the 4:00 a.m. National Weather Service (NWS) forecast contains a gale warning for both the current day and night, plus the following day and night. In practice, seasons are delayed if a gale warning is forecasted at any time during the 48 hours after the forecast is issued. In addition, the current definition of a gale warning in regulation is 35 knots or higher. NWS recently changed the definition of a gale warning from 35 knots or higher to a range of 34 to 47 knots. This proposal would amend the regulatory language to be consistent with the intent of the weather delay regulation, as well as align the gale warning definition with the updated NWS gale warning definition.

WHAT WILL HAPPEN IF NOTHING IS DONE? There will be continued inconsistency between the intent of the weather delay regulation and the regulatory language, as well as an inaccurate description of a gale warning.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? The public will benefit from accurate regulatory language.

WHO IS LIKELY TO SUFFER? Unknown.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F13-187)

PROPOSAL 341 - 5 AAC 35.506. Area J registration and 5 AAC 35.555. Inspection requirements for Registration Area J. Repeal Tanner crab tank inspection requirements, as follows:

5 AAC 35.506. Area J registration.

(k) In the Kodiak, Chignik, and South Peninsula districts, a Tanner crab vessel registration must be validated in person or by facsimile by a local representative of the department, at an inspection point specified in 5 AAC 35.540, no earlier than 24 hours before the scheduled opening date of the commercial Tanner crab season.

5 AAC 35.555. Inspection requirements for Registration Area J. (a) **Except in the Kodiak, Chignik, and South Peninsula districts, within** [WITHIN] 24 hours before the scheduled opening date of the commercial Tanner crab season in Registration Area J, or a portion of Registration Area J, or at any time during the open season before taking crab, a Tanner crab vessel registered for Registration Area J must have all holds, live tanks, and freezers inspected by **a** local representative of the department at an inspection point specified in 5 AAC 35.540. Tanner crab may not be on board the vessel at the time of inspection. The requirements of this section do not apply to a registered Tanner crab vessel that does not have a saltwater circulation system in its holds or live tanks. In the Bering Sea District only, the requirements of this section do not apply to catcher/processor vessels, if the commercial *Chionoecetes bairdi* Tanner crab season remains open through the opening of the commercial *Chionoecetes opilio* Tanner crab season.

ISSUE: Tanner crab vessel tank inspections 24 hours prior to the season opening date in Registration Area J were established when Tanner crab fisheries were considerably larger and less regulated. Modern Tanner crab fisheries in the Kodiak, Chignik, and South Peninsula districts are highly regulated, offsetting the need for preseason tank inspections. During some years, the Alaska Department of Fish and Game (department) is unable to provide staff in remote ports to conduct vessel tank inspections. In these instances, some portions of the fleet may receive tank inspections, while other portions of the same fleet do not, resulting in inconsistent application of the regulation. Additionally, tank inspections may take several hours to complete during years with high vessel effort, which reduces the amount of time vessels have to travel to the fishing grounds immediately prior to the start of the season.

Currently, a vessel is considered validly registered for the commercial Tanner crab fishery upon completion of a department vessel tank inspection no earlier than 24 hours before the start of the season in the Kodiak, Chignik, and South Peninsula districts. Validly registering vessels 24 hours before the start of the Tanner crab season allows department staff to assess fishing effort and anticipate management challenges prior to the start of the season. If the tank inspection requirement is repealed as proposed, a vessel would be validly registered upon initial registration, which may occur weeks or months prior to the start of the season. This proposal would also require a vessel operator or agent to validly register a vessel with the department no earlier than 24 hours before the start of the season. Final registration may occur in person in areas with available department staff or by facsimile from remote ports.

WHAT WILL HAPPEN IF NOTHING IS DONE? Continued inconsistent application of vessel tank inspection and registration regulations in the Kodiak, Chignik, and South Peninsula districts Tanner crab fisheries.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Tanner crab fishermen and agency staff.

WHO IS LIKELY TO SUFFER? Unknown.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F13-188)

PROPOSAL 342 - 5 AAC 35.510. Fishing seasons for Registration Area J. Change Tanner crab fishery opening to January 3, as follows:

5 AAC 35.510(c) In the South Peninsula District,from 12:00 noon January **3** [15] through 12:00 noon March 31.

ISSUE: The January 15 opening date for South Peninsula Tanner Crab should be January 3. The Federal sector splits have shortened the time needed to harvest WGOA Pacific cod with pots. To participate in the January 15 Tanner season a fisherman must forgo the first two weeks of Pacific cod. If the opening for Tanner crab in South Peninsula is January 3 it would give pot vessels 12 more days of opportunity to participate in the Fed/State parallel Pacific cod season.

WHAT WILL HAPPEN IF NOTHING IS DONE? The South Peninsula Tanner crab fisherman will continue to miss 14 days of Pacific cod opportunity in order to fish Tanners and be eligible for limited entry of Tanner crab.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Coastal community pot fishermen who want to fish Tanner crab and Federal/State Pacific cod will be allowed more time to fish Pacific cod with this change in crab starting date.

WHO IS LIKELY TO SUFFER? Pot fishermen who only plan to fish either the state Tanner fishery or the Fed/State Pacific cod could see more competition in whichever fishery they choose.

OTHER SOLUTIONS CONSIDERED? Start the Tanner crab season in December. Lower quality crab and cannery typically is not working.

PROPOSED BY: King Cove Advisory Committee (HQ-F13-315)

PROPOSAL 343 - 5 AAC 34.500. Description of Registration Area M and 5 AAC 34.505. Description of Registration Area M districts. Amend description of king crab registration area and districts, as follows:

5 AAC 34.500. Description of Registration Area M. Registration Area M consists of waters west of a line extending south from Cape Kumlik along 157° 27.00' W. long. and east of a line extending south from Scotch Cap Light along 164° 44.72' W. long. [HAS AS ITS EASTERN BOUNDARY THE LONGITUDE OF CAPE KUMLIK (157° 27' W. LONG.), AND AS ITS WESTERN BOUNDARY THE LONGITUDE OF SCOTCH CAP LIGHT (164° 44' W. LONG).] Registration Area M also includes all waters of Bechevin Bay and Isanotski Strait south of a line from the easternmost tip of Chunak Point to the westernmost tip of Cape Krenitzen.

5 AAC 34.505. Description of Registration Area M districts. (a) Unimak Bight District: all waters of Registration Area M west of a line from Cape Pankof at 54° 39.60' N. lat., 163° 03.70' W. long. to Point Petrof at 54° 28.75' N. lat., 162° 49.42' W. long. and extending south from Point Petrof along 162° 49.42' W. long. [WEST OF THE LONGITUDE OF POINT PETROF ON SANAK ISLAND (162° 49.42' W. LONG.) AND WEST OF A LINE FROM POINT PETROF TO CAPE PANKOF.]

(b) Central District: all waters of Registration Area M east of a line from Cape Pankof at 54° 39.60' N. lat., 163° 03.70' W. long. to Point Petrof at 54° 28.75' N. lat., 162° 49.42' W. long. and extending south from Point Petrof along 162° 49.42' W. long., and west of a line from Kupreanof Point at 55° 33.98' N. lat., 159° 35.88' W. long. to Castle Rock at 55° 16.80' N. lat., 159° 29.11' W. long. and extending 135° southeast from [EAST OF THE LONGITUDE OF POINT PETROF ON SANAK ISLAND (162° 49.42' W. LONG.) AND EAST OF A LINE FROM POINT PETROF TO CAPE PANKOF, AND WEST OF A LINE FROM KUPREANOF POINT TO THE EASTERNMOST POINT OF CASTLE ROCK, AND WEST OF A LINE EXTENDING 135° SOUTHEAST FROM THE EASTERNMOST POINT OF] Castle Rock.

(c) West Chignik District: all waters of Registration Area M east of a line from Kupreanof Point at 55° 33.98' N. lat., 159° 35.88' W. long. to Castle Rock at 55° 16.80' N.

lat., 159° 29.11' W. long. and extending 135° southeast from [EAST OF A LINE FROM KUPREANOF POINT TO THE EASTERNMOST POINT OF CASTLE ROCK, AND EAST OF A LINE EXTENDING 135° SOUTHEAST FROM THE EASTERNMOST POINT OF] Castle Rock.

ISSUE: As commercial shellfish regulations developed, demarcation lines within and between management areas sometimes changed independently of each other. The intent of this proposal is to standardize demarcation lines across commercial fisheries, as well as update specific demarcation coordinates to reflect the best precision afforded by current technology.

