

ACR 4

Change requirement to operate commercial Dungeness crab pot gear from once every 14 days to once every 30 days in Registration Area J (5 AAC 32.415).

CITE THE REGULATION THAT WILL BE CHANGED IF THIS ACR IS HEARD. 5 AAC 32.415. Operation of pot gear for Registration Area J.

WHAT IS THE PROBLEM YOU WOULD LIKE THE BOARD TO ADDRESS? STATE IN DETAIL THE NATURE OF THE CURRENT PROBLEM. This new regulation (adopted March 2018) states that commercial Dungeness crab pots in Registration Area J need to be removed from the water once every 14 days. This time period is too restrictive; due to factors such as weather, number of pots used by fishermen, and distance to the fishing grounds, it's not possible to turn all your gear in a 14-day period.

WHAT SOLUTION DO YOU PREFER? We think that 30 days would give us adequate time to turn all our gear and also accomplish the department's goal of reducing the number of abandoned pots.

STATE IN DETAIL HOW THIS ACR MEETS THE CRITERIA STATED ABOVE.

a) **for a fishery conservation purpose or reason:**

b) **to correct an error in regulation:**

c) **to correct an effect on a fishery that was unforeseen when a regulation was adopted:**
This is the first season that this regulation has been in effect and while we agree with the intent of this regulation and support the department's efforts to reduce the volume of abandoned gear, it has become clear to us that 14 days is not enough time to get through all of our gear. Instead of struggling to comply with this regulation for the next 3 seasons, we are requesting that the board accept this ACR and address this issue out of cycle.

WHAT WILL HAPPEN IF THIS PROBLEM IS NOT SOLVED PRIOR TO THE REGULAR CYCLE? Registration Area J Dungeness crab fishermen will continue to be unable to comply with this regulation due to the 14-day time period being too restrictive. Well-intentioned fishermen will find themselves in violation due to factors beyond their control (e.g., weather, mechanical breakdown, etc.).

STATE WHY YOUR ACR IS NOT PREDOMINANTLY ALLOCATIVE. It would affect all Registration Area J Dungeness crab fisherman equally.

IF THIS REQUEST IS ALLOCATIVE, STATE THE NEW INFORMATION THAT COMPELS THE BOARD TO CONSIDER AN ALLOCATIVE PROPOSAL OUTSIDE OF THE REGULAR CYCLE. It is not allocative.

STATE YOUR INVOLVEMENT IN THE FISHERY THAT IS THE SUBJECT OF THIS ACR. We are Dungeness crab fisherman with long histories of participating in the Kodiak Area

fishery. The Kodiak Dungeness crab fleet is small and the undersigned represent the majority of active participants in the fishery during recent years.

STATE WHETHER THIS ACR HAS BEEN CONSIDERED BEFORE, EITHER AS A PROPOSAL OR AS AN ACR, AND IF SO, DURING WHICH BOARD OF FISHERIES MEETING. No, a 30-day time period has not been considered before. This regulation came from Proposal 209 which proposed a 14-day time period (adopted at the March 2018 Miscellaneous Shellfish board meeting).

SUBMITTED BY: Randy Blondin, Brian Blondin, Jeff Allen, Pete Hannah