

Alaska Board of Fisheries Committee Summary

COMMITTEE B

Bering Sea – Aleutian Islands Crab

March 18, 2014

Board Committee Members:

1. Reed Morisky, *Chair
2. Sue Jeffrey
3. John Jensen

Alaska Department of Fish and Game Staff Members:

1. Wayne Donaldson, CFD
2. Doug Pengilly, CFD
3. Heather Fitch, CFD
4. Melissa Good, CFD
5. Mary Schwenzfeier, CFD
6. Melissa Salmon, CFD
7. Eric Evans, CFD
8. Scott Kent, CFD
9. Kathrine Howard, CFD
10. Jeff Estensen, CFD
11. Jenefer Bell, CFD

Alaska Wildlife Troopers: Not present.

Alaska Department of Law: Not present.

Advisory Committee Members:

1. Charlie Lean, NNS AC
2. Frank Kelty, Unalaska AC

Public Panel Members:

1. Kevin Knowlton
2. Dick Tremaine, Si'u Alaska Corp
3. Henry Mitchell, Coastal Village Region Fund

4. Steve Minor, Seafood Processors
5. Rip Carlton, F/V Aleutian #1
6. Mark Gleason, ABSC
7. Kevin Keith, NSEDC
8. Wes Jones, NSEDC
9. Dave Fraser, ACDC
10. Clem Tillion, AEC
11. Dick Powell, QS Holder
12. Linda Kozak, Golden King Crab
13. Mark Henkel, F/V Erla N, Golden King Crab
14. Rex Capri, F/V Alaska Trojan
15. Ruth Christiansen, ABSC
16. Rick Koso, ACDC

Federal Subsistence Representative: Not present.

The committee met March 18, 2014 at 8:30 a.m. and adjourned at 10:00 a.m.

The committee reconvened at 10:20 a.m. and adjourned at 11:15 a.m.

PROPOSALS BEFORE THE COMMITTEE WERE: (23 total) 344–346 and 348–367.

PROPOSAL 344 – 5 AAC 39.975. Definitions. This proposal would add “spiny”, or Hanasaki, king crab (*Paralithodes brevipes*) to the list of king crab species in the statewide definition regulation. Currently, Hanasaki king crab are managed under miscellaneous shellfish regulations and retained as bycatch in other directed king crab fisheries in Registration Area Q.

Comment Summary:

Department:

- Substitute language will be provided in RC 52.

Department of Law: None.

Federal Subsistence Representative: None.

Public Panel Comments:

- Residents on St. Lawrence Island are currently fishing for these crab
- Can capture up to 50 with little effort in several places around St. Lawrence Island
- Elders have known about these crab for years but have not had a name for them
- Saw few crab in earlier 2000s, now seeing the population explosion
- List them as a commercial king crab species because regulations already exist to deal with them

Public Panel Recommendation: Consensus to support.

PROPOSAL 345 – 5 AAC 34.050. Lawful gear for king crab and 5 AAC 34.925. Lawful gear for Registration Area Q. This proposal would establish hand lines as legal commercial gear in the winter through-the-ice commercial king crab fishery in the Norton Sound Section. Currently, the use of handline gear is only permitted under subsistence regulations.

Comment Summary:

Department:

- Substitute language will be provided in RC 53.

Department of Law: None.

Federal Subsistence Representative: None.

Public Panel Comments:

- Proposed on behalf of Wales residents
- Provide an opportunity to get into the commercial fishery with minimal costs
- Also sea ice can be unstable and hand lining provides an alternative to pots
- Currently people selling subsistence caught crab, this provides an opportunity to rectify this problem.
- Alternative would be to change regulations about customary trade of shellfish to allow for crab.

Public Panel Recommendation: Consensus to support.

PROPOSAL 346 – 5 AAC 34.915. Norton Sound Section red king crab harvest strategy.

This proposal serves as a placeholder to allow for changes to the Norton Sound Section red king crab harvest strategy. The current harvest strategy and other Norton Sound red king crab management issues are summarized in the department written report, RC 3, Tab 7.

Comment Summary:

Department:

- Substitute language will be provided in RC 54.

Department of Law: None.

Federal Subsistence Representative: None.

Public Panel Comments:

- No major change in the crab model so a different direction proposed; the efficiency of the fishery has become the focus.
- At board member request, the proponent provided substitute language for proposal 346, submitted as RC 35.
- This would add a 6th point to the harvest strategy to address efficiency of the fishery.
- The proponent met with Director of Commercial Fisheries about moving closed water designation language to Norton Sound Harvest Strategy.

Public Panel Recommendation: Consensus to support.