WHAT WILL HAPPEN IF NOTHING IS DONE? There will be continued use of ambiguous demarcation lines.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BY IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Commercial fishermen, fishery managers, and law enforcement will benefit from clear and consistent regulations.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F13-191)

PROPOSAL 344 - 5 AAC 39.975. Definitions. Add spiny king crab (*Paralithodes brevipes*) as defined species of king crab to be regulated under 5 AAC 34, as follows:

5 AAC 39.975. Definitions.

(17) “king crab” means any or all of the following species

(E) Paralithodes brevipes

ISSUE: The king crab species *Paralithodes brevipes* (known as spiny king crab, Hanesaki king crab) is not currently listed as a king crab species in the State of Alaska regulations. *Paralithodes brevipes* must currently be harvested as miscellaneous shellfish. This creates confusion within the regulations. *Paralithodes brevipes* is being caught in the Norton Sound Section of the Bering Sea registration area.

WHAT WILL HAPPEN IF NOTHING IS DONE? The enforcement of harvest rules for both commercial and subsistence users will continue to be unnecessarily confusing. Money will not be spent on research without the species being listed as a king crab species. Marketing may suffer with the failure of the species not being recognized as king crab, and processors may refuse to buy the crab from commercial fishers.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, this would allow the king crab fisheries to harvest this as

a directed harvest rather than an incidental harvest. The fishers must currently take care not to exceed the allowable harvest of incidental species. By recognizing the species as a target species, the board would encourage the development of harvest standards to benefit the stability of the stock and development of the fishery.

WHO IS LIKELY TO BENEFIT? Commercial crab fishers may eventually have an opportunity to harvest *Paralithodes brevipes*. Small sales in local artisanal fisheries help to develop fisheries and markets.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? N/A.

PROPOSED BY: Norton Sound Economic Development Corporation (HQ-F13-122)

PROPOSAL 345 - 5 AAC 34.050. Lawful gear for king crab and 5 AAC 34.925. Lawful gear for Registration Area Q. Allow king crab be taken by hand line during winter commercial fishery in the Norton Sound Section, as follows:

Hand lines may be used as a gear type during the Norton Sound winter commercial king crab fishery.

ISSUE: Add hand lining to the legal gear for winter commercial king crab fishery in the Norton Sound Area. Ice conditions do not allow for the deployment of crab pots in many Norton Sound locations during the winter. The chance of pots being lost to ice movement is too great for deployment of pots. Several of these locations have significant crab resources and local fisherman wanting to participate in the winter fishery. Both the economic and possible biological impact of pots being lost are keeping fisherman from participating.

WHAT WILL HAPPEN IF NOTHING IS DONE? The blue king crab stocks of the district support only a small fraction of their potential harvest and during some years the winter fisheries of red king crab are extremely limited due to unstable ice. Harvest opportunity will be lost because ice conditions do not allow for the deployment of pots for any length of time.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? This proposal would not improve the quality of the resource, but it might slightly increase the quantity of crab harvested.

WHO IS LIKELY TO BENEFIT? Low income village residents that live in communities with little economic opportunity.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? To allow customary trade of shellfish in Norton Sound, thus allowing the sale of hand line caught crab. Customary trade limits would not provide enough opportunity for this harvest method to be used as a means of income.

PROPOSED BY: Norton Sound Economic Development Corporation (HQ-F13-123)

PROPOSAL 346 - 5 AAC 34.915. Norton Sound Section red king crab harvest strategy. Adjust harvest rates and trigger points based on changes in abundance model, as follows:

If the abundance model is changed by the Crab Plan Team in 2013, we would like the board to adjust harvest rates and trigger points to continue current practices.

ISSUE: This proposal is a place holder to allow changes to be made to the Norton Sound Red King Crab harvest strategy if necessary. The Norton Sound Red King Crab model is currently under review by the NPFMC Crab Plan team and significant changes to the model may be made. The model review will take place April 30 to May 3, 2013 and may also be included in generic model workshop in September 2013. Results of the modeling workshops should be finalized in time for harvest strategy changes to be acted on at the March 2014 meeting. There is the concern that the same type of models change that took place in 2011 may take place again. An ACR was submitted in 2011 to adjust the harvest rates.

WHAT WILL HAPPEN IF NOTHING IS DONE? If the model is changed, no action may result in a significant reduction in commercial harvest.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? The proposal seeks to provide a sustained yield and to reduce unwarranted changes in harvest rate which destabilize the commercial fishery. The Norton Sound Fishery is arguably the most stable king crab fishery in the state. Harvest has tended slightly upward over a 25 year period. This trend could not be sustained for this period if the harvest rate were excessive. Stability in the fishery is important in keeping the region's most valuable commercial fishery healthy.

WHO IS LIKELY TO BENEFIT? Commercial fisherman will be allowed to continue at levels that have been sustainable in the past.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? N/A.

PROPOSED BY: Norton Sound Economic Development Corporation (HQ-F13-124)

PROPOSAL 347 - 5 AAC 35.500. Description of Registration Area J and 5 AAC 35.505. Description of Registration Area J districts. Amend description of registration area and districts, as follows:

5 AAC 35.500. Description of Registration Area J. Registration Area J includes all Pacific Ocean waters south of the latitude of Cape Douglas (58° 51.10' N. lat.), and west of **149° 00.00' W. long.** [THE LONGITUDE OF CAPE FAIRFIELD (148° 50.25' W. LONG.)], and all Bering Sea and Pacific Ocean waters east of the Maritime Boundary Agreement Line as that line is described in the text of and depicted in the annex to the Maritime Boundary Agreement between the United States and the Union of Soviet Socialist Republics signed in Washington, June 1, 1990, and as that Maritime Boundary Agreement Line is depicted on *NOAA Chart #513*, (6th Edition, February 23, 1991) and *NOAA Chart #514*, (6th Edition, February 16, 1991) adopted by reference.

5 AAC 35.505. Description of Registration Area J districts. (a) Kodiak District: **all Pacific Ocean waters south of the latitude of Cape Douglas (58° 51.10' N. lat.), west of 149° 00.00' W. long., and east of a line extending south from Cape Kumlik along 157° 27.00' W. long.** [WATERS SOUTH OF THE LATITUDE OF CAPE DOUGLAS (58° 51.10' N. LAT.), WEST OF THE LONGITUDE OF CAPE FAIRFIELD (148° 50.25' W. LONG.), AND EAST OF THE LONGITUDE OF CAPE KUMLIK (157° 27' W. LONG.);]

(1) Northeast Section: all waters **of the Kodiak District northeast of a line extending 145° from Cape Chiniak at 57° 37.20' N. lat., 152° 09.37' W. long., east of a line between Inner Point and Afognak Point along 152° 47.75' W. long., east of 152° 30.00' W. long in Shuyak Strait, and east of a line extending north from Shuyak Island along 152° 20.00' W. long.** [NORTHEAST OF A LINE EXTENDING 145° FROM THE EASTERNMOST TIP OF CAPE CHINIAK, EAST OF A LINE FROM THE NORTHERNMOST TIP OF INNER POINT TO THE SOUTHERNMOST TIP OF AFOGNAK POINT, EAST OF 152° 30' W. LONG. IN SHUYAK STRAIT, AND EAST OF THE LONGITUDE OF THE NORTHERNMOST TIP OF SHUYAK ISLAND (152° 20' W. LONG.);]

(2) Eastside Section: all waters **of the Kodiak District southwest of a line extending 145° from Cape Chiniak at 57° 37.20' N. lat., 152° 09.37' W. long., northeast of a line extending 168° from Cape Barnabas at 57° 09.07' N. lat., 152° 52.20' W. long., and east of 153° 16.00' W. long. in Sitkalidak Strait** [SOUTHWEST OF A LINE EXTENDING 145° FROM THE EASTERNMOST TIP OF CAPE CHINIAK, NORTHEAST OF A LINE EXTENDING 168° FROM THE EASTERNMOST TIP OF CAPE BARNABAS AND OLD HARBOR NARROWS EAST OF 153° 16' W. LONG.];

(3) Southeast Section: all waters **of the Kodiak District southwest of a line extending 168° from Cape Barnabas at 57° 09.07' N. lat., 152° 52.20' W. long., east of 156° 20.22' W. long., south of a line extending 222° from Cape Trinity at 56° 44.80' N. lat., 154° 08.90' W. long., and west of 153° 16.00' W. long. in Sitkalidak Strait** [SOUTHWEST OF A LINE EXTENDING 168° FROM THE EASTERNMOST TIP OF CAPE BARNABAS, AND EAST OF A LINE EXTENDING 222° FROM THE SOUTHERNMOST TIP OF CAPE TRINITY];

(4) Southwest Section: all waters **of the Kodiak District west of a line extending 222° from Cape Trinity at 56° 44.80' N. lat., 154° 08.90' W. long., east of 156° 20.22' W. long., and south of a line from Cape Ikolik at 57° 17.40' N. lat., 154° 47.40' W. long. to a point offshore at 57° 14.01' N. lat., 155° 31.95' W. long., continuing to a point offshore at 56° 45.00' N. lat., 156° 20.22' W. long., including all of Alitak and Olga bays** [WEST OF A LINE EXTENDING 222° FROM THE SOUTHERNMOST TIP OF CAPE TRINITY, SOUTH OF A LINE FROM THE WESTERNMOST TIP OF CAPE IKOLIK TO 57° 15' N. LAT., 155° 30' W.

