We would like to suggest substitute language for proposal 69

Repeal current harvest strategy for area E Tanner crab and amend commissioners permit regulation to include all of Area E in the successful commissioner’s permit fishery as follows:

5 AAC 35.308 is repealed

[(A) IF ADEQUATE DATA ARE AVAILABLE, THE DEPARTMENT SHALL ESTIMATE THE ABUNDANCE OF MALE TANNER CRAB IN THE PRINCE WILLIAM SOUND AREA, AND SHALL ESTABLISH A GUIDELINE HARVEST LEVEL FOR LEGAL MALE TANNER CRAB IF THE CURRENT ESTIMATED ABUNDANCE OF TH IS ABOVE THE MINIMUM STOCK THRESHOLD FOR OPENING A FISHERY.

(B) THE COMMERCIAL FISHERY MAY OPEN ONLY IF THE CURRENT ESTIMATED ABUNDANCE OF TH IS GREATER THAN OR EQUAL TO 200,000 CRAB (50 PERCENT OF AH). IF THE COMMERCIAL FISHERY HAS BEEN CLOSED FOR THREE OR MORE CONSECUTIVE YEARS, THEN THE ESTIMATED ABUNDANCE OF TH MUST BE GREATER THAN OR EQUAL TO 200,000 CRAB FOR TWO OR MORE YEARS BEFORE THE COMMERCIAL FISHERY MAY OPEN. THE COMMERCIAL GUIDELINE HARVEST LEVEL WILL BE DETERMINED AS FOLLOWS:

1. THE GUIDELINE HARVEST LEVEL FOR TL MAY NOT EXCEED 15 PERCENT OF AC(TH) IF AC(TH) IS GREATER THAN OR EQUAL TO 200,000 CRAB, BUT LESS THAN 300,000 CRAB;

2. THE GUIDELINE HARVEST LEVEL FOR TL MAY NOT EXCEED 20 PERCENT OF AC(TH) IF AC(TH) IS GREATER THAN OR EQUAL TO 300,000 CRAB, BUT LESS THAN 400,000 CRAB;

3. THE GUIDELINE HARVEST LEVEL FOR TL MAY NOT EXCEED 25 PERCENT OF AC(TH), IF AC(TH) IS GREATER THAN OR EQUAL TO 400,000 CRAB; AND

4. THE GUIDELINE HARVEST LEVEL FOR LEGAL MALE TANNER CRAB MAY BE REDUCED OR THE COMMERCIAL FISHERY CLOSED, IF THE ESTIMATED COMMERCIAL HARVEST WOULD CAUSE THE ESTIMATED ABUNDANCE OF TH TO FALL BELOW THE MINIMUM STOCK THRESHOLD.

(C) IN THIS SECTION,

1. "TL" MEANS MALE TANNER CRAB THAT ARE 127 MM (5.0 INCHES) OR GREATER IN CARAPACE WIDTH, WHICH IS THE LEGAL SIZE OF TANNER CRAB ALLOWED TO BE RETAINED FOR HARVEST;
(2) "TH" means male Tanner crab that are 135 MM (5.3 inches) or greater in carapace width, which was the historical legal size of Tanner crab in the Prince William Sound area;
(3) "AH" means the average historical abundance of TH; AH is an estimate of the biomass that will produce maximum sustained yield;
(4) "AC(TH)" means the current estimated abundance of TH.
(5) If the commercial fishery opens under this section, the sport fishery will open as provided in 5 AAC 55.022(b) (3).