PROPOSAL 348 – 5 AAC 34.612. Harvest levels for golden king crab in Registration Area

O. This proposal would increase the Aleutian Islands golden king crab (AIG) total allowable catch (TAC) by 15%. The TAC for the fishery east of 174° W long would increase by 0.5 million pounds, to 3.81 million pounds and the TAC for the fishery west of 174° W long would increase by 0.45 million pounds, to 3.43 million pounds. This proposal would also remove the regulatory reference to a golden king crab stock assessment model and harvest strategy.

Comment Summary:

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Public Panel Comments:

- Vessels avoid areas of high female and sublegal abundance because those are nursery areas.
- Vessels exceed the minimum escapement requirement and the pot gear with large mesh used is efficient and sorts out small crab on the bottom; the gear has shown to be selective for large crab and to allow small crab to escape. Increased soak time since crab rationalization allows more time for the small crab to escape.
- Any bycatch of females and sublegal males arriving on deck is sorted quickly and is gently returned to the sea.
- The same proposal to increase the TAC was brought before board in 2008 and 2012 and the TAC was raised by 5% each time.
- This fishery has never closed and has been very stable since inception.
- Results of NMFS research was described as indicating that golden king crab are hardy. So, sorting mortality rate may be less than 20%. Results of NMFS research was also described as indicating that golden king crab thrive in acidic waters.
- Changes in fishing practices due to crab rationalization should result in a higher TAC.
- The high CPUE in the fishery shows that abundance is high.
- Due to the stability of the fishery, markets have been diversified.
- Representatives from Adak, Unalaska and CDQ groups commented the fishery is important to their local economies.
- RC 37 was referenced to emphasize difference in size composition of catch in small mesh research pots vs. regular fishing pots set side by side: the “bell-shape” of the size distribution of crab captured in the small mesh research pots indicated a healthy population.
- The fishery only targets golden king crab on flat sandy bottoms, but golden king crab are everywhere on the volcano slopes of the Aleutian Islands.
- The federal overfishing limit for Aleutian Islands golden king crab is 12.54 million pounds, but a 10 million pound TAC would be too high. The OFLs estimated by the stock assessment model in development should not have been cited in the staff comments because the model is in development and reviews of the model say that it needs more work.
- Average weight has increase since rationalization.
- 50% of the habitat in the east is being fished; 20% in the west.

Public Panel Recommendation: Consensus to support.

PROPOSAL 349 – 5 AAC 34.610. Fishing seasons for Registration Area O. This proposal would change the Aleutian Islands golden king crab (AIG) season opening and closing dates to three months earlier; the AIG fisheries would open on May 15 rather than August 15 and close on February 15 rather than May 15.

Comment Summary:

Department:

- Maintaining a three month closure is necessary for compiling and assessing fishery data between seasons.
- Suggested August 1 opening and 1 May closure.
- National Marine Fishery Service said an August 1 opening could be accommodated beginning in 2015/16.
- Substitute language will be provided in RC 62.

Department of Law: None.

Federal Subsistence Representative: None.

Public Panel Comments:

- Proposer submitted comment to amend proposal to open August 1 and close on May 15.
- The department only needs a 2.5 month closure period for their post-fishery assessment. The industry needs the extra 0.5 month because only 5 vessels participate in the fishery now and if something happens to take one of those boats out of the fishery they may need that extra time to harvest the full TAC.
- Due to rationalization, vessels must work with specific processors. Opening earlier would allow vessels to complete an extra trip before processors shut down for the month of December.
- Because of the better weather conditions in summer, two weeks of fishing in August are more productive than four weeks in November/December.
- More product would be on the market before red king crab get to market.
- Because spawning is asynchronous there is no seasonal difference in meat-fill.

Public Panel Recommendation:

Consensus opposed to original proposal.

Consensus to support proposers revised dates: open August 1 and close on May 15.

PROPOSAL 350 – 5 AAC 34.60X. Description of districts. This proposal would establish two districts for red king crab fishery management in waters of the Aleutian Islands west of 171° W long. The two districts would be 1) Adak District from 171° to 179° W long, and 2) Petrel District west of 179° W long. (Figure 350-1).

Comment Summary:

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Public Panel Comments:

- A defacto boundary already exists at 179° W long because of:
 - Crab rationalization areas,
 - Board action creating regulations for vessel size and pot limits for the area between 171° W long and 179° W long in 2013,
 - The bathymetry of Amchitka Pass around 179° W long creates a break.
- Some members of the public would support separating Adak out of federal Fishery Management Plan (FMP).
- Under FMP category 2 creating the Adak and Petrel districts meet criteria 1 and 5.

Public Panel Recommendation: No consensus.

PROPOSAL 351 – 5 AAC 34.6XX. Adak District red king crab management plan. This proposal would implement several fishery management measures for red king crab in the Aleutian Islands from 171° W long to 179° W long.