LONG., TO 56° 45' N. LAT., 156° 19' W. LONG., AND EAST OF THE LONGITUDE OF CAPE KILOKAK (156° 19' W. LONG.);

(5) Semidi Island Overlap Section: all waters of the Kodiak District west of a line extending south from the Alaska Peninsula (near Kilokak Rocks) along 156° 20.22' W. long. and east of a line extending south from Cape Kumlik along 157° 27.00' W. long. [WEST OF THE LONGITUDE OF CAPE KILOKAK (156° 19' W. LONG.) AND EAST OF THE LONGITUDE OF CAPE KUMLIK (157° 27' W. LONG.)];

(6) Westside Section: all waters of the Kodiak District north of a line from Cape Ikolik at 57° 17.40' N. lat., 154° 47.40' W. long., continuing to a point offshore at 57° 14.01' N. lat., 155° 31.95' W. long., east of a line from a point offshore at 57° 14.01' N. lat., 155° 31.95' W. long., continuing to a point offshore at 58° 00.00' N. lat., 154° 00.00' W. long., continuing to a point offshore at 58° 51.10' N. lat., 154° 45.00' W. long., west of a line between Inner Point and Afognak Point along 152° 47.75' W. long., west of 152° 30.00' W. long. in Shuyak Strait, and west of a line extending north from Shuyak Island along 152° 20.00' W. long. [NORTH OF A LINE FROM THE WESTERNMOST TIP OF CAPE IKOLIK, EAST OF A LINE FROM 57° 15' N. LAT., 155° 30' W. LONG., TO 58° N. LAT., 154° W. LONG., TO 58° 51.10' N. LAT., 152° 45' W. LONG., WEST OF A LINE FROM THE NORTHERNMOST TIP OF INNER POINT TO THE SOUTHERNMOST TIP OF AFOGNAK ISLAND, WEST OF 152° 30' W. LONG IN SHUYAK STRAIT, AND WEST OF THE LONGITUDE OF THE NORTHERNMOST TIP OF SHUYAK ISLAND (152° 20' W. LONG.)];

(7) North Mainland Section: all waters of the Kodiak District enclosed by a line from Cape Douglas at 58° 51.10' N. lat., 153° 15.09' W. long. to a point offshore at 58° 51.10' N. lat., 152° 45.00' W. long., continuing to a point offshore at 58° 00.00' N. lat., 154° 00.00' W. long., continuing to the Alaska Peninsula at 58° 00.00' N. lat., 154° 47.68' W. long. [NORTH OF 58° N. LAT. AND WEST OF A LINE FROM 58° 51.10' N. LAT., 152° 45' W. LONG. TO 58° N. LAT., 154° W. LONG.];

(8) South Mainland Section: all waters of the Kodiak District enclosed by a line from the Alaska Peninsula at 58° 00.00' N. lat., 154° 47.68' W. long. to a point offshore at 58° 00.00' N. lat., 154° 00.00' W. long., continuing to a point offshore at 57° 14.01' N. lat., 155° 31.95' W. long., continuing to a point offshore at 56° 45.00' N. lat., 156° 20.22' W. long., continuing to the Alaska Peninsula (near Kilokak Rocks) at 57° 10.34' N. lat., 156° 20.22' W. long. [SOUTH OF 58° N. LAT., WEST OF A LINE FROM 58° N. LAT., 154° W. LONG., TO 57° 15' N. LAT., 155° 30' W. LONG., TO 56° 45' N. LAT., 156° 19' W. LONG., AND EAST OF THE LONGITUDE OF CAPE KILOKAK (156° 19' W. LONG.)]

(b) South Peninsula District: all Pacific Ocean waters west of a line from Kupreanof Point at 55° 33.98' N. lat., 159° 35.88' W. long., to Castle Rock at 55° 16.80' N. lat., 159° 29.11' W. long. and extending 135° southeast from Castle Rock, and east of a line extending south from Scotch Cap Light along 164° 44.72' W. long. [THE SOUTHERNMOST TIP OF KUPREANOF POINT TO THE EASTERNMOST TIP OF CASTLE ROCK, WEST OF A LINE EXTENDING SOUTHEAST 135° FROM THE EASTERNMOST TIP OF CASTLE ROCK, AND EAST OF A LINE EXTENDING SOUTH FROM SCOTCH CAP LIGHT];

...

(c) Eastern Aleutian District: all waters between the longitude of Scotch Cap Light (164° 44.72' W. long.) and 172° W. long., and south of 54° 36' N. lat.

...

(3) **Makushin/Skan** [MUKUSHIN/SKAN] Bay Section: all waters of Alaska south of the latitude of Cape Kovrizhka (53° 50.67' N. lat.) and north of the latitude of Spray Cape (53° 36.83' N. lat.);

...

(f) Chignik District: all Pacific Ocean waters east of a line from **Kupreanof Point at 55° 33.98' N. lat., 159° 35.88' W. long., to Castle Rock at 55° 16.80' N. lat., 159° 29.11' W. long., and extending 135° southeast from Castle Rock, and west of a line extending south from Cape Kumlik along 157° 27.00' W. long.** [THE SOUTHERNMOST TIP OF KUPREANOF POINT TO THE EASTERNMOST POINT OF CASTLE ROCK, AND EAST OF A LINE EXTENDING SOUTHEAST 135° FROM THE EASTERNMOST POINT OF CASTLE ROCK AND WEST OF THE LONGITUDE OF THE EASTERNMOST TIP OF CAPE KUMLIK.]

ISSUE: As commercial shellfish regulations developed, demarcation lines within and between management areas sometimes changed independently of each other. The intent of this proposal is to standardize demarcation lines across commercial fisheries, as well as update specific demarcation coordinates to reflect the best precision afforded by current technology.

WHAT WILL HAPPEN IF NOTHING IS DONE? There will be continued use of ambiguous demarcation lines.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BY IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Commercial fishermen, fishery managers, and law enforcement personnel will benefit from clear and consistent regulations.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F13-192)

PROPOSAL 348 - 5 AAC 34.612. Harvest levels for golden king crab in Registration O. Increase harvest limit for Aleutian Islands golden king crab, as follows:

5 AAC 34.612. Harvest levels for golden king crab in Registration Area O.

(a) [UNTIL THE ALEUTIAN ISLANDS GOLDEN KING CRAB STOCK ASSESSMENT MODEL IS ESTABLISHED BY THE DEPARTMENT AND A HARVEST STRATEGY IS ADOPTED BY THE BOARD OF FISHERES,] The harvest levels for the Registration Area O golden king crab fishery are as follows:

(1) east of 174 degrees W. long.: **3.81** [3.31]million pounds;

and

(2) west of 174 degrees W. long.: **3.43** [2.98]million pounds.

(b) In implementing these harvest levels, the department shall use the best scientific information available and consider the reliability of estimates and performance measures,

sources of uncertainty as necessary to avoid overfishing, and other factors necessary to be consistent with sustained yield principles.

ISSUE: The Aleutian Islands golden king crab fishery is underutilized and has been for many years. The loss to harvesters, processors and over 60 Alaskan communities has been estimated to be over \$70 million in the past six years. This fishery is classified as Category 5 by the National Marine Fisheries Service and there is no stock assessment model or harvest strategy currently being utilized. A model has been under development by the department for years, but has not been finalized or approved. In 2012 the board adopted a 5% increase for this fishery with the expectation that a model and harvest strategy would be in place in a relatively short period of time. There is uncertainty about whether a model will ever be acceptable as a stock assessment tool. The golden king crab harvesters are requesting a conservative harvest limit increase of 10-15%.

