

# Adak Community Development Corporation

March 9, 2019

ADF&G Board of Fisheries  
Boards Support Section  
P.O. Box 115526  
Juneau, AK 99811-5526  
(907) 465-6094 FAX

Re: Supplemental Comments Proposal 180

Dear Chairman Morisky,

ADF&G comments on Prop. 180, are responding to the proposal as worded in the Board Proposal, which encompasses the whole of AI Area O for RKC. They were not responding to the ACDC suggestion to define and refine elements of the proposal

**ADF&G Comments:**

*"WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? State-waters red king and Tanner crab fisheries in the Aleutian Islands would open without harvest limits."*

**ACDC Comment:**

We were only asking for the Adak district of area O as defined for RKC (171-179) applying the same 179 boundary to the western district of Area J for tanners.

*"The Western Aleutian Islands red king crab stock, outside of the Dutch Harbor District, is rationalized and subject to the terms of the FMP in waters of the Exclusive Economic Zone (EEZ; 3 to 200 nmi).*

**ACDC Comment:**

Only the Petrel District is rationalized (west of 179), the Adak District is not rationalize. Additionally, the Federal License Limitation Program was dropped for the Adak District at the time of rationalization.

*(See NPFMC's WAI RKC Stock Split Discussion Paper February 2016, Pg. 10):*

*"Interestingly, although the 2004 final rule for the rationalization program (70FR10174) states that an LLP would be required for RKC in WAI east of 179W, in the regs, the LLP requirement was dropped. Apparently, the intention of the State at the time was for an open access fishery in the area if the stock did return to a level that could support a directed fishery" (pers. comm. K. Bush).*

**ADF&G Comments:**

*Therefore, any state-waters fishery established for red king crab in the western Aleutian Islands (west of 171° W longitude) would need to be coordinated with the Aleutian Island red king crab ABC and OFL adopted by the NPFMC annually." (and) "As funding allows, the department supports periodic red king crab survey efforts to assess if stock condition has improved over the current low abundance level."*

**ACDC Comment:**

The sticky issue is the OFL for RKC. The OFL has been 123,867 lbs since at least 2012, and that will never change as long as it is a tier 5 stock. It is unlikely that the state will be funding AI RKC funding in the foreseeable future. The real solution is to bring the Council's 2016 D-2 discussion paper on removing Adak District RKC from the FMP below back on to the Council's agenda for further action. (the NPFMC adopted a problem statement and alternatives in 2016 but didn't schedule an initial review under staff tasking).

However, as noted in the D-2 WAI RKC Stock Split Discussion Paper, February 2016, Pg.7: *"For the 2011/2012 fishing year ABC was set with a 75% "buffer" relative to OFL, i.e., ABC = 25% OFL. Since then (\*through 2016 - df), ABC has been set with a 40% buffer to allow for an exploratory fishery."* The current ABC is just 25% of OFL leaving 92,000 lbs as a buffer after accounting for all the bycatch in the whole of Area O out of the ABC.

**ADF&G Comments:**

*"The department OPPOSES 3-S management for red king crab in the proposed area and modifying existing boundary lines."*

**ACDC Comment:**

We are not interested in modifying RKC boundary lines, and we are only requesting that the proposal apply to the Adak District of Area O for RKC. ACDC is not expecting the commissioner to open a targeted RKC fishery in the Adak District under his existing authority to do so under "5 AAC 34.616. Adak District red king crab harvest strategy"

*(a) In the Adak District, based on the best scientific information available, if the department determines that there is a harvestable surplus of*

*(1) red king crab available in the waters of Alaska in the Adak District, the commissioner may open, by emergency order, a commercial red king crab fishery only in the waters of Alaska in the Adak District under 5 AAC 34.610(a)(1);*

ACDC's primary interest under Proposal 180 is a targeted exploratory fishery for tanner crab with reasonable retainable bycatch limit of legal sized male RKC. The RKC bycatch limit could easily be covered with a small portion of the current 75% buffer of the OFL above ABC.

**ADF&G Comments:**

*"The department supports authority to issue commissioner permits over a 3-S Tanner crab fishery. A commissioner permit approach would allow for limited exploratory Tanner crab fishing to occur with the goal of determining if marketable quantities of Tanner crab are available to support a fishery."*

**ACDC Comment:**

ACDC has hoped the Board would take action at this meeting flesh out a "3-S" tanner harvest strategy mirroring the 5 AAC 34.616. Adak District red king crab harvest strategy" with 60' vessel size limits, season dates, with provisions for pot limits, and with retainable bycatch of RKC and other non-bairdi tanners (i.e.: grooved and triangle).

ACDC is concerned with the current regulation setting the tanner season from Nov. 1st to March 31st in Area J. The under 60' fleet is focused on the GHF pot cod fishery in the AI until about the end of March. We would prefer the regulations grant the commissioner authority to open and close the fishery based on observed shell condition.

Thank you for considering our comments.

Sincerely,

Rick Koso, President  
Adak Community Development Corporation  
PO Box 1943  
Adak AK 99546