

KING AND TANNER CRAB (STATEWIDE EXCEPT SOUTHEAST/YAKUTAT)

PROPOSAL 359 - 5 AAC 35.408(b)(4) and (b)(5). Registration Area H Tanner crab harvest strategy; 5 AAC 35.410(c) Fishing seasons for Registration Area H; 5 AAC 58.022(a)(11). Waters; seasons; bag, possession, and size limits; and special provisions for Cook Inlet – Resurrection Bay Saltwater Area; 5 AAC 77.516(1)(B). Personal use Tanner crab fishery. Establish and refine management criteria for sport and personal use fisheries in Cook Inlet and on the Outer Gulf Coast including Resurrection Bay.

5 AAC 35.408. Registration Area H Tanner crab harvest strategy. (a) The provisions of this section establish the abundance thresholds for the Tanner crab fisheries in the Southern, Kamishak, and Barren Island Districts of Cook Inlet.

(b) In the Southern District, the minimum stock threshold for the commercial fishery is 500,000 legal male Tanner crab. The commercial [AND NON-COMMERCIAL] Tanner crab fisheries will open only under the following conditions:

(1) if the estimated abundance level of legal male Tanner crab is at least 1,000,000 crab, the commercial [AND NON-COMMERCIAL] fishery[IES] will open to harvest Tanner crab at a rate, in combination with the noncommercial fisheries, not to exceed 25 percent of the estimated abundance level of legal male Tanner crab;

(2) if the estimated abundance level of legal male Tanner crab is at least 500,000, but less than 1,000,000 crab, the commercial [AND NON-COMMERCIAL] Tanner crab fisheries will open to harvest Tanner crab at a rate, in combination with the noncommercial fisheries, not to exceed 15 percent of the estimated abundance level of legal male Tanner crab;

(3) the commercial fishery may not open if

(A) the estimated abundance level of legal male Tanner crab is below 500,000 crab;

(B) attainment of the guideline harvest level would cause legal male Tanner crab abundance to fall below 500,000 crab; or

(C) the estimated harvest capacity, calculated by the number of registered vessels multiplied by the legal pot limit, and the estimated catch rate exceeds the guideline harvest level during a commercial fishery of a minimum 12-hour duration;

[4) IF THE RECENT FIVE-YEAR AVERAGE ABUNDANCE LEVEL OF LEGAL MALE TANNER CRAB IS GREATER THAN 100,000 CRAB, THE NON-COMMERCIAL GUIDELINE HARVEST LEVEL MAY NOT EXCEED 10 PERCENT OF THE RECENT FIVE-YEAR AVERAGE ABUNDANCE LEVEL OF LEGAL MALE TANNER CRAB;

(5) THE NON-COMMERCIAL FISHERIES WILL BE CLOSED IF

(A) THE RECENT FIVE-YEAR AVERAGE ABUNDANCE LEVEL OF LEGAL MALE TANNER CRAB IS LESS THAN 100,000 CRAB;

(B) THE ESTIMATED ABUNDANCE LEVEL OF LEGAL MALE TANNER CRAB IS LESS THAN 100,000 CRAB FOR THREE CONSECUTIVE YEARS; OR

(C) THE ESTIMATED ABUNDANCE LEVEL OF LEGAL MALE TANNER CRAB IS LESS THAN 100,000 CRAB IN ANY GIVEN YEAR.]

(c) In the Kamishak and Barren Islands Districts, combined, the minimum stock threshold for the commercial fishery is 700,000 legal male Tanner crab. The commercial fishery will open only under the following conditions:

(1) if the estimated abundance level of legal male Tanner crab is 1,400,000 crab or greater, Tanner crab may be harvested at a rate, in combination with the non-commercial fishery, not to exceed 25 percent of the estimated abundance level of legal male Tanner crab;

(2) if the abundance level of legal male Tanner crab is less than 1,400,000, but greater than 700,000 crab, Tanner crab may be harvested at a rate, in combination with the non-commercial fishery not to exceed 15 percent of the estimated abundance level of legal male Tanner crab;

(3) the commercial fishery may not open if

(A) the estimated abundance level of legal male Tanner crab is below 700,000 crab;

(B) the attainment of the guideline harvest level would cause the abundance of legal male Tanner crab to fall below 700,000 crab; or

(C) the estimated harvest capacity, calculated as the number of registered vessels multiplied by the legal pot limit and estimated catch rates, exceeds the guideline harvest level for a fishery of a minimum 24-hour duration.

(d) The noncommercial fishery harvest guideline may not exceed 10 percent of the recent 5-year average of legal male abundance when legal male abundance is below the minimum stock threshold for a commercial fishery. Non-commercial Tanner crab fishing is closed

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

(A) if the recent five-year average abundance of legal male Tanner crab estimated from the Kachemak Bay trawl survey is less than 100,000 crab.

(B) the estimated abundance of legal male Tanner crab estimated from the Kachemak Bay trawl survey is less than 100,000 crab for three consecutive years; or

(C) the estimated abundance level of legal male Tanner crab is less than 50,000 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 Island Districts west of the latitude of Gore Point; the estimated abundance level of legal male Tanner crab from the Kamishak Bay trawl survey is less than 70,000 in any given year.

5 AAC 35.410 Fishing seasons for Registration Area H.

(c) Notwithstanding (b) of this section, the commercial harvest of Tanner crab in the

Outer, Eastern, and Central Districts is closed until the Tanner crab stocks have recovered and a harvest strategy is developed by the department and adopted in a regulation by the Board of Fisheries. When the noncommercial fisheries in the [Southern] **Kamishak or Barren Island** Districts are closed to the taking of Tanner crab, the noncommercial fisheries in the [KAMISHAK, BARREN ISLAND], Eastern and Outer **and Central** Districts shall also remain closed.

5 AAC 58.022 Waters; seasons; bag, possession, and size limits; and special provisions for Cook Inlet – Resurrection Bay Saltwater Area.

(a)(11) Tanner crab: may be taken only from [JULY 15-MARCH 15] **August 1-March 30**, except that when the sport fishery in the [SOUTHERN] **Kamishak or Barren Islands** Districts **are** [IS]closed to the taking of Tanner crab the sport fishery in the [KAMISHAK, BARREN ISLANDS,] Eastern, [AND] Outer **and Central** Districts shall remain closed as specified under 5 AAC 35.410 (c); bag and possession limit five male crab; minimum size is five and one-half inches across the widest part of the shell, including spines; a shellfish harvest recording form is required as specified in 5 AAC 58.026;

5 AAC 77.516. Personal use Tanner crab fishery.

(1)(B)when the personal use fishery in the **Kamishak or Barren Island Districts are** [SOUTHERN IS] closed to the taking of Tanner crab, the personal use fishery in the Eastern, [AND] Outer **and Central** Districts shall also remain closed as specified under 5 AAC 35.410 (c).

ISSUE: The current management of the sport and personal use Tanner crab fisheries in Cook Inlet and the outer Gulf Coast of the Kenai Peninsula, is linked to harvest guidelines established from legal male Tanner crab abundance estimated from the Kachemak Bay trawl survey. Ocean current studies completed recently in lower Cook Inlet indicate that Kamishak Bay may be a better indicator of Tanner crab stock status in Cook Inlet and outer Gulf Coast waters because Kachemak Bay waters may be isolated from Gulf of Alaska currents and the crab larvae they transport while Kamishak Bay is not.

Legal male Tanner crab abundance in the Kamishak Bay trawl survey increased substantially in 2006 compared to recent surveys and large numbers of smaller-sized Tanner crab have been present in survey catches since 2001, indicating that the Tanner crab stocks in central Lower Cook Inlet area can sustain sport and personal use fishing and the stock will continue rebuilding. Since Kamishak Bay is “downstream” in the northern Gulf of Alaska currents that circulate along the outer Gulf Coast of the Kenai Peninsula, trends in Kamishak Bay likely reflect trends elsewhere along the outer Gulf Coast and Cook Inlet. Historic sport and personal use legal male Tanner crab harvests from Cook Inlet and the outer Gulf Coast, not including the Kachemak Bay area, reported on permits, averaged approximately 350 between 1996 and 2002. The maximum harvest from this area during 1996-2002 was approximately 1,200 legal-sized male Tanner crabs.