WHAT WILL HAPPEN IF NOTHING IS DONE? It is clear from fishery performance and research project results that this crab fishery is in a robust condition and is underutilized. The financial loss to harvesters, processors and communities has been significant for years. This will continue without action by the board to increase the harvest levels.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? While the quality of the resource being harvested would not change, it is likely that new markets and product forms would be developed under an increased harvest limit. This would give the harvesters and processors flexibility in developing new markets and allow for increased opportunities to work with live crab shipments and other innovative ways to provide the public with buying options.

WHO IS LIKELY TO BENEFIT? All crab harvesters, processors and communities for the Aleutian Islands golden king crab fishery would benefit. The department would also benefit by having more flexibility when designing and implementing research projects.

WHO IS LIKELY TO SUFFER? No one will suffer. Due to the small increase in actual pounds harvested, as well as the near 100% domestic marketing for this product, no other crab fishery markets would be impacted.

OTHER SOLUTIONS CONSIDERED? There is no other solution. The Aleutian Islands golden king crab assessment model has not been adopted after years of development and it is unlikely that it will be implemented soon. Even if it were, the development and approval of a harvest strategy could take several more years. The responsibility for setting harvest limits for this fishery is under the jurisdiction of the board.

PROPOSED BY: Golden King Crab Coalition (HQ-F13-059)

PROPOSAL 349 - 5 AAC 34.610. Fishing seasons for Registration Area O. Modify Aleutian Islands golden king crab season, as follows:

5 AAC 34.610(b) Fishing Seasons for Registration Area O.

(b) Male golden king crab may be taken only from 12:00 noon **May 15** [AUGUST 15] through 11:59 p.m. **February 15** [MAY 15]

ISSUE:

a. The season opening date for golden king crab in Registration Area O is too late in the year to enable the harvesters to execute the harvest when the weather conditions are optimal for safety and efficiency.

b. The Registration Area Processors, Alyeska Seafoods, Westward Seafoods, Icicle Seafoods, and Unisea Seafoods were all closed for maintenance by the first or second week of November 2012. The processors listed were unavailable to receive deliveries until the first week of January 2013. This situation greatly reduces the delivery options for catcher vessels whom have not completely harvested their golden king crab quota by the early part of November.

WHAT WILL HAPPEN IF NOTHING IS DONE? The harvesters will be unable to fish in the summer months when the safest weather conditions exist. Some harvesters will continue to struggle with limited option for offloading deliveries to processors late in the year.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED? Yes. Crab handling is improved in the mild weather conditions that are present in the summer months. Mortality rates are lower for the juvenile and female crabs that are returned to the sea when mild sea and weather conditions exist.

WHO IS LIKELY TO BENEFIT? Fishermen and processors will both benefit from this proposal. The working conditions will be safer for the fishermen working on the decks of the vessels engaged in this fishery. For the processors, the market timing for the majority of the harvest will be improved because it will be available for the distribution earlier in the year, when very little king crab is available. They would also be able to close for annual maintenance earlier, before Thanksgiving, to let their crews off for the holidays.

WHO IS LIKELY TO SUFFER? None that I am aware of.

OTHER SOLUTIONS CONSIDERED? Season opening date of February 15 and closing date of November 15. These dates are a solution to the issue of lack of options for deliveries made late in the year. These season dates do not encourage harvesters to make the majority of their deliveries when weather conditions are the safest, because February is a winter fishing month, and the weather doesn't calm down until around the month of May.

PROPOSED BY: Chad Hoefler

(HQ-F13-016)

PROPOSAL 350 - 5 AAC 34.60X. Description of districts. Establish districts for western Aleutian Islands red king crab, as follows:

Amend the repealed provision “5 AAC 34.605. Description of districts” and add the following language:

“The portion of Area O between 171 and 179 degrees west longitude shall be defined as the “Adak District” and the portion of Area O west of 179 degrees west longitude shall be defined as the “Petrel District”.

ISSUE: The portion of Area O between 171 and 179 degrees west longitude needs to be managed as a defined district independently of the portion west of 179 degrees which is managed under the federal crab rationalization program.

WHAT WILL HAPPEN IF NOTHING IS DONE? The regulations targeted as a state managed small boat RKC fishery between 171 and 179 degrees west longitude need to be applied to a defined district.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? It is neutral.

WHO IS LIKELY TO BENEFIT? Vessels 60’ or less who participate in a RKC fishery in the portion of area O between 171 and 179 degrees west longitude.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Adak Community Development Corporation (HQ-F13-245)

PROPOSAL 351 - 5 AAC 34.6XX. Adak District Red King Crab Management Plan.
Establish management measures for Adak red king crab fishery, as follows:

In “5 AAC 34.6XX add provisions stating: “In the Adak District (between 171 to 179 degrees west longitude):

A – pots may be operated to take Red King crab only from 8:00 a.m. to 5:59 p.m., with a soak time of 14 hours, from 6:00 p.m. to 7:59 a.m., during the season”

B – during the red king crab season, an operator of a vessel registered to fish in the commercial red king crab fishery shall complete logbooks provided by the department.

C – during the red king crab season, an operator of a vessel registered to fish in the commercial red king crab fishery must report each day to the department (1) the number of pot lifts; (2) the number of crab retained for the 24 hour fishing period preceding the report; (3) any other information the commissioner determines is necessary for the management and conservation of the fishery as specified in 5 AAC 34.606.”

ISSUE: Small GHL crab fisheries require careful management, but observer coverage is costly. In other small GHL fisheries the department has used a combination of logbooks, daily reporting and ‘daylight’ fishing restriction.

WHAT WILL HAPPEN IF NOTHING IS DONE? Without daily reporting requirements a small GHL fishery is difficult to manage.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? It is neutral.

WHO IS LIKELY TO BENEFIT? Vessels 60' and under who participate in a RKC fishery in the portion of Area O between 171 and 179 degrees west longitude.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? Full observer coverage could be required, but it would be prohibitively expensive.

PROPOSED BY: Adak Community Development Corporation (HQ-F13-250)

PROPOSAL 352 - 5 AAC 34.6XX. Closed waters. Close federal waters between 171° W. long. and 179° W. long. to fishing when red king crab guideline harvest level (GHL) in state-waters is less than 250,000 pounds, as follows:

Add a “close waters” provision “5 AAC 34.6XX” with the following language:

“When the GHL for red king crab in the Adak district (between 171 and 179 degrees west longitude) is less than 250,000 lbs., all waters between 171 and 179 degrees west longitude outside state waters shall be closed to fishing for red king crab.”

ISSUE: The vessel size limits and pot limits only apply in state waters in the portion of Area O between 171 and 179 degrees west longitude.

WHAT WILL HAPPEN IF NOTHING IS DONE? The ability to manage a small GHL RKC fishery between 171 and 179 degrees west longitude will be constrained with no limits outside state waters.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? It is neutral.

WHO IS LIKELY TO BENEFIT? Vessels 60' and under who participate in a RKC fishery in the portion of Area O between 171 and 179 degrees west longitude.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? Extend the vessel size limits and pot limits to the portion of the Adak district outside state waters.

PROPOSED BY: Adak Community Development Corporation (HQ-F13-251)

PROPOSAL 353 - 5 AAC 34.606. Area O registration. Establish registration deadline for Adak red king crab, as follows:

In 5 AAC 34.606(b) at the end of the first sentence after the clause "...21 days before that vessel begins fishing operations" add a provision stating:

Except that in the Adak District (between 171 to 179 degrees west longitude) for the red king crab fishery, the deadline is seven days before that vessel begins fishing operations.

ISSUE: 5 AAC 34.606. requires 21 days advance registration in all Area O king crab fisheries.

WHAT WILL HAPPEN IF NOTHING IS DONE? The long lead time reduces flexibility for vessels 60' or less to move in and out of cod or IFQ fisheries.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? It is neutral.

WHO IS LIKELY TO BENEFIT? Vessels 60' or less who participate in a RKC fishery in the portion of Area O between 171 and 179 degrees west longitude.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? A vessel 60' or less could be allowed to be registered for Adak district RKC while also registered for AI state water cod, but this could complicate monitoring pot limits.

PROPOSED BY: Adak Community Development Corporation (HQ-F13-246)

PROPOSAL 354 - 5 AAC 34.610. Fishing seasons for Registration Area O. Open Adak red king crab fishery by emergency order July 1, as follows:

Amend the provision "5 AAC 34.610(a)" with the following additional language:

Except that at the commissioner's discretion, in the Adak district (between 171 and 179 west longitude) the commissioner may open and close, by emergency order, a season for male red king crab beginning 12:00 noon, July 1st and ending no later than 11:59 p.m. February 15.

ISSUE: The current season opening date for Area O is October 15th. That date forces fishing into a time of year that is unsafe for vessels 60' or less in portion of Area O between 171 and 179 degrees west longitude.