Comment Summary:

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Public Panel Comments:

- Because there is one OFL for the proposed Petrel and Adak districts there is concern that harvest levels in Adak District could affect harvest in Petrel District.
- The proposer intends the Adak red king crab fishery to be managed in a similar manner to small Tanner crab fisheries in the Gulf of Alaska and Unalaska.
- These management measures are intended to provide alternatives to placing observers on vessels in a small boat fishery.
- The department does not have a representative in Adak at this time.
- Some of the public voiced interest in having a survey in both the proposed Adak and Petrel districts.
- Legislation for increased test-fish funds will include both proposed Petrel and Adak districts.

Public Panel Recommendation: No consensus.

PROPOSAL 352 – 5 AAC 34.6XX. Closed waters. This proposal would close the exclusive economic zone (EEZ; 3 – 200 nmi offshore) between 171° and 179° W long to fishing for red king crab when the guideline harvest level (GHL) is less than 250,000 pounds.

Comment Summary:

Department:

- The state has the authority to open state waters if only state waters are surveyed.
- Harvest in state and federal waters in both proposed districts would count against the federal annual catch limit for the entire Aleutian Islands area, west of 171° W long.
- Golden king crab would not be affected by red king crab closures.
- The department confirmed that harvest levels of a directed red king fishery would be set low enough to avoid constraining the golden king crab fishery. The department also noted that bycatch mortality of red king crab in the golden king crab fishery has been very low since the last red king crab fishery; so, if there were constraints on the golden king crab fishery, they would be small.

Department of Law: None.

Federal Subsistence Representative: None.

Public Panel Comments:

- Proposal 350 is the first step in the process to create this fishery. This proposal may not be necessary.
- Some of the public want a Petrel District fishery and a local state managed red king crab fishery around Adak.

Public Panel Recommendation: No consensus.

PROPOSAL 353 – 5 AAC 34.606. Area O registration. This proposal would reduce the preseason registration deadline for the Aleutian Islands red king crab fishery between 171° and 179° W long from 21 days to 7 days.

Comment Summary:

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Public Panel Comments:

- The proposer suggested no action and will submit RC 59 to withdraw the proposal.

Public Panel Recommendation: No action.

PROPOSAL 354 – 5 AAC 34.610. Fishing seasons for Registration Area O. This proposal would change the red king crab season opening date in waters of the Aleutian Islands between 171° and 179° W long to begin 3.5 months earlier. The season would open July 1 rather than October 15. The season closure would remain February 15.

Comment Summary:

Department:

- The department prefers a set opening date in regulation. There is no program in place to monitor when a season should open.
- Substitute language will be provided in RC 63.

Department of Law: None.

Federal Subsistence Representative: None.

Public Panel Comments:

- The season opening date should be flexible and base on biological parameters.
- August 1 is an acceptable alternative opening date.

Public Panel Recommendation: No consensus.

PROPOSAL 355 – 5 AAC 34.628. Operation of other gear in Registration Area O. This proposal would decrease from 30 days to 7 days when fishermen and vessels are prohibited from operating longline, trawl, and pot gear for commercial, subsistence, personal use, or sport fisheries prior to the opening of the commercial red king crab season in the Aleutian Islands between 171° and 179° W long.

Comment Summary:

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Public Panel Comments:

- A month is too long of a stand-down time to be economically feasible. The 30 day period would impact the fleet's ability to participate in other fisheries.
- It is not a prospecting issue as it would be only a local fleet fishing.
- A member of the public was under the impression that the stand-down restrictions in this fishery are more restrictive than in the rest of the state.

Public Panel Recommendation: No consensus.

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

This proposal would allow law enforcement officers certified by the Alaska Police Standards Council to conduct tank inspections in Adak for Aleutian Islands red king crab.

Comment Summary:

Department:

- The department would prefer to send someone to Adak in order to perform tank checks, dockside sampling and answer fishery related questions.

Department of Law: None.

Federal Subsistence Representative: None.

Public Panel Comments:

- Proposer suggested withdrawing the proposal after talking with the department.
- There is concern that the department would delay a season opening if a department representative were not available in Adak.

Public Panel Recommendation: Consensus to support.

PROPOSAL 357 – 5 AAC 34.600. Description of Registration Area O. This proposal would clarify the commercial king crab demarcation line separating the Aleutian Island Area from the Alaska Peninsula Area.

Comment Summary:

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Public Panel Comments: None.

Public Panel Recommendation: Consensus to support.

PROPOSAL 358 – 5 AAC 34.917. Saint Matthew Island Section blue king crab harvest strategy. This proposal would modify the Saint Matthew Island Section blue king crab harvest strategy by: 1) establishing the threshold for consideration of a fishery opening at 1.609 million mature-sized male crab; 2) establishing a harvest rate on the estimated number of mature-sized males that increases linearly from 5%, when the stock is estimated to be at threshold, to 10%, when the estimated number of mature-sized males is two or more times greater than the threshold; 3) restricting the number of legal males that can be harvested to 25% or less of the estimated number of legal males; and 4) clarifying that the stock estimates used to determine a fishery opening and to compute harvest levels are survey-equivalent estimates of abundance at the time of survey.