Passage of this proposal would result in opening the sport and personal use fisheries in Cook Inlet west of a line from Anchor Point to Point Pogibshi, and along the outer Gulf Coast of the Kenai Peninsula, west of the longitude of Cape Puget and the latitude of Cape Douglas. The daily bag and possession limit would be 5 legal-sized male Tanner crabs. A pot limit of 2 per person and 2 per vessel would be invoked. A permit would be required to participate in the fishery.

The Board has not made a customary and traditional use finding for this stock, as required under AS 16.05.258 (a), and should consider doing so before acting on this proposal.

WHAT WILL HAPPEN IF NOTHING IS DONE? Harvest opportunity will be forgone needlessly.

WHO IS LIKELY TO BENEFIT? The public who wants to harvest Tanner crab.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game

(HQ-07F-288)

FAVOR

OPPOSE

U.S. Fish and Wildlife Service PC 3

FINAL ACTION: Carries Fails Tabled No Action See Prop. # _____

ABSENT _____ ABSTAIN _____

DATE _____ TIME _____ TAPE # _____

PROPOSAL 360 - 5 AAC 77.516. Personal use Tanner crab fishery. Open a personal use bairdi tanner crab fishery between Gore Point to Cope Puget as follows:

From Gore Point to Cape Puget a personal use fishery open from Sept 15 through March 31, with a detailed harvest report to be filed with ADFG. Five pot limit, 20 legal size tanner crab per day.

ISSUE: Bairdi tanner crab personal use fishery for the North Gulf Coast.

WHAT WILL HAPPEN IF NOTHING IS DONE? A traditional personal use fishery will remain closed.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? There isn't any recent survey work on crab in this area. The stocks haven't been fished in many years. This limited fishery would produce a detailed harvest report for ADFG. The North Gulf Coast fishing area is generally a considerable distance from coastal communities, the 5 pot limit would allow for prospecting and reporting from these remote areas.

WHO IS LIKELY TO BENEFIT? ADFG with the detailed harvest reporting, local fisherman with a personal fishing opportunity.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Seward Fish and Game Advisory Committee

(HQ-07F-350)

FAVOR

OPPOSE

U.S. Fish and Wildlife Service PC 3

FINAL ACTION: Carries Fails Tabled No Action See Prop. #_____

ABSENT _____ ABSTAIN_____

DATE _____ TIME _____ TAPE # _____

PROPOSAL 361 - 5 AAC 77.557. Personal use king crab fishery. Allow personal use fishery for golden or brown and red king crab in Prince William Sound as follows:

A personal use season for all species of king crab shall be open from November 1 till April 30 of the following year in the waters of Prince William Sound. Waters such as the Port Etches closed area shall remain closed. 1 pot of legal size and configuration as defined in the regulations per person. 1 pot per vessel. Buoy or keg attached to the line of the pot shall have permittees' name, address, phone number, and vessel name or AK# written clearly and legibly in writing of a size defined in the regulations book. Bag limit of five male crab of legal size as defined in the regulations per person per year. A punch card permit must be obtained from the Department of Fish and Game prior to fishing. Punch cards will be punched as soon as the crab are removed from the water and put on board. The logbook will be filled out as soon as any non-legal crab and bycatch is returned to the water. All crab not of legal size and sex and more than 5 of legal size and sex shall be returned to the water immediately. The department biologists will decide what reporting requirements will be on the permits. A logbook must be kept containing information on latitude longitude where pot is set, water depth in feet or fathoms, and numbers of any and all species of fish and shellfish. The department may add or delete any logbook requirements as they see fit to help them with the biology of this fishery. All participants in this fishery are required to register in person or by phone and fax with the department in Cordova, Alaska or Valdez, Alaska before leaving port for each trip to set or haul their pot. The department will decide if this is a written or verbal registration. Registration will include date, time of departure, estimated time or return, and area to be fished. Area will be latitude longitude and closest headland or body of water. After each trip permittees must call or in person notify the department that they are back in port. Notification must be within 6 hours after opening office hours or by a message machine if the departments machine answers.

ISSUE: Brown or golden and red king crab is closed to personal use fishing.

WHAT WILL HAPPEN IF NOTHING IS DONE? People will not be able have access to the resource.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes. I feel that users of a resource are a wealth of information for biologists. Different surveys are expensive and therefore there is uncertainty whether or not the powers that be will fund them in a timely matter or at all.

WHO IS LIKELY TO BENEFIT? The people that would have access to this resource.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: David L. Daniels

(HQ-07F-113)

FAVOR

Whittier Fish & Game AC 1

OPPOSE

U.S. Fish and Wildlife Service PC 3

FINAL ACTION: Carries Fails Tabled No Action See Prop. # _____

ABSENT _____ ABSTAIN_____

DATE _____ TIME _____ TAPE # _____

PROPOSAL 362 - **5 AAC 77.558. Personal Use Tanner Crab Fishery.** Open personal use Tanner crab season in Port Valdez as follows:

A personal use Tanner crab fishery will open from October first and close midnight May 30. Two pots per person - only 1 person may fish their pots on 1 boat - 10 make crab of a size legal when it used to be open - only 1 bag limit in possession - area to be open - The Valdez non subsistence Area.

ISSUE: There is no personal use tanner crab season in Port Valdez.

WHAT WILL HAPPEN IF NOTHING IS DONE? People will continue to not have access to a natural resource that they should.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, other than their drag surveys the Department has no info on Tanner crab in Port Valdez.

WHO IS LIKELY TO BENEFIT? Everyone wishing to have a few fresh crabs.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? Open all of Prince William Sound.

PROPOSED BY: Delbert Ferrier

(HQ-07F-043)

FAVOR

OPPOSE

U.S. Fish and Wildlife Service PC 3

FINAL ACTION: Carries Fails Tabled No Action See Prop. #_____

ABSENT _____ ABSTAIN_____

DATE _____ TIME _____ TAPE # _____

PROPOSAL 363 - 5 AAC 77.558. Personal use Tanner crab fishery. Allow a personal use tanner crab season in areas of Prince William Sound as follows:

Allow a season for personal use taking of Tanner crab in Prince William Sound in areas of known crab abundance, particularly the Port of Valdez and Valdez Arm. Season from October 1 through May 30. A five pot limit. Information from the reporting process should be used for management purposes.

ISSUE: Since the closing of all crab fishing in Prince William Sound there has not been any legal method to harvest the abundant stocks of Tanner Crab in Valdez Port and Arm for traditional personal use.

WHAT WILL HAPPEN IF NOTHING IS DONE? The Tanner crab resource will be wasted. Generations of young people will be unable to share in the gathering of food that has taken place along the coast for years. Locals who have experience and knowledge of the abundance of mature crab in the area will continue to believe that the department and the Board of Fisheries will not listen to or care about local knowledge and concerns.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Resource management would be improved through the gathering of information about stocks in areas that the department is unwilling to survey or manage.

WHO IS LIKELY TO BENEFIT? All people who have or would like to harvest this food resource.

WHO IS LIKELY TO SUFFER? None.

OTHER SOLUTIONS CONSIDERED? The status quo is a waste of the resource, and detrimental to the history and traditional cultural values placed on food gathering, and the traditional coastal lifestyle.

PROPOSED BY: Valdez Advisory Committee

(HQ-07F-432)

FAVOR

OPPOSE

U.S. Fish and Wildlife Service PC 3

FINAL ACTION: Carries Fails Tabled No Action See Prop. # _____

ABSENT _____ ABSTAIN _____

DATE _____ TIME _____ TAPE # _____

PROPOSAL 364 - **5 AAC 77.557. Personal use king crab fishery; and 5 AAC 77.557. Personal use Tanner crab fishery.** Open personal use crab fishery in Prince William Sound as follows:

The Department must set minimum levels for each shellfish species so that if they are reached a fishery may occur.