WHAT WILL HAPPEN IF NOTHING IS DONE? Small boats in RKC fishery between 171 and 179 degrees west longitude will be forced to fish in bad weather and their product will enter the market at the same time as the large scale Bristol Bay fishery.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes. An earlier opening date creates the opportunity to serve a live crab market at a different time of year than the large scale Bristol Bay RKC fishery.

WHO IS LIKELY TO BENEFIT? Vessels 60' and under who participate in a RKC fishery in the portion of Area O between 171 and 179 degrees west longitude.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Adak Community Development Corporation (HQ-F13-247)

PROPOSAL 355 - 5 AAC 34.628. Operation of other gear in Registration Area O. Exempt persons and vessels participating in Adak District red king crab fishery from participation in certain other fisheries, as follows:

Add a paragraph (b) to "5 AAC 34.628" with the following additional language:

Persons and vessels participating in the Adak district (between 171 and 179 west longitude) red king crab fisheries are exempt from the requirements of 5 AAC 34.053(1), 5 AAC 35.053(1) and 5 AAC 34.628(a), but vessels registered for the fishery are prohibited from the use of other pot, trawl, or longline gear seven days prior to the scheduled opening of the fishery.

ISSUE: Existing regulations for all of Area O prohibit the use of other pot, trawl, or longline gear 30 days prior to the scheduled opening of the fishery. However the federal fishery west of 179 degrees west longitude is exempted from the restriction on the use of other gear under 5 AAC 39.685.

WHAT WILL HAPPEN IF NOTHING IS DONE? Small boats in the RKC fishery between 171 and 179 degrees west longitude would be unable to participate in other fisheries, such as Aleutian state water Pacific cod, for a month prior to the opening of the RKC fishery, making it un-economical for local vessels.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? It is neutral.

WHO IS LIKELY TO BENEFIT? Vessels under 60' who participate in a RKC fishery in the portion of Area O between 171 and 179 degrees west longitude.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Adak Community Development Corporation (HQ-F13-248)

PROPOSAL 356 - 5 AAC 34.640. Registration Area O inspections and inspection points.

Add Adak as tank inspection location for red king crab, as follows:

In paragraph (b) to “5 AAC 34.640.” the phrase: “inspected by a local representative of the department at Dutch Harbor, Akutan, or King Cove” add the following language:

“or in Adak by a Law Enforcement Officer certified by the Alaska Police Standards Council”

ISSUE: Existing regulations for Area O require tank inspections by “local representation of the department”. There are generally no ADF&G personnel in Adak, and the nearest port with ADF&G staff in Dutch Harbor, which is 400 miles away.

WHAT WILL HAPPEN IF NOTHING IS DONE? Small boats based in Adak would have to undertake an 800 mile roundtrip to be able to fish RKC in the Adak district (between 171 and 179 degrees west longitude), which is unduly burdensome.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? It is neutral.

WHO IS LIKELY TO BENEFIT? Vessels under 60’ who participate in a RKC fishery in the portion of Area O between 171 and 179 degrees west longitude.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? The commissioner could be given discretion to waive tank inspections in Adak if a department representative was not available.

PROPOSED BY: Adak Community Development Corporation (HQ-F13-249)

PROPOSAL 357 - 5 AAC 34.600. Description of Registration Area O. Amend description of Aleutian Islands king crab registration area, as follows:

5 AAC 34.600. Description of Registration Area O. Registration Area O has as its eastern boundary the longitude of Scotch Cap Light (**164° 44.72' W. long.**) [(164° 44' W. LONG.)], its western boundary the Maritime Boundary Agreement Line as that line is described in the text of and depicted in the annex to the Maritime Boundary Agreement between the United States and the Union of Soviet Socialist Republics signed in Washington, June 1, 1990, and as that

Maritime Boundary Agreement Line is depicted on *NOAA Chart #513* (6th Edition, February 23, 1991) and *NOAA Chart #514* (6th Edition, February 16, 1991), adopted by reference, and its northern boundary a line from the latitude of Cape Sarichef (54° 36' N. lat.) to 171° W. long., north to 55° 30' N. lat., and west to the Maritime Boundary Agreement Line.

ISSUE: As commercial shellfish regulations developed, demarcation lines within and between management areas sometimes changed independently of each other. The intent of this proposal is to standardize demarcation lines across commercial fisheries, as well as update specific demarcation coordinates to reflect the best precision afforded by current technology.

WHAT WILL HAPPEN IF NOTHING IS DONE? There will be continued use of ambiguous demarcation lines.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BY IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Commercial fishermen, fishery managers, and law enforcement will benefit from clear and consistent regulations.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F13-189)

PROPOSAL 358 - 5 AAC 34.917. Saint Matthew Island Section Blue King Crab Harvest Strategy. Revise the St. Matthew Island blue king crab fishery harvest strategy, as follows:

Change the regulatory threshold for opening the Saint Matthew Island Section blue king crab fishery from a threshold based on biomass of mature males (currently 2.9 million pounds) to a threshold of 1.609 million mature-sized males at the time of survey. The new threshold is one-half of the average of the estimated survey-equivalent number of mature-sized males present at the time of survey during 1978–2012 (3.217 million mature-sized males).

Change the fishery harvest rate on the number of mature-sized males estimated at the time of survey to vary linearly from 5 percent when the estimated survey-equivalent number of mature-sized males at the time of survey is at threshold (1.609 million mature-sized males) to a maximum of 10 percent when the estimated survey-equivalent number of mature-sized males at the time of survey is equal to or greater than two times the threshold (3.217 million mature-sized males), with the restriction that no more than 25 percent of legal males estimated at the time of survey will be harvested.

The current harvest rate on the number of mature-sized males estimated at the time of survey varies linearly from 10 percent when the estimated abundance of mature-sized males at the time of survey is at threshold (2.9 million pounds) to a maximum of 20 percent when the estimated

biomass of mature-sized males at the time of survey is four times the threshold (11.6 million pounds) or greater, with the restriction that no more than 40 percent of legal males estimated to be present at the time of survey will be harvested.

ISSUE: The existing regulatory harvest strategy is not compatible with federal overfishing levels. When setting the annual total allowable catch (TAC) during the last three Saint Matthew Island blue king crab fisheries, the TAC was lowered from the value calculated from the existing harvest strategy to comply with federal overfishing limits.

The existing regulatory harvest strategy allows high mature male and legal harvest rates when compared to the Pribilof blue king crab stock.

WHAT WILL HAPPEN IF NOTHING IS DONE? The Saint Matthew Island blue king crab harvest strategy will not reflect actual TAC-setting process.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Participants in the Saint Matthew Island blue king crab fishery.

WHO IS LIKELY TO SUFFER? Unknown.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F13-179)

PROPOSAL 359 - 5 AAC 34.925. Lawful gear for Registration Area Q. Allow groundfish pots in St. Matthew Island blue king crab fishery, as follows:

5 AAC 34.925 (2)(a). In Registration Area Q, the operator of a vessel that is registered for the blue king crab fishery may have on board no more than 10 groundfish pots as defined in 5AAC 28.050(e). Notwithstanding 5AAC 34.050(1), blue king crab taken from these pots may be legally retained.

ISSUE: The crab fleet in St. Matthew's blue king crab Fishery wants to be able to use cod pots during the crab fishery.

WHAT WILL HAPPEN IF NOTHING IS DONE? We catch more crab if we have fresh cod available to use as bait. That means the fishery will be over faster, if we can use hanging bait. Which means the gear will get off the grounds faster. We become more efficient with less impact.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No, not really, except for the fact that we will get pots off the grounds sooner. That is better for the resource.

WHO IS LIKELY TO BENEFIT? Fishermen will benefit because they will catch quota sooner. Resource will benefit because the gear will get off grounds sooner.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Peter Uske (HQ-F13-024)

PROPOSAL 360 - 5 AAC 34.051. King crab gear marking requirements and 5 AAC 34.926. King crab pot marking requirements for Registration Area Q. Eliminate king crab pot marking for Registration Area Q (Bering Sea), as follows:

5 AAC 34.05. King crab gear marking requirements. (b)(1) except in Area Q where the pot limit will remain in effect, but pot tags will not be required.

ISSUE: The logistical problem of tagging pots in storage 380 miles away from Dutch Harbor. Many boats store gear in northern pot storage area before St. Matthew's blue king crab season. In 2012 we didn't get tags until three or four days before fishery, making it almost impossible to store the gear and get back in time for gear inspection.