Comment Summary:

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Public Panel Comments: None.

Public Panel Recommendation: Consensus to support.

PROPOSAL 359 – 5 AAC 34.925. Lawful gear for Registration Area Q. This proposal would allow fishermen registered for the Saint Matthew Island Section blue king crab (SMB) fishery to configure up to 10 pots for groundfish for use in capturing bait for crab fishing operations.

Comment Summary:

Department:

- Substitute language will be provided in RC 64.

Department of Law: None.

Federal Subsistence Representative: None.

Public Panel Comments: None.

Public Panel Recommendation: Consensus to support.

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. This proposal would eliminate buoy tag requirements for the Saint Matthew Island blue king crab (SMB) fishery.

Comment Summary:

Department:

- Clarified that eliminating buoy tags without eliminating the pot limit would leave an unenforceable regulation.

Department of Law: None.

Federal Subsistence Representative: None.

Public Panel Comments: None.

Public Panel Recommendation: Consensus to support.

PROPOSAL 361 – 5 AAC 34.925. Lawful gear for Registration Area Q. This proposal would modify gear marking requirements in Registration Area Q for longlined pots in the Bering Sea golden king crab fishery. The requirement for having a pole and a flag on each end of the longline in the Bering Sea golden king crab fishery would be eliminated.

The proposal would also align gear marking requirements by adding letters “SL” to signify a shellfish longline, which would align gear marking requirements for the Bering Sea with those in the Aleutian Islands (Registration Area O).

Comment Summary:

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Public Panel Comments: None.

Public Panel Recommendation: Consensus to support.

PROPOSAL 362 – 5 AAC 35.525. Lawful gear for Registration Area J. This proposal would specify that in the Bering Sea District of Registration Area J, escape rings on Tanner crab pots could be placed no higher on a vertical surface than the first full mesh from the bottom of the pot and it would clarify the existing ring placement regulation for Bering Sea snow crab pots.

Comment Summary:

Department:

- The department supports a reduction of escapement ring and mesh size, substitute language will be provided in RC 42.

Department of Law: None.

Federal Subsistence Representative: None.

Public Panel Comments:

- Industry would support this proposal if escapement ring and mesh size were reduced to 4.5 inches and 6.5 inches respectively.

Public Panel Recommendation: Consensus to support if escapement ring and mesh size are changed.

PROPOSAL 363 – 5 AAC 39.670. Bering Sea/Aleutian Islands Individual Fishing Quota (IFQ) Crab Fisheries Management Plan. This proposal clarifies vessel check-out provisions for rationalized Bering Sea/Aleutian Islands crab fisheries.

Comment Summary:

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Public Panel Comments: None.

Public Panel Recommendation: Consensus to support.

PROPOSAL 364 - 5 AAC 39.143(c)(1)(A). Onboard observer certification and decertification. This proposal would clarify when a crab observer trainee permit expires. The existing regulation incorrectly states that a crab observer trainee permit expires if the trainee has not participated in a briefing, whereas the regulation should state that the permit expires when the trainee has not participated in a debriefing.

Comment Summary:

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Public Panel Comments: None.

Public Panel Recommendation: Consensus to support.

PROPOSAL 365 - 5 AAC 39.143(p). Onboard observer certification and decertification.

This proposal would clarify existing regulatory definitions for the terms ‘briefing’, ‘debriefing’, and ‘trainee’ as used in the state’s onboard observer programs.

Comment Summary:

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Public Panel Comments: None.

Public Panel Recommendation: Consensus to support.

PROPOSAL 366 - 5 AAC 39.146 (d). Onboard observer briefing and debriefing. This proposal would require onboard observers to contact the department's observer program office each time their vessel returns to any port and require observers to be prepared to provide all data and deployment information to the department.

Comment Summary:

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Public Panel Comments: None.

Public Panel Recommendation: Consensus to support.

PROPOSAL 367 - 5 AAC 39.645(j)(2),(3),(6) and (k). Shellfish onboard observer program.

This proposal would repeal two regulatory provisions regarding observer training that are no longer needed in light of the department's assumption of shellfish observer training duties. This proposal would also update regulations to reflect observer program operational adjustments made necessary by Bering Sea and Aleutian Islands crab rationalization.

Currently there is no definition in regulation for the term 'pay-as-you-go'. Defining this term in regulation would clarify observer coverage which is contracted by a vessel through an independent contracting agent and funded by the vessel operator, as opposed to observer coverage funded through the department.

Comment Summary:

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Public Panel Comments: None.

Public Panel Recommendation: Consensus to support.