ISSUE: Lack of shellfish bio-mass guidelines where the department would regulate personal use fisheries. Currently PWS seems to be the only area in the state that doesn't have guidelines for these fisheries.

WHAT WILL HAPPEN IF NOTHING IS DONE? Continued limbo where the department has not set minimum levels where they could open various shellfish fisheries for personal use.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? There is currently no crab resource being harvested so quality improvement has yet to come.

WHO IS LIKELY TO BENEFIT? The citizens of PWS that use the waters for their personal use.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Bernard Culbertson, Thane Miller

(HQ-07F-125)

FAVOR

OPPOSE

U.S. Fish and Wildlife Service PC 3

FINAL ACTION: Carries Fails Tabled No Action See Prop. #_____

ABSENT _____ ABSTAIN_____

DATE _____ TIME _____ TAPE # _____

PROPOSAL 365 - 5 AAC 77.557. Personal use king crab fishery; and 5 AAC 77.557. Personal use Tanner crab fishery. Open personal use crab fishery in Prince William Sound as follows:

The Department should open all shellfish for some level of personal use until they have data that will pass a peer review and explain the closures.

ISSUE: No personal use crab fishery in PWS.

WHAT WILL HAPPEN IF NOTHING IS DONE? Continued loss of harvestable resources.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? This does away with the continued loss of a harvestable resource.

WHO IS LIKELY TO BENEFIT? The citizens of Alaska that use Prince William Sound for their personal use.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Bernard Culbertson, Thane Miller

(HQ-07F-126)

FAVOR

OPPOSE

U.S. Fish and Wildlife Service PC 3

FINAL ACTION: Carries Fails Tabled No Action See Prop. #_____

ABSENT _____ ABSTAIN_____

DATE _____ TIME _____ TAPE # _____

PROPOSAL 366 - 5 AAC 35.506. Area J registration. Repeal superexclusive registration as follows:

Kodiak tanner crabs is a limited entry fishery - not super exclusive.

ISSUE: Rescind super exclusive designation for Kodiak tanner fishing.

WHAT WILL HAPPEN IF NOTHING IS DONE? Discrimination towards fishermen who have earned rights to fish in other fisheries.

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

WHO IS LIKELY TO BENEFIT? Any fisherman who has the means and rights to fish in another district.

WHO IS LIKELY TO SUFFER? No one, it is already a limited entry fishery.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Tary Middlesworth

(HQ-07F-013)

FAVOR

OPPOSE

U.S. Fish and Wildlife Service PC 3
Kodiak AC3

FINAL ACTION: Carries Fails Tabled No Action See Prop. #_____

ABSENT _____ ABSTAIN_____

DATE _____ TIME _____ TAPE # _____

PROPOSAL 367 - 5 AAC 35.525. Lawful gear for Registration Area J. Implement differential pot limits for big and small vessels as follows:

Less than 2 million pound quota: < 60-foot 20 pots, > 60-foot 24 pots.

2-4 million pound quota: < 60-foot 30 pots, > 60-foot 36 pots.

4-5 million pound quota: < 60-foot 40 pots, > 60-foot 48 pots.

5 million & greater pound quota: < 60-foot 50 pots, > 60-foot 60 pots.

ISSUE: Pot limits for Kodiak Tanner Season. Vessels over 60 feet earned their permits with larger pot limits. Now they are forced to compete with the same pot limit as much smaller vessels.

WHAT WILL HAPPEN IF NOTHING IS DONE? Vessels over 60 feet will continue to be at a financial disadvantage due to higher expenses such as fuel, insurance, and crew numbers. Larger vessels in the Bering Sea have larger pot limits for these very same reasons.

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

WHO IS LIKELY TO BENEFIT? No one. The proposal, if adopted would equalize financial opportunity for all.

WHO IS LIKELY TO SUFFER? No one. The proposal would allow larger vessels to compete financially with small vessels.

OTHER SOLUTIONS CONSIDERED? N/A.

PROPOSED BY: Tary Middlesworth

(HQ-07F-012)

FAVOR

OPPOSE

U.S. Fish and Wildlife Service PC 3
Kodiak AC3

FINAL ACTION: Carries Fails Tabled No Action See Prop. #_____

ABSENT _____ ABSTAIN_____

DATE _____ TIME _____ TAPE # _____

PROPOSAL 368 - 5 AAC 39.690. Bering Sea/Aleutian Islands King and Tanner Crab Community Development Quota (CDQ) Fisheries Management Plan. This proposal seeks to amend state CDQ regulation to comply with the Magnuson-Stevens Fishery Conservation and Management Act.

(e)(6)(D) a person operating a vessel in a CDQ fishery may not exceed the CDQ group allocation specified in this paragraph; [ALL] CDQ crab taken in excess of the CDQ group allocation [SHALL BE] may be voluntarily transferred to an eligible CDQ group at the time of the offload. If a CDQ group is unable to transfer the excess crab then the crab shall be weighed, sold, and reported on an ADF&G fish ticket and all proceeds from the sale of CDQ crab in excess of the group allocation shall be surrendered to the state.

ISSUE: In 2006, the Magnuson-Stevens Fishery Conservation and Management Act was amended to allow voluntary quota transfers among eligible CDQ groups to cover harvests exceeding a group allocation after harvesting has occurred. Current regulation only allows CDQ quota transfers before the crab has been harvested. This proposal seeks to amend state CDQ regulation to comply with the Magnuson-Stevens Fishery Conservation and Management Act.

WHAT WILL HAPPEN IF NOTHING IS DONE? State regulations will not be in compliance with the Magnuson-Stevens Fishery Management and Conservation Act.

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

WHO IS LIKELY TO BENEFIT? CDQ groups will benefit as they will have an option to transfer quota when faced with an overage at the time of landing.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game

(HQ-07F-272)

FAVOR

Unalaska AC 2

OPPOSE

U.S. Fish and Wildlife Service PC 3

FINAL ACTION: Carries Fails Tabled No Action See Prop. # _____

ABSENT _____ ABSTAIN _____

DATE _____ TIME _____ TAPE # _____

PROPOSAL 369 - 5 AAC 39.645(d)(4)(D)(ii). Shellfish Onboard Observer Program.
Amend this regulation to read:

(d) during harvest of 30 percent of the total *C. bairdi* Tanner crab weight harvested by each catcher vessel while operating fishing gear, during each registration year, **or the department may randomly select 30 percent of the catcher vessels harvesting Bering Sea *C. bairdi* Tanner crab to carry onboard observers for 100 percent of the fishing time of each selected catcher vessel**, unless a catcher vessel harvests *C. bairdi* Tanner crab as incidental catch during directed fishing for either Bristol Bay red king crab or Bering Sea *C. opilio* (snow crab), where observer coverage requirements for those directed fisheries would apply to the *C. bairdi* Tanner crab incidental harvest;

ISSUE: Modification of the existing observer-coverage regulation will be compatible with how the department has assigned and paid for observers in the Bering Sea *C. bairdi* fishery. This suggested regulation is similar to the observer-coverage regulation for Bristol Bay red king crab and Bering Sea snow crab.

WHAT WILL HAPPEN IF NOTHING IS DONE? The existing regulation will not reflect the current practice of assigning observers in the Bering Sea Tanner crab fishery.

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

WHO IS LIKELY TO BENEFIT? Bering Sea-Aleutian Islands crab industry.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-07F-268)

FAVOR

Unalaska AC 2

OPPOSE

U.S. Fish and Wildlife Service PC 3

FINAL ACTION: Carries Fails Tabled No Action See Prop. # _____

ABSENT _____ ABSTAIN _____

DATE _____ TIME _____ TAPE # _____

PROPOSAL 370 - 5 AAC 34.606(b) AREA O REGISTRATION; 5 AAC 34.806(b) AREA T REGISTRATION; 5 AAC 34.906(c) AREA Q REGISTRATION; 5 AAC 35.506(f) AREA J REGISTRATION. The traditional harvest timing and preseason registration deadline can occur in the prior year which can require a participant to purchase a CFEC interim-use permit card for the calendar year in which the vessel operator must file a preseason registration, and another for the year harvest actually occurs. This proposal seeks to address that problem.