WHAT WILL HAPPEN IF NOTHING IS DONE? All of those who want to store gear in Northern District will not be able to execute a safe and orderly start to the season.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? No/None. All Area Q fishermen who choose to store pots in northern pot storage area.

WHO IS LIKELY TO SUFFER? All Area Q fishermen who want to store gear in Northern District.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Peter Liske (HQ-F13-025)

PROPOSAL 361 - 5 AAC 34.925. Lawful gear for Registration Area Q. Modify gear marking requirements for longline pots in the Bering Sea golden king crab fishery, as follows:

(f) In Registration Area Q, pots used to take golden king crab may be longlined. Notwithstanding 5 AAC 34.051, a buoy is not required for each pot, but each end of the longline must be marked by a cluster of four buoys [, AS WELL AS A POLE AND A FLAG]. One buoy in the cluster must be marked in accordance with the specifications of 5 AAC 34.051 and have the initials "SL" to identify that the pots are on a shellfish longline. For the purposes of this subsection, "shellfish longline" is a stationary, buoyed, and anchored line with more than one shellfish pot attached [5 AAC 34.051(a)].

ISSUE: Portions of the gear-marking requirements for longlined pots in Registration Area Q (Bering Sea) are not used by fishermen. Golden king crab fishermen in the Bering Sea use marking requirements described for Registration Area O (Aleutian Islands; 5 AAC 34.625). This proposed modification of gear marking requirements would align regulations for Area Q with Area O, thereby reducing confusion among fishermen, fishery managers, and enforcement.

WHAT WILL HAPPEN IF NOTHING IS DONE? The regulation will not reflect current practices.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Fishermen, fishery managers, and enforcement personnel.

WHO IS LIKELY TO SUFFER? Unknown.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F13-184)

PROPOSAL 362 - 5 AAC 35.525. Lawful gear for Registration Area J. Specify vertical placement of escape rings and update definition of escape ring placement in Bering Seas Tanner and snow crab fisheries, as follows:

(b) The following Tanner crab pot requirements are in effect in Registration Area J:

(1) to permit escapement of undersize *C. bairdi* Tanner crab, pots used to take *Chionoecetes bairdi* Tanner crab must have at least one-third of one vertical surface of the pot composed of not less than seven and one-quarter [7 ¼] inch stretched mesh webbing or have no less than four circular escape rings of no less than five inches inside diameter installed on the vertical surface of the pot. The escape rings shall be placed so the bottom of a ring is no higher on the vertical surface than the first full mesh from the bottom of the pot [PLANE TO PERMIT ESCAPEMENT OF UNDERSIZE C. BAIRDI TANNER CRAB]; and

(2) to permit escapement of undersize *C. opilio* Tanner crab, pots used to take *Chionoecetes opilio* Tanner crab must have at least eight escape rings with an inside diameter measure of no less than four inches installed on the vertical surface of the pot so the bottom of a ring is no higher on the vertical surface than the first full mesh from the bottom of the

pot [PLACED WITHIN ONE MESH MEASUREMENT FROM THE BOTTOM OF THE POT], with four escape rings on each of two sides of a four-sided pot, or if the pot has no escape rings as specified in this paragraph, one-half of one side of a four-sided pot must have a side panel composed of not less than five and one-quarter inch stretched mesh webbing [TO PERMIT ESCAPEMENT OF UNDERSIZE *C. OPILIO* TANNER CRAB].

ISSUE: Regulations for lawful gear in Registration Area J do not specify where escape rings must be vertically located on pots targeting *Chionoecetes bairdi* Tanner crab. Escape rings are ineffective at reducing bycatch of female and sublegal crab when not placed near the bottom of a pot. Regulations for *C. opilio* Tanner crab in Registration Area J require escape rings to be located within one mesh measurement from the bottom of the pot (5 AAC 35.525(b)(2)). This proposal would require the same vertical placement of escape rings on *C. bairdi* Tanner crab pots, and update the description of ring placement for *C. opilio* pots.

WHAT WILL HAPPEN IF NOTHING IS DONE? Regulations would continue to allow Tanner crab pots in Registration Area J to be configured in a manner that does not best facilitate escapement of sublegal and female crab.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? The crab fishing industry.

WHO IS LIKELY TO SUFFER? Unknown.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F13-185)

PROPOSAL 363 - 5 AAC 39.670. Bering Sea/Aleutian Islands Individual Fishing Quota (IFQ) Crab Fisheries Management Plan. Clarify vessel check-out provisions in rationalized crab fisheries, as follows:

(c) The following provisions apply to the fisheries specified in this section.

...

(3) ...

(G) a vessel operator who is registered for one of the fisheries listed in (b) of this section must check out with the department in Dutch Harbor or Kodiak by telephone, facsimile transmission, or electronic mail within 72 hours of operating the vessel's last pot in the registration area.

ISSUE: This additional regulatory language would require a vessel to check out within 72 hours after operating its last pot in the registration area, signaling the completion of fishing operations.

Short-term gear storage is permitted on the fishing grounds for up to 14 days after completing fishing operations.

Vessel check-out regulations for individual fishing quota crab fisheries have been modified over time and, with these changes, the intent of the regulation is no longer reflected in regulatory language. Fishermen may participate in a rationalized fishery at any time during the regulatory season, and commonly do not participate throughout the entire season; check-out provisions enable fishery managers to track participation during the entire season.

WHAT WILL HAPPEN IF NOTHING IS DONE? Fishery managers, enforcement agencies, and the U. S. Coast Guard will continue to have inaccurate records of fishery participants.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Fishery managers and enforcement.

WHO IS LIKELY TO SUFFER? Unknown.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F13-186)

PROPOSAL 364 - 5 AAC 39.143. Onboard observer certification and decertification.
Clarify when a trainee observer permit expires, as follows:

- (c) An observer trainee permit expires as follows:
 - (1) a crab observer trainee permit expires on the earlier of the
 - (A) 36th day after the crab observer trainee has participated in a briefing for an observer trip if, during this 36-day period, the trainee has not participated in a **debriefing** [BRIEFING] with the department; or

ISSUE: The regulation incorrectly references "briefing", rather than "debriefing", which misrepresents intent.

WHAT WILL HAPPEN IF NOTHING IS DONE? The regulation leads to confusion concerning the expiration of observer trainee permits.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Clarification of this regulation will benefit observers, observer providers, and the Alaska Department of Fish and Game.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F13-180)

PROPOSAL 365 – 5 AAC 39.143. Onboard observer certification and decertification. Clarify observer definitions for “briefing”, “debriefing”, and “trainee”, as follows:

- (p) In this section,
- (1) "briefing" means a meeting between the department and **an observer** [A TRAINEE] in which the upcoming observer trip is discussed;
 - (2) "debriefing" means a meeting between the department and **(A) an observer** [A TRAINEE] in which the **observer’s collected data are reviewed;**
(B) a trainee observer to determine if the trainee will be granted certification status under (f) of this section [TRAINEE’S LAST OBSERVER TRIP, AND WHETHER THE TRAINEE MEETS THE CRITERIA OF (f) OF THIS SECTION, ARE DISCUSSED];
 - (3) "trainee" means a person who holds a crab or scallop onboard observer trainee permit and is a candidate to be a **certified** crab or scallop onboard observer.

ISSUE: The terms "briefing" and "debriefing" hold the same meaning whether they are applied to trainee or certified observers. A trainee is considered a crab or scallop onboard observer, so the wording in (3) is misleading.

WHAT WILL HAPPEN IF NOTHING IS DONE? The definitions of "briefing" and “debriefing” could be misinterpreted to only apply to a trainee observer and the definition of “trainee” would remain incorrect.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Clarification of this regulation will benefit observers, observer providers, and the Alaska Department of Fish and Game.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F13-181)

PROPOSAL 366 - 5 AAC 39.146. Onboard observer briefing and debriefing. Clarify observer briefing and debriefing instructions, as follows:

(d) If an onboard observer's vessel returns to **any port** [THE PORT OF BRIEFING] for any reason, the observer shall contact the department **immediately and be prepared to provide all of the observer's data and deployment information to the department.** The department may schedule a mid-trip debriefing, which will allow a preliminary data check and provide the department an opportunity to resolve sampling problems or answer observer questions.

ISSUE: Contact with onboard observers deployed at sea is intermittent and observers may not return to the port of briefing for long duration. The observer program must be able to coach observer performance, inform observers of changes to protocols, gather information about their deployments, or spot-check their data any time observers are in a port.

WHAT WILL HAPPEN IF NOTHING IS DONE? Opportunities to coach observer performance, inform observers of changes to protocols, gather information on deployments, or spot-check observer-collected data may be missed if an observer does not remain in contact with the observer program.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Crab and scallop observer data collection and quality may be improved.

WHO IS LIKELY TO BENEFIT? Closer contact with the department will benefit observers, and improved observer data will benefit fishery participants and the department.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? Electronic mail is used to communicate with deployed observers, but is not available or reliable on all vessels. Most vessels are not capable of relaying facsimile or scanned data.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F13-182)

PROPOSAL 367 - 5 AAC 39.645. Shellfish onboard observer program. Update regulations for independent contracting agents, as follows:

(j) An independent contracting agent that provides onboard observers under this section shall ...

(2) secure contracts directly with vessel owners and operators **in pay-as-you-go fisheries;**

(3) **repealed** [PROVIDE THE DEPARTMENT WITH A CERTIFICATION TRAINING PROGRAM PLAN AND THE QUALIFICATIONS OF THE INSTRUCTORS FOR DEPARTMENT APPROVAL NO LESS THAN 30 DAYS FOR IMPLEMENTATION];

...
(6) [COORDINATE WITH THE DEPARTMENT TO SCHEDULE OBSERVER CERTIFICATION EXAMINATIONS AND] provide observer sampling equipment for use **during training classes and** at the examinations;

(k) **Repealed** [THE DEPARTMENT MAY CONDUCT UP TO FOUR EXAMINATIONS PER YEAR. THE DEPARTMENT SHALL CONDUCT AN EXAMINATION WHEN AT LEAST 10 OBSERVER CANDIDATES ARE SCHEDULED TO TAKE THE EXAMINATION].

...

(m) In this section, "pay-as-you-go" means the cost of the observer is paid by the vessel operator.

ISSUE: Funding for observers is either from department funds or is paid for by the vessel (pay-as-you-go). This proposal clarifies that pay-as-you-go vessels secure observers directly from independent contractors. The department secures observers with independent contractors for observers funded through the department.

The department began conducting observer training for the crab and scallop programs in 2012; therefore, subsection (3) is no longer relevant.

The department conducts observer training; therefore, subsection (6) is updated to remove the reference to independent contracting agents coordinating observer examinations with the department. Contractors should continue to provide observer sampling equipment for both the training class and for the examination.

One examination is administered per observer class. Class schedules and sizes are dependent on fishery needs and department capabilities. Subsection (k) is no longer relevant.

WHAT WILL HAPPEN IF NOTHING IS DONE? The changes are consistent with current observer program operations.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Clarification of this regulation will benefit shellfish observer providers, shellfish observers, and the department.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F13-183)

PROPOSAL 370 – 5 AAC 28.070. Groundfish possession and landing requirements. Modify the bycatch assessment requirements on vessels during groundfish fishing, as follows:

5 AAC 28.070. Groundfish possession and landing requirements.

(b) Notwithstanding (a) of this section or any other provision of this chapter, during times when the commissioner determines it necessary for conservation of the resource, to avoid waste of a bycatch species, to prevent overharvest of a bycatch species, or to facilitate consistency of state and federal regulations for a species, the commissioner may close and reopen fishing seasons to provide for changes to groundfish bycatch levels, as provided in this subsection. The commissioner may, by emergency order, close a directed groundfish season and immediately reopen a season during which a CFEC permit holder may have on board **at the time of delivery** a bycatch level of another groundfish species, established by the commissioner and stated in the emergency order, of up to 20 percent, by weight, of the directed groundfish species on board the vessel **at the time of delivery**. Regarding a directed halibut fishery, the commissioner may, by emergency order, close and immediately reopen the fishing season for a bycatch groundfish species during which a CFEC halibut permit holder may have on board a bycatch level of that groundfish species, established by the commissioner and stated in the emergency order, of up to 20 percent, by weight, of the halibut on board the vessel **at the time of delivery**. If a CFEC permit holder has on board the permit holder's vessel fish taken in more than one directed fishery for which a bycatch level has been established under this subsection, each applicable bycatch level percentage is applied to the weight of the fish taken in the applicable directed fishery and the resulting amounts are added together to determine the total weight of the bycatch species that may be on board the vessel **at the time of delivery**.

WHAT IS THE ISSUE YOU WOULD LIKE THE BOARD TO ADDRESS AND WHY?

Current statewide groundfish possession and landing requirements specify that a vessel may not have onboard a bycatch level of another groundfish species, exceeding a specified percentage of the directed groundfish species or halibut onboard the vessel. This proposal seeks to amend statewide groundfish possession and landing requirements (5 AAC 28.070(b)) so that the retainable bycatch level of a groundfish species is assessed at the time of landing. This will allow a fisherman to exceed the specified retainable groundfish bycatch level during a fishing trip provided the amount of retained groundfish bycatch species does not exceed the amount of directed groundfish or halibut onboard the vessel at the time of landing.

PROPOSED BY: Petersburg Vessel Owners Association. *(formerly ACR 1)*

PROPOSAL 371 – 5 AAC 05.362. Yukon River Summer Chum Salmon Management Plan.

Remove dip net size restrictions for Yukon Area districts 1–3 commercial summer chum salmon fisheries, as follows:

5 AAC 05.362. Yukon River Summer Chum Salmon Management Plan.

(k)(1)(A) up to four dip nets; **in this subsection, "dip net" is a bag-shaped net supported on all sides by a rigid frame, in which no portion of the bag is constructed of webbing that exceeds a stretched measurement of 4.5 inches, the frame is attached to a single rigid handle, and is operated by hand** [, AS A DIP NET IS DEFINED IN 5 AAC 39.105];

WHAT IS THE ISSUE YOU WOULD LIKE THE BOARD TO ADDRESS AND WHY?

Current regulations authorizing the use of dip nets prescribes dip net size under 5 AAC 39.105(24). This regulation contemplates dip netting in a personal use fishery, with the size of the dip net

limited to an opening no greater than five feet at any measurement. The proposers argue the use of dip nets in a commercial fishery capacity are unlike personal use. The Yukon River is a much larger, less congested area than personal use dip net areas and the scale of fishery is much larger than personal use. These factors combine to argue for no limits to the size of the dip net.

The addition of dip nets as legal commercial gear was to selectively harvest summer chum salmon and maximize harvest of this species while minimizing or eliminating king salmon mortality during the summer chum salmon fishery. Allowing an unrestricted dip net opening may allow fishermen to substantially increase the number of chum salmon harvested (compared to 2013), thereby utilizing more of the large available surplus observed in recent years and prevent potential negative impacts on chum salmon production.

PROPOSED BY: Yukon Delta Fisheries Development Association. *(formerly ACR 3)*

PROPOSAL 372 – 5 AAC 05.333. Fish wheel specifications and operations. Modify the specifications and operations of a commercial fish wheel in the Yukon Area to allow the use of a lead, as follows:

5 AAC 05.333. Fish wheel specifications and operations. **(a)** Fish wheel baskets must be stopped from rotating in the water during periods closed to commercial and subsistence fishing. The fish wheel registrant is responsible for the operation of the fish wheel.

(b) A lead may be used with a commercial fish wheel operated under this section.

(c) In this section, "lead" is a length of net or fencing employed for guiding fish into a fish wheel.

WHAT IS THE ISSUE YOU WOULD LIKE THE BOARD TO ADDRESS AND WHY?

Leads are an effective method for guiding salmon into fish wheels and commonly used in subsistence fishing. 5 AAC 01.010(a)(4) provides authorization for the use of leads in subsistence fish wheel operations. Modifying existing commercial fishing regulations to allow the use of leads would improve operations and create consistency between subsistence and commercial fishing regulations.

PROPOSED BY: Virgil Umphenour. *(formerly ACR 7)*

PROPOSAL 373 – 5 AAC 05.362. Yukon River Summer Chum Salmon Management Plan.

Remove the exception allowing for a dead king salmon to be taken, but not retained, in the Yukon Area districts 1–3 dip net and beach seine commercial summer chum salmon fisheries, as follows:

5 AAC 05.362. Yukon River Summer Chum Salmon Management Plan

(k)(2) all king salmon caught in dip net and beach seine gear must be **released** [RETURNED] immediately **and returned** to the water **unharmd** [ALIVE, EXCEPT THAT A DEAD KING SALMON MAY BE TAKEN BUT MAY NOT BE RETAINED; THE DEAD KING SALMON MUST BE RECORDED ON A FISH TICKET AND FORFEITED TO THE STATE].

Delete that portion of this regulation that states "...except that a dead king salmon may be taken but may not be retained; the dead king salmon must be recorded on a fish ticket and forfeited to the state." This would make the regulation similar to subsistence fishing regulations in 5 AAC 01.220(n)(3) and would be consistent with other fisheries requiring live release of all king salmon caught in dip nets.