5 AAC 34.606(b) AREA O REGISTRATION.

(b) For the red [AND GOLDEN] king crab fisheries, the vessel registration deadline for the registration year is 21 days before that vessel begins fishing operations. Before a vessel may be registered under this subsection, the vessel operator must file a preseason registration form with the department [FIRST] and obtain a valid CFEC interim-use permit for Aleutian Islands king crab that references the vessel's ADF&G license number. For the purposes of filing a preseason registration form for the red king crab fishery west of 179° W. long. a valid CFEC interim-use permit is not required. The registration form must identify the vessel operator's CFEC permit number and must be received in person, or by mail or facsimile, at the department office in the Dutch Harbor or Kodiak by the deadline specified in this subsection.

5 AAC 34.806(b) AREA T REGISTRATION.

(b) For the red king crab fishery [IES], the vessel registration deadline for the registration year is 5:00 p.m. September 24. Before a vessel may be registered under this section, the vessel operator must file a preseason registration form with the department [BEFORE A VESSEL MAY BE REGISTERED UNDER THIS SUBSECTION, THE VESSEL OPERATOR MUST FIRST OBTAIN A VALID CFEC INTERIM-USE PERMIT FOR BRISTOL BAY KING CRAB THAT REFERENCES THE VESSEL'S ADF&G LICENSE NUMBER.] The registration form must identify the vessel and operator, [OPERATOR'S CFEC PERMIT NUMBER] and must be received in person, or by mail or facsimile, at the department office in Dutch Harbor or Kodiak by the deadline specified in this subsection.

5 AAC 34.906(c) AREA Q REGISTRATION.

(c) Before a vessel may be registered under this section, the vessel operator must file a preseason registration form with the department [FIRST] and obtain a valid CFEC interim-use permit for Bering Sea king crab that references the vessel's ADF&G license number. For the purposes of filing a preseason registration form for Pribilof red and blue or Saint Matthew blue king crab a valid CFEC interim-use permit is not required. The registration form must identify the vessel operator's CFEC permit number and must be received in person, by mail, or facsimile, at the department office in Dutch Harbor or Kodiak by the applicable deadline specified in (b) of this section.

5 AAC 35.506(f) AREA J REGISTRATION.

(f) Before a vessel may be registered under this section, the vessel operator must file a preseason registration form with the department [FIRST] and obtain a valid CFEC interim-use permit for [BERING SEA] Tanner crab that references the vessel's ADF&G license number. For the purposes of filing a preseason registration form for Bering Sea Tanner or snow crab a valid CFEC interim-use permit is not required. The registration form must identify the vessel operator's CFEC permit number and must be received in person, or by mail or facsimile, at the department office in Dutch Harbor or Kodiak by the applicable deadline specified in (e) of this section [BY THE DEADLINE SPECIFIED IN THIS SECTION].

ISSUE: Current Bering Sea and Aleutian Islands crab fishery preseason registration regulations require a vessel operator to possess a valid CFEC interim-use permit card to complete preseason vessel registration. Fishing seasons have been greatly lengthened for the rationalized crab fisheries and all of the rationalized crab fishing seasons span parts of two calendar years. All rationalized crab fisheries with the exception of the Aleutian Islands golden king crab fishery open annually on October 15, however Bering Sea snow and Tanner crab harvest traditionally begins after January 1, and continues up to the biological closure for the respective species. This traditional harvest timing and preseason registration deadline occurring in the prior year can require a participant to purchase a CFEC interim-use permit card for the calendar year in which the vessel operator must file a preseason registration, and another for the year harvest actually occurs.

WHAT WILL HAPPEN IF NOTHING IS DONE? Vessel operators who have not participated in the previous season may have to purchase two permit cards in order to participate, one for the previous season in order to register, and one for the current season to utilize during fishing operations.

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

WHO IS LIKELY TO BENEFIT? Vessel operators who have not participated in the rationalized crab fishery during the preceding fishing season.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game

(HQ-07F-273)

FAVOR

Unalaska AC 2

OPPOSE

U.S. Fish and Wildlife Service PC 3

FINAL ACTION: Carries Fails Tabled No Action See Prop. # _____

ABSENT _____ ABSTAIN _____

DATE _____ TIME _____ TAPE # _____

PROPOSAL 371 - 5 AAC 35.510. Fishing seasons for Registration Area J. Modify preseason vessel registration for Bering Sea Tanner crab as follows:

You may pre-register by completing a pre-registration form. No card required.

ISSUE: The requirement that you must pre-register with a species specific previous year card. If you choose not to fish one year, then the following year, in order to pre-register you must buy a card you did not use. If you do not fish your quota one year and have no need for a card, how do you pre-register the next year?

WHAT WILL HAPPEN IF NOTHING IS DONE? Fishermen already squeezed from rationalization will have to spend over a thousand dollars buying a card they do not need and did not use.

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

WHO IS LIKELY TO BENEFIT? Someone who had their crab shares fished the previous year and did not need to buy an interim use permit card.

WHO IS LIKELY TO SUFFER? No one. With the reduced fleet, scheduling observers should not be an issue.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Tary Middlesworth

(HQ-07F-014)

FAVOR

Unalaska AC 2

OPPOSE

U.S. Fish and Wildlife Service PC 3

FINAL ACTION: Carries Fails Tabled No Action See Prop. #_____

ABSENT _____ ABSTAIN_____

DATE _____ TIME _____ TAPE # _____

PROPOSAL 372 - **5 AAC 39.670. Bering Sea/Aleutian Islands Individual Fishing Quota (IFQ) Crab Fisheries Management Plan.** This proposal seeks to clarify the Bering Sea/Aleutian Islands IFQ crab fishery management plan. This proposal also adds two fisheries to the list of rationalized fisheries covered by this management plan, and stipulates that concurrent species harvest is only allowed for specific Bering Sea fisheries.

5 AAC 39.670. Bering Sea/Aleutian Islands Individual Fishing Quota (IFQ) Crab Fisheries Management Plan.

(b) The following fisheries are covered under the management plan in this section:

- (1) Bristol Bay red king crab (**BBR**);
- (2) Aleutian Islands red king crab (west of 179° W. long.) (**WAI**);
- (3) Aleutian Islands golden king crab (**east of 174° W. long.**) (**EAG**);
- (4) Aleutian Islands golden king crab (west of 174° W. long.) (WAG);**
- (5) Saint Matthew Island Section blue king crab (SMB);**
- (6) Pribilof District red and blue king crab (PIK);**
- (7) Bering Sea [*C. OPILIO TANNER*] snow crab (BSS); [AND]**
- (8) Bering Sea [*C. BAIRDII*] Tanner crab (east of 166° W. long.) (EBT)[.]; and**
- (9) Bering Sea Tanner crab (west of 166° W. long.) (WBT).**

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

(1) a vessel participating in an Individual Fishing Quota (IFQ), Community Development Quota (CDQ), or the Adak community allocation crab fishery must have on board the vessel an activated vessel monitoring system (VMS) approved by NMFS;

(2) **A vessel operator who is validly registered for one or more of the fisheries list in (b)(1)-(9) of this section may authorize other vessel operators who are validly registered for the same fishery to operate crab pot gear belonging to that vessel** [FOR THE PURPOSES OF THIS SECTION, A CRAB FISHERY COOPERATIVE IS A COOPERATIVE APPROVED BY NMFS BY AUGUST 1 OF EACH YEAR PRECEDING THE FISHING SEASON; DURING A CRAB FISHERY COOPERATIVE],

(A) **Before a vessel operator may operate crab pot gear belonging to another vessel, the registered operator of the pot gear must file a cooperative gear authorization form with the department authorizing other vessels to operate the crab pot gear** [THE MANAGER OF A COOPERATIVE MUST REGISTER THE VESSEL OR VESSELS OPERATING FOR THE COOPERATIVE WITH THE DEPARTMENT BEFORE THE COOPERATIVE BEGINS FISHING];

[(B) A VESSEL MAY PARTICIPATE IN MORE THAN ONE CRAB FISHERY COOPERATIVE AT A TIME;

(C) THE TOTAL NUMBER OF CRAB POTS DEPLOYED BY THE MEMBERS OF A COOPERATIVE MAY NOT EXCEED THE SUM OF THE CRAB POT LIMITS OF ALL VESSELS PARTICIPATING IN THE COOPERATIVE];

(3) each crab pot deployed must bear the ADF&G number of the vessel that registers the crab pot, and if deployed in a fishery with a crab pot limit, [THE] each pot must bear a buoy tag registered to the vessel registering that pot; in addition,

(A) an active vessel may collectively operate and transport crab pot gear of another registered and active vessel;

(B) when a vessel transports and deploys crab pot gear to the fishing grounds for another vessel, the vessel registered with the crab pot gear must be active in the registration area where the crab pot gear is deployed within seven days of the initial deployment;

(C) repealed 8/28/2005;

(D) a vessel's crab pot gear may not be deployed unless the vessel is actively participating in harvesting the species in the applicable area;

(E) for the purposes of this paragraph, a vessel is considered active in an area by becoming validly registered with the department and by VMS verification of the vessel in the registration area.

(F) A vessel that has completed fishing operations as defined in 5 AAC 39.675 (b)(1)-(2) is not considered active in a registration area;

(4) No provision of this section allows an individual vessel operator to utilize a greater quantity of crab pot gear than authorized elsewhere in 5 AAC 34 and 5 AAC 35;

([4]5) Vessel operators may only register to harvest EBT and BBR or WBT and BSS concurrently;

(A) a vessel participating in concurrent fisheries for [BRISTOL BAY RED KING CRAB] BBR and [C. BAIRDI TANNER CRAB] EBT may only use one species allocation of crab pot gear (pot limit); the participating vessel operator shall designate at the time of registration the quantity of pot gear registered and whether the crab pot gear is configured for red king crab or [C. BAIRDI] Tanner crab;

(B) a vessel participating in concurrent species fisheries for [C. BAIRDI TANNER CRAB] WBT and [C. OPILIO TANNER CRAB] BSS may only use one species allocation of crab pot gear (pot limit); the participating vessel operator shall designate at the time of registration the quantity of pot gear registered and whether the crab pot gear is configured for [C. BAIRDI] Tanner crab or [C. OPILIO TANNER] snow crab;

(6) a vessel operator may have a species of king or Tanner crab from an IFQ fishery and king crab from an Adak community allocation fishery or a species of king or Tanner crab from a CDQ fishery on board the vessel at the same time; a vessel

operator may not have a species of king or Tanner crab from an IFQ fishery and a species of king or Tanner crab from a non-CDQ or non-IFQ fishery on board the vessel at the same time;

(7) an operator of a vessel participating in an IFQ, CDQ, or Adak community allocation crab fishery in the Bering Sea/Aleutian Islands area must notify the United States Coast Guard at least 24 hours before departing port when carrying crab pot gear;

(8) in addition to the registration requirements specified in 5 AAC 34 and 5 AAC 35, a vessel owner, or owner's agent, shall provide satisfactory proof of a current valid United States Coast Guard Commercial Fisheries Vessel Safety Decal before a registration certificate is issued;

(9) the operator of a vessel designated at the time of registration to operate the crab pot gear of another vessel shall be considered the agent of the vessel registered to operate the crab pot gear.

ISSUE: In March 2005 the Alaska Board of Fisheries adopted regulations to implement the rationalized crab fisheries. Regulations allow for vessel operators to operate crab pot gear belonging to other registered vessel operators, however the regulations were found to be cumbersome and difficult to interpret. This proposal seeks to clarify the Bering Sea/Aleutian Islands IFQ crab fishery management plan. This proposal also adds two fisheries to the list of rationalized fisheries covered by this management plan, and stipulates that concurrent species harvest is only allowed for specific Bering Sea fisheries.

WHAT WILL HAPPEN IF NOTHING IS DONE? Regulations governing vessel operation, crab pot gear deployment and concurrent fishing for multiple crab species during the IFQ, CDQ and Adak Community allocation crab fisheries will remain confusing and open to misinterpretation.

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

WHO IS LIKELY TO BENEFIT? The public, Alaska Department of Fish and Game and Alaska Bureau of Wildlife Enforcement will all benefit from regulations that clearly state board intent.

WHO IS LIKELY TO SUFFER? Vessel operators wishing to simultaneously harvest EAG and WAG would be prohibited from doing so. This proposal does not modify the operational intent of regulations governing vessel operation, crab pot gear deployment and concurrent fishing for multiple crab species in the IFQ, CDQ and Adak Community Allocation fisheries originally adopted by the Alaska Board of Fisheries in March 2005.

OTHER SOLUTIONS CONSIDERED? None.

This proposal seeks to clarify the Bering Sea/Aleutian Islands IFQ crab fishery management plan. This proposal also adds two fisheries to the list of rationalized fisheries covered by

this management plan, and stipulates that concurrent species harvest is only allowed for specific Bering Sea fisheries.

PROPOSED BY: Alaska Department of Fish and Game

(HQ-07F-271)

FAVOR

Unalaska AC 2

OPPOSE

U.S. Fish and Wildlife Service PC 3

FINAL ACTION: Carries Fails Tabled No Action See Prop. #_____

ABSENT _____ ABSTAIN_____

DATE _____ TIME _____ TAPE # _____

PROPOSAL 373 - 5 AAC 35.506. Area J Registration; and 5 AAC 35.525. Lawful Gear for Registration Area J. This proposal would define a directed and incidental Tanner crab fishery for the Bering Sea based on the predominant species delivered, and clarify the conditions of registration for the concurrent harvest of Tanner crab and red king crab, or Tanner crab and snow crab. This proposal also clarifies that the harvests of Tanner crab east and west of the stock assessment boundary at 166° W. long. are separate fisheries.

5 AAC 35.506. Area J Registration.

(i) In the Bering Sea District a vessel operator may register to harvest *C. bairdi* Tanner crab under the following conditions:

(1) West of 166° W. long. in a directed *C. bairdi* Tanner crab fishery, or in an incidental *C. bairdi* Tanner crab fishery while the vessel operator is simultaneously registered for the *C. opilio* snow crab fishery.

(2) East of 166° W. long. in an incidental *C. bairdi* Tanner crab fishery while the vessel operator is simultaneously registered for the Registration Area T red king crab fishery.

(3) in a directed *C. bairdi* Tanner crab fishery occurring between 163° W. long. and 166° W. long.

(4) A vessel operator may not be concurrently registered to harvest *C. bairdi* Tanner crab east and west of 166° W. long. [DURING THE FISHING SEASON FOR *C. bairdi* TANNER CRAB, A VESSEL OPERATOR REGISTERED FOR ONLY BRISTOL BAY RED KING CRAB FISHERIES CONDUCTED EAST OF 168° W. LONG. MAY NOT RETAIN *C. bairdi* TANNER CRAB. A VESSEL OPERATOR REGISTERED TO RETAIN BOTH BRISTOL BAY RED KING CRAB AND *C. bairdi* TANNER CRAB IS RESTRICTED TO FISHING EAST OF 166° W. LONG. A VESSEL OPERATOR MAY REGISTER FOR DIRECTED *C. bairdi* TANNER CRAB FISHING ONLY IN THE WATERS BETWEEN 166° W. LONG, AND 163° W. LONG.]

(j) For the purposes of this section

(1) a directed *C. bairdi* Tanner crab fishery means no less than 50% of the weight of the landed catch reported on an ADF&G fish ticket consists of *C. bairdi* Tanner crab.