WHAT IS THE ISSUE YOU WOULD LIKE THE BOARD TO ADDRESS AND WHY? This regulation was adopted in January 2013. However, after this summer's fishery, it was discovered that this regulation provided an unforeseen loophole that poses an enforcement problem. Under current regulations, some fishermen may illegally harvest king salmon while commercial fishing with beach seine and dip net gear, and claim to enforcement officers the king salmon were severely injured or killed when caught and they intend to forfeit these fish to the state. It is difficult, if not impossible, to implement requirements or processes that ensure any dead king salmon would always be forfeited to the state. Additionally, given observations from dip net fisheries in other areas of the state, as well as the results of the dip net and beach seine commercial activity in the Yukon River this season, it is highly unlikely for king salmon to incur severe injury or mortality when caught with beach seines or dip nets. Encouraging and enforcing the practice of returning king salmon immediately to the water unharmed can be best achieved by removing language that allows taking of king salmon. To continue commercial fishing for summer chum salmon with beach seine and dip net gear, regulations need to emphasize and ensure all king salmon are released alive.

PROPOSED BY: Alaska Department of Fish and Game. *(formerly ACR 9)*

PROPOSAL 374 – 5 AAC 67.022. Special provisions for seasons, bag, possession, and size limits, and methods and means in the Bristol Bay Area. Modify the time period the Nushagak River single-hook regulation is in effect from year-round to May 1–July 31, as follows:

5 AAC 67.022. Special provisions for seasons, bag, possession, and size limits, and methods and means in the Bristol Bay Area.

(g)(6) **from May 1 – July 31**, only one single-hook, artificial lure or one single hook may be used, except as provided in (4) of this subsection.

WHAT IS THE ISSUE YOU WOULD LIKE THE BOARD TO ADDRESS AND WHY?

5 AAC 67.022(g)(6) was established to protect king salmon. As currently crafted, 5 AAC 67.022(g)(6) effectively requires single hook and no bait for all fishing on the Nushagak drainage for the entire year. The impact of this regulation now applies to all species for the entire year. Establishing a time period of May 1–July 31, and clarifying it applies to king salmon, will clarify implementation of this regulatory change.

PROPOSED BY: Nushagak Fish and Game Advisory Committee. *(formerly ACR 12)*

PROPOSAL 375 – 5 AAC 06.331. Gillnet specifications and operations. Remedy a navigational obstruction in Ugashik River set gillnet salmon fishery, as follows:

5 AAC 06.331

(m)(8) in the Ugashik District, in that portion of the east bank of the Ugashik River from a point at 57° 30.74' N. lat., 157° 24.10' W. long. to 57° 32.27' N. lat., 157° 24.36' W. long., no part of a set gillnet may be more than 600 feet from the east bank 18-foot high tide mark[, EXCEPT THAT A SET GILLNET MAY EXTEND TO 1,000 FEET FROM THE HIGH TIDE MARK IF

(A) NOTWITHSTANDING THE PROVISIONS OF (i) OF THIS SECTION, THE SHOREWARD END OF THE SET GILLNET, IS AT LEAST 400 FEET FROM THE 18-FOOT HIGH TIDE MARK;

(B) THE ANCHORING DEVICES FOR THE SET GILLNET ARE NOT MORE THAN 100 FEET FROM THE SET GILLNET; AND

(C) THE SET GILLNET IS NOT ATTACHED TO A RUNNING LINE CONNECTED TO THE BEACH].

WHAT IS THE ISSUE YOU WOULD LIKE THE BOARD TO ADDRESS AND WHY?

Regulation 5 AAC 06.331(m)(8), adopted in 2012, did not remedy navigational obstruction as intended and proved difficult to enforce. That regulation allowed set gillnet gear to be deployed up to 1,000 feet from shore in the Ugashik River. During the 2013 season, it became apparent that, in certain configurations, use of the full 1,000 feet continues to obstruct navigation in the Ugashik River. This stems from an unanticipated interpretation of the regulation. The 2012 regulation did not identify which bank was referenced for distance measures associated with anchoring and shoreward end of nets. This unintentionally allowed for net configurations closer to the west bank, spanning more of the channel. The regulation also unintentionally allowed gear deployment offshore of a permit holders' own gear, which served to further obstruct navigation.

PROPOSED BY: Alaska Department of Fish and Game. *(formerly ACR 10)*

Proposal 377 is a board-generated proposal created by the board at its December 2013 Lower Cook Inlet Finfish meeting. This proposal will be considered at the Statewide King and Tanner Crab (except Southeast/Yakutat) Meeting, March 17–21, 2014, Anchorage, Alaska.

PROPOSAL 377 – 5 AAC 05.362. Yukon River Summer Chum Salmon Management Plan.

Authorize use of purse seine gear for commercial harvest of Yukon River summer chum salmon in districts 1–3 during times of king salmon conservation; secondarily, the proposal asks for consideration of allowing monofilament purse seine web in this fishery as follows:

5 AAC 05.362(k) is amended to read:

(k) In Districts 1 – 3, during times when the commissioner determines that it is necessary for the conservation of king salmon, the commissioner may, by emergency order, close the commercial gillnet fishing season and immediately reopen a fishing season during which

(1) a permit holder may fish with

(A) up to four dip nets, as a dip net is defined in 5 AAC 39.105;

(B) beach seine gear, with mesh size that does not exceed four inches stretched

measure;

(C) purse seine gear (INSERT ANY PURSE SEINE LENGTH, DEPTH, AND MESH SIZE SPECIFICATIONS, AND ANY EXCEPTIONS TO GENERAL PROVISIONS IN 5 AAC 39.260); notwithstanding 5 AAC 39.170, a purse seine used under this subsection may consist of monofilament web; and

(2) all king salmon caught in dip net and [BEACH] seine gear must be returned immediately to the water alive, except that a dead king salmon may be taken but may not be retained; the dead king salmon must be recorded on a fish ticket and forfeited to the state.

What is the issue you would like the board to address and why? Harvest of surplus Yukon River summer chum salmon has been greatly reduced during recent years because of the need to minimize incidental harvest of king salmon during poor king salmon runs. In January 2013, the board adopted new regulations in an effort to allow for the selective harvest of surplus summer chum salmon while minimizing the impact on king salmon. By emergency order, during times of king salmon conservation, commercial permit holders may use dip net and beach seine gear to harvest summer chum salmon and are required to release king salmon alive. Additionally, commercial gillnets may be restricted to five and one half inch or smaller mesh size, not exceeding 30 meshes in depth.

Despite the marked improvement in commercial summer chum salmon harvest using dip net gear (approximately 189,000 summer chum salmon were harvested in districts 1 and 2 by dip net), there was a foregone commercial harvest of approximately one million summer chum salmon in 2013. This foregone summer chum salmon harvest resulted in a very large escapement that may negatively impact future yield of summer chum salmon. In addition, the king salmon run in 2014 may be so low that commercial gillnet fishing opportunity in the Yukon Area will be further reduced. The inability to capitalize on the available surplus of summer chum salmon will likely continue because of the inefficiency of the current selective harvest gear. In 2013, few, if any, beach seine sites were available because of typical high river water levels during June.

Preliminary feasibility work using purse seine gear and monofilament webbing to selectively harvest chum salmon was conducted by Yukon Delta Fisheries Development Association in July and August 2013 after most of the king salmon run had passed. Therefore, releasing king salmon from this gear type was not fully tested. However, methods for fishing purse seines of 50 fathoms in length and 3.5-inch mesh inriver with small skiffs were developed to catch chum salmon, which could be released. There was incidental mortality of small non-target fish species, such as Bering cisco and small pink salmon that had been gilled in this mesh size. Purse seine gear may assist in increasing harvest of summer chum salmon while minimizing or eliminating king salmon mortality during the summer chum salmon fishery. This could reduce foregone commercial chum salmon harvests, and reduce the potential negative impacts on chum salmon production in the future.

Currently, the use of monofilament purse seine web is prohibited under 5 AAC 39.170. Light-weight monofilament web would facilitate the use of purse seines by the relatively small boats used in this fishery and would also have the additional advantage of a smaller mesh size (possibly 2 inches or smaller) so that the risk of gilling non-target fish species, such as Bering cisco and pink salmon, could be reduced.

Any effort to provide additional commercial summer chum harvest opportunity must first and foremost ensure continued conservation of Yukon River king salmon, which is a stock of concern.

PROPOSED BY: Alaska Board of Fisheries from an emergency petition request by Yukon Delta Fisheries Development Association.