(2) an incidental *C. bairdi* Tanner crab fishery is one in which less than 50% of the weight of the landed catch reported on an ADF&G fish ticket consists of *C. bairdi* Tanner crab. [A VESSEL OPERATOR MAY REGISTER TO, AT THE SAME TIME, FISH FOR AND RETAIN *C. OPILIO* AND *C. BAIRDI* TANNER CRAB WEST OF 166° W. LONG.]

5 AAC 35.525(c)(4). Lawful Gear for Registration Area J. This proposal would define a directed and incidental Tanner crab fishery for the Bering Sea based on the predominant species delivered, and clarify the conditions of registration for the concurrent harvest of Tanner crab and red king crab, or Tanner crab and snow crab. This proposal also clarifies

that the harvest of Tanner crab east and west of the stock assessment boundary at 166° W. long. are separate fisheries.

(C) in a directed *C. bairdi* Tanner crab fishery as defined in 5 AAC 35.506(j)(1) no less than 50% of the pots registered to a vessel may be configured for *C. bairdi* Tanner crab.

ISSUE: Current regulations for the rationalized Bering Sea crab fisheries allow for the simultaneous harvest of Tanner crab and snow crab in the Bering Sea District west of 166° W long., and red king crab and Tanner crab in Registration Area T east of 166° W long. As currently written, the regulation has caused confusion as to how a vessel operator may fish for Tanner crab using Tanner, snow or red king crab pot gear and has allowed vessel operators to target Tanner crab with pot gear not designed to harvest Tanner crab. This proposal would define a directed and incidental Tanner crab fishery for the Bering Sea based on the predominant species delivered, and clarify the conditions of registration for the concurrent harvest of Tanner crab and red king crab, or Tanner crab and snow crab. This proposal also clarifies that the harvest of Tanner crab east and west of the stock assessment boundary at 166° W. long. are separate fisheries.

WHAT WILL HAPPEN IF NOTHING IS DONE? Regulations allowing the concurrent harvest of Tanner crab with snow crab or red king crab will remain confusing and vessel operators will be able to participate in a directed fishery for Tanner crab using pot gear that is not designed for Tanner crab fishing.

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

WHO IS LIKELY TO BENEFIT? The public, Alaska Department of Fish and Game and Alaska Bureau of Wildlife Enforcement will all benefit from regulations that clearly state intent.

WHO IS LIKELY TO SUFFER? No one. This proposal does not modify the operational intent of regulations allowing concurrent harvest of Tanner crab with snow crab or red king crab originally adopted by the Alaska Board of Fisheries in March 2005.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game

(HQ-07F-269)

FAVOR

Unalaska AC 2

OPPOSE

U.S. Fish and Wildlife Service PC 3

FINAL ACTION: Carries Fails Tabled No Action See Prop. # _____

ABSENT _____ ABSTAIN _____

DATE _____ TIME _____ TAPE # _____

PROPOSAL 374 - 5 AAC 39.670(c)(3)(A). Bering Sea/Aleutian Islands Individual Fishing Quota (IFQ) Crab Fisheries Management Plan. In rationalized fisheries, allow pot gear to be transferred and operated by another vessel after vessel that originally registered the pot gear has unregistered as follows:

(c)(a): add: “An active vessel, with a designated operator considered the agent, may collectively operate and transport crab pot gear of another vessel following the vessel’s completion of fishing in a registration area.”

ISSUE: In the Area T king crab fishery and the Area J Bering Sea snow and tanner crab fisheries, vessels designated to operate the crab pot gear of another vessel cannot operate the gear following the vessel’s completion of fishing in a registration area. Registered and active vessels, under guidelines of collective gear operation and transport, should be allowed to continue operating another vessel’s gear, following a vessel’s completion of fishing in a registration area. This was part of the intent of the original collective gear hauling proposal adopted in 2005. This will also aid smaller boats with less pot carrying capacity, to operate in cooperatives, as they can travel to the grounds, in some cases without any gear, and immediately begin operating gear that is located on productive grounds.

WHAT WILL HAPPEN IF NOTHING IS DONE? Unnecessary inefficiency and unnecessary fuel consumption that increases production costs. Fuel usage and costs could be markedly reduced and there would also be a measurable reduction in the “carbon footprint” of the fishery, which is rapidly becoming an issue with environmental organizations and poses another threat for wild stock fisheries competing in global markets with farm tank and pen-raised products. This proposal could help improve the “sustainability” profile of the BSAI crab fisheries and products.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? After a vessel completes fishing in a registration area, it could leave its gear on the grounds and designated operators could then begin operating baited, productive gear. This can reduce unnecessary bycatch and handling mortality of crabs. This will save time searching for new concentrations and improves efficiency and reduces operating costs. Vessels leaving the registration area and designated operators could be required to check in with ADFG or Public Safety at the time the designation begins to alleviate enforcement concerns.

WHO IS LIKELY TO BENEFIT? The resource will benefit; harvesters will benefit from improved efficiency and public concerns about sustainability of marine and fuel resources will be served.

WHO IS LIKELY TO SUFFER? No one I could think of.

OTHER SOLUTIONS CONSIDERED? This addresses the original proposal submitted by the Alaska Boat Company that was heard by the Board of Fisheries in

March 2005.

PROPOSED BY: Alaska Crab Coalition

(HQ-07F-142)

FAVOR

OPPOSE

Kevin L. Kaldestad PC 4
Alaska Crab Coalition PC11
Unalaska AC 2

U.S. Fish and Wildlife Service PC 3

FINAL ACTION: Carries Fails Tabled No Action See Prop. #_____

ABSENT _____ ABSTAIN_____

DATE _____ TIME _____ TAPE # _____

PROPOSAL 375 - 5 AAC 39.675. Crab Pot Gear Storage For Bering Sea/Aleutian Islands IFQ, CDQ, and Adak Community Allocation Crab Fisheries. This proposal seeks to clarify the gear storage regulation for the rationalized crab fisheries.

5 AAC 39.675. Crab Pot Gear Storage For Bering Sea/Aleutian Islands IFQ, CDQ, and Adak Community Allocation Crab Fisheries. (a) Notwithstanding any other provision of 5 AAC 34 - 5 AAC 35, king and Tanner crab pots may be stored outside of a designated storage area specified in 5 AAC 34.052 and 5 AAC 35.052 with all bait and bait containers removed and doors secured fully open for up to 14 days following the completion of fishing operations in a registration area. King and Tanner crab pots must be removed from the water or placed in long-term storage if left unattended for 14 days or longer by the registered operator of the vessel whose ADF&G number is on the buoy of the pot gear. [IN A REGISTRATION AREA] FOR LONGER THAN 14 DAYS. BEFORE A VESSEL IS ABSENT FROM THE REGISTRATION AREA FOR MORE THAN 14 DAYS, THE CRAB POT GEAR BELONGING TO THAT VESSEL MUST BE REMOVED FROM THE WATER OR PLACED IN LONG-TERM STORAGE. [A VESSEL OPERATOR SHALL NOTIFY THE DEPARTMENT WITHIN 72 HOURS OF COMPLETING FISHING OPERATIONS IN A REGISTRATION AREA OR WHEN DEPARTING THE REGISTRATION AREA, AND WHEN GEAR IS MOVED TO LONG-TERM STORAGE. A VESSEL'S REGISTRATION IS INVALID AFTER 14 DAYS OF INACTIVITY IN A REGISTRATION AREA.]

(b) For the purposes of this section a vessel is deemed to have completed fishing operations if at least one of the following has occurred:

- (1) the vessel operator contacts the department to invalidate the vessel registration for that species and registration area. This notification must occur within 72 hours of last operating pot gear in the registration area;**
- (2) the pot gear belonging to that vessel is removed from the water or placed into long-term storage.**

ISSUE: In March 2005, the Alaska Board of Fisheries adopted new regulations governing crab pot gear storage in the IFQ, CDQ, and Adak Community Allocation crab fisheries. The gear storage regulation was designed to allow for temporary deep-water gear storage while minimizing concerns over lost gear, grounds pre-emption and unattended gear during the lengthened fishing seasons permitted under the rationalization program. The regulation contains vague wording and terms that are not well defined. This proposal seeks to clarify the gear storage regulation for the rationalized crab fisheries.

WHAT WILL HAPPEN IF NOTHING IS DONE? Regulations governing gear storage during the IFQ, CDQ and Adak Community allocation crab fisheries will remain confusing and open to misinterpretation. Crab pot gear may be left unattended on the fishing grounds for longer periods of time than intended.

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

WHO IS LIKELY TO BENEFIT? The public, Alaska Department of Fish and Game and Alaska Bureau of Wildlife Enforcement will all benefit from regulations that clearly state board intent.

WHO IS LIKELY TO SUFFER? No one. This proposal is largely house keeping in nature and does not modify the operational intent of regulations governing crab pot gear storage during the IFQ, CDQ and Adak Community Allocation crab fisheries originally adopted by the Alaska Board of Fisheries in March 2005.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game

(HQ-07F-270)

FAVOR

Kevin L. Kaldestad PC 4

OPPOSE

U.S. Fish and Wildlife Service PC 3

FINAL ACTION: Carries Fails Tabled No Action See Prop. # _____

ABSENT _____ ABSTAIN _____

DATE _____ TIME _____ TAPE # _____

PROPOSAL 376 - 5 AAC 35.525(c)(4). Lawful gear for Registration Area J; and 5 AAC 35.526(a-c). Tanner crab pot marking requirements for Registration Area J. Repeal Tanner and snow crab pot limit and buoy tags as follows:

Repeal the regulations cited above and maintain the traditional gear marketing requirements.

ISSUE: Area J Bering Sea snow and tanner crab pot limits and buoy tag requirements are no longer needed to control effort in the fishery. Since the inception of the rationalization program, the fleet has decreased from 189 vessels in 2004 to 80 vessels in 2005-2006. Total pot usage has decreased from 14,444 pots in 2004 to 12,734 pots in 2005-2006. The average number of pots used in 2005-2006 was 172 pots, far below the limit of 450 pots. A similar pattern of pot usage has continued in the current season.

WHAT WILL HAPPEN IF NOTHING IS DONE? Tracking and replacement of buoy tags is always a problem for the vessel operators and ADFG and DPS enforcement costs will continue and these are much higher than the revenues generated from the program.

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

WHO IS LIKELY TO BENEFIT? The crab fleet and likely the DPS enforcement costs would be reduced.

WHO IS LIKELY TO SUFFER? No one I could think of.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Crab Coalition

(HQ-07F-143)

FAVOR

OPPOSE

U.S. Fish and Wildlife Service PC 3
Unalaska AC 2

FINAL ACTION: Carries Fails Tabled No Action See Prop. #_____

ABSENT _____ ABSTAIN_____

DATE _____ TIME _____ TAPE # _____

PROPOSAL 377 - 5 AAC 34.825(h). Lawful gear for Registration Area T; 5 AAC 34.826(a). King crab pot marking requirements for Registration Area T; and 5 AAC 34.051(b)(c). King crab gear marking requirements. Repeal Bristol Bay pot limit and buoy tags as follows:

Repeal the regulations cited above and maintain the traditional gear marking requirements.

ISSUE: Area T king crab fishery pots limits and buoy tag requirements are no longer needed to control effort in the fishery. Since the inception of the rationalization program the fleet has decreased from 251 vessels in 2004 to less than 90 active vessels utilizing in 2005-2006. The average number of pots used per vessel in 2005-2006 was 177, far below the pot limit of 450. A similar pattern of pot usage has continued in the current season.

WHAT WILL HAPPEN IF NOTHING IS DONE? Tracking and replacement of buoy tags is always a problem for the vessel operators and ADFG and DPS enforcement costs will continue and these are much higher than the revenues generated from the buoy tag program.

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

WHO IS LIKELY TO BENEFIT? The crab fleet and likely DPS enforcement costs would be reduced.

WHO IS LIKELY TO SUFFER? No one we can think of.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Crab Coalition

(HQ-07F-144)

FAVOR

Kevin L. Kaldestad PC 4
Alaska Crab Coalition PC11

OPPOSE

U.S. Fish and Wildlife Service PC 3
Unalaska AC 2

FINAL ACTION: Carries Fails Tabled No Action See Prop. #_____

ABSENT _____ ABSTAIN_____

DATE _____ TIME _____ TAPE # _____

PROPOSAL 378 - 5 AAC 34.825(a). Lawful gear for Registration Area T. Allow 20 pots configured for groundfish to capture bait for use in the Bristol Bay red king crab fishery as follows:

On page 108, 5 AAC 34.825 (a), add similar language from page 148 subparagraph (d) that applies to tanner crab pots, adjusted for king crab pots: "except that up to 20 groundfish pots, as defined in 5 AAC 28.050 (e), may be used as part of the legal limit of king crab pots. King crab taken from these groundfish pots may be retained."

ISSUE: Use of up to 20 groundfish pots to catch bait while fishing in the Area T king crab fishery is not permitted; however, it is permitted in the Bering Sea snow and tanner crab fisheries (page 148). This is a request for a parallel regulation for the Area T king crab fishery.

WHAT WILL HAPPEN IF NOTHING IS DONE? Increased costs for bait will continue.

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

WHO IS LIKELY TO BENEFIT? Vessel operation will be more efficient and save on bait costs, reducing overall production costs in the fishery.

WHO IS LIKELY TO SUFFER? No one I could think of.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Crab Coalition

(HQ-07F-141)

FAVOR

OPPOSE

Kevin L. Kaldestad PC 4
Alaska Crab Coalition PC11
Unalaska AC 2

U.S. Fish and Wildlife Service PC 3

FINAL ACTION: Carries Fails Tabled No Action See Prop. # _____

ABSENT _____ ABSTAIN _____

DATE _____ TIME _____ TAPE # _____

PROPOSAL 379 - 5 AAC 34.053 (2). Operation of other pot gear. Allow 20 pots configured for groundfish to capture bait for use in the Bristol Bay red crab fishery as follows:

Allow for up to 20 groundfish pots, as defined in 5 AAC 28.050 (E) may be used as part of the legal limits of king crab pots. King crab taken from ground fish pots may be retained.

ISSUE: The regulations do not allow for cod (groundfish) pots for bait to be used during Bristol Bay Red King Crab Fishery (BBRKC) fishery. This practice is currently allowed during the Bering sea tanner crab fishery under 5 AAC 35.525 (a)

WHAT WILL HAPPEN IF NOTHING IS DONE? Fishers in BBRKC fishery will continue to buy or go without cod for bait.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? It could allow for faster fishing of pots /hanging bait in them

WHO IS LIKELY TO BENEFIT? All BBRKC fishers.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Derwin H. Hostetler III

(HQ-07F-071)

FAVOR

Kevin L. Kaldestad PC 4

OPPOSE

U.S. Fish and Wildlife Service PC 3

FINAL ACTION: Carries Fails Tabled No Action See Prop. #_____

ABSENT _____ ABSTAIN_____

DATE _____ TIME _____ TAPE # _____

PROPOSAL 380 - 5 AAC 34.910(b)(1). Fishing seasons for Registration Area Q.
Develop Pribilof red king crab management plan as follows:

Develop guidelines for a fishing season plan for red king crab that utilizes the flexibility inherent in the crab rationalization program and cooperatives, that can result in the deployment of minimum number of vessels and pots; observers on all vessels; and electronic catch reporting and if needed; ADF&G emergency closure authority in the event of excessive bycatch of blue king crab. Also, ADFG could implement closure of the same blue king crab protection zone, that is currently in place during the fishing season for tanner and snow crab fisheries surrounding the Pribilof Islands.

ISSUE: The need to develop a fishing season plan that would allow for reopening of the Pribilof Island red king crab fishery that incorporates mechanisms from the new crab rationalization program that would minimize impacts on the depressed blue king crab stocks.

WHAT WILL HAPPEN IF NOTHING IS DONE? Foregone harvests of red king crab due to conservation concerns of the blue king crab stocks which to some extent overlap the habitat of red king crab. The 2006 BSAI Crab SAFE document indicates a potential harvestable surplus of over 500,000 pound of red king crab. (BSAI Crab SAFE 1-4 and 3-1). In addition, continued negative economic impacts on the communities of St. Paul and St. George and traditional king crab harvesters will persist. These BSAI communities would benefit from the additional economic activity generated by reopening the Pribilof Red King crab fishery. Saint Paul and the local CDQ group, the Central Bering Sea Fishermen's Association, as well as other interested parties such as APICDA and ACC have taken proactive steps to rehabilitate the Pribilof Blue King Crab fishery. These parties have contributed funds to develop Pribilof Blue King Crab and red king crab rehabilitation programs being undertaken at the Seward Sea Life Center/Alutiiq Shellfish Hatchery that seeks to hatch blue king crab larvae under protected conditions to increase survival rates, and then release the juveniles into their natural habitat to restore depressed populations. Such efforts at conservation and fishery management should be recognized and rewarded by ADF&G.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes. By implementing guidelines as proposed above, not only will bycatch and other conservation issues with blue king crabs can be addressed, but the red king crab fishery can be pursued in a manner that incorporates the latest management practices and technologies and is sensitive to the resource and conservation guidelines.

WHO IS LIKELY TO BENEFIT? Historic Pribilof Red King crab harvesters. The community of Saint Paul and the Central Bering Sea Fishermen's Association (the local CDQ group) which owns 100 percent of the Pribilof Red King Crab CDQ quota.

WHO IS LIKELY TO SUFFER? No parties have been identified that would

negatively impacted by the above proposal.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Alaska Crab Coalition

(HQ-07F-139)

FAVOR

Alaska Crab Coalition PC11
Unalaska AC 2
Pribilof King Crab Harvesters PC13
The Bering Sea Crab Cooperative PC14
Central Bering Sea Fishermen's Association PC15

OPPOSE

U.S. Fish and Wildlife Service PC 3

FINAL ACTION: Carries Fails Tabled No Action See Prop. #_____

ABSENT _____ ABSTAIN_____

DATE _____ TIME _____ TAPE # _____

PROPOSAL 381 - 5 AAC 34.917(a)(2). Saint Matthew Island Section blue king crab harvest strategy. Reduce or repeal Saint Matthew blue king crab minimum total allowable catch for fishery to open as follows:

Either reduce or eliminate the minimum TAC for St. Matthew Island to reduce foregone harvests if the MSST level is achieved and a harvestable surplus develops. The current harvest strategy still incorporates conservation measures that protect minimum mature male and female biomass thresholds to ensure stock reproductively. The crab rationalization program and cooperatives have resulted in minimizing the number of vessels and pots deployed on the grounds and along with IFQs, enable managers to open fisheries now with low TACs without the fear of a large fleet exceeding the TAC and impacting pre-recruit males and mature females. The St. Matthew fishery already provides for observer coverage on all vessels and this will insure effective monitoring of the harvest.

ISSUE: The minimum TAC for the commercial St. Matthew Island blue king crab of 2.5 million pounds could result in foregone harvests and unnecessary economic impacts to traditional crab harvesters and the communities of St. Paul and St. George. The 2006 survey indicates a continued increase in stock abundance and the total mature biomass of males and females is just slightly below the MSST level for reopening of the fishery. (BSAI Crab SAFE 1-4 and 3-2).

WHAT WILL HAPPEN IF NOTHING IS DONE? Continued negative economic impacts on the communities of St. Paul and St. George whose crab dependent economies are reeling from low crab TACs and traditional St. Matthew Island king crab harvesters who have been unable to participate in the fishery since 1998.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes. In a positive manner as new management practices and technologies are applied in a fishery that has been closed for rebuilding since 1998, in a way that maximizes conservation benefits and minimizes bycatch concerns.

WHO IS LIKELY TO BENEFIT? Northern Region crab processing communities and traditional St Matthew Island king crab harvesters.

WHO IS LIKELY TO SUFFER? We are unaware of any persons or groups that will suffer as a consequence of reopening of this fishery.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Crab Coalition

(HQ-07F-140)

FAVOR

Kevin L. Kaldestad PC 4
Alaska Crab Coalition PC11
Unalaska AC 2

OPPOSE

U.S. Fish and Wildlife Service PC 3

FINAL ACTION: Carries Fails Tabled No Action See Prop. #_____

ABSENT _____ ABSTAIN_____

DATE _____ TIME _____ TAPE # _____

PROPOSAL 382 - 5 AAC 39.145. Escape mechanism for shellfish and bottomfish pots. Increase biodegradable cotton thread size for golden king crab as follows:

The solution for the Eastern and Western golden king crab fisheries is to allow for the biodegradable cotton twin to be 120 thread.

ISSUE: The rationalized fisheries of the Eastern and Western Aleutian Golden King Crab fisheries are being prosecuted with a longer soak time than before rationalization. This longer soak time reduces the discard rate of sub-legal and female crab. The tidal and current conditions in the Aleutian Islands are much stronger than in the Bering Sea. The longer soak time can result in the 30 thread biodegradable cotton twin degrading faster than 30 days and pulled pots have no crab in them.

WHAT WILL HAPPEN IF NOTHING IS DONE? The industry will continue being forced to change twin every time a pot is pulled and expect that a percentage of pulled pots will have lost the twin and all crab will be gone.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, it allows the harvester to let their pots soak long enough to allow for sub legal and female crab to escape. A much higher percentage of crab retained in the gear will be retainable. The industry will continue being forced to change twin every time a pot is pulled and expect that a percentage of pulled pots will have lost the twin and all crab will be gone.

WHO IS LIKELY TO BENEFIT? All of the crab harvesters in the Eastern and Western Aleutian Islands golden king crab fisheries.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? Other sizes of twine were considered and tested. They did not seem to be sufficient.

PROPOSED BY: Linda Kozak

(HQ-07F-434)

FAVOR

Unalaska AC 2

OPPOSE

U.S. Fish and Wildlife Service PC 3

FINAL ACTION: Carries Fails Tabled No Action See Prop. #_____

ABSENT _____ ABSTAIN_____

DATE _____ TIME _____ TAPE # _____

PROPOSAL 383 - 5 AAC 34.xxx. **New section.** Increase harvest level in the golden king crab fishery as follows:

The current harvest rate for Aleutian Islands golden king crab (AIGKC) was established in March 1996, when the BOF combined the two areas, they also started managing the AIGKC as two separate stocks and they established as policy, a harvest rate for the stocks. The TAC is currently capped at 5.7 million pounds. I would like to respectfully request that ADFG and the Alaska Board of Fisheries review the harvest rate in light of fisheries performance, observer data and recent survey information to assess if the TAC can be reasonably increased based on current mature stock of abundance, fisheries performance and observer data.

ISSUE: Catch per unit of effort has increased considerably in the Aleutian Islands Golden King Crab Catch Fishery to the point where fishermen are convinced that the TAC can be increased without impacting mature female and male productivity and the future sustainability of the resource. Observer-based data analysis from the 2005-2006 fishery in the Eastern District shows an average SPUE of 27.1 crabs per pot. This represents a 56.6 percent increase in SPUE over the 2004 fishery. An estimated 34 percent of all golden king crabs captured during the 2004/2005 fishery were discarded as bycatch, a decrease in bycatch of 21 percent from 2004. Similarly, in the Western Subdistrict, the CPUE increased 87 percent over the 2004/2005, while 48 percent of the total catch was discarded, a decrease in bycatch of 17 percent from the previous season. (ADFG Summary of 2005/2006 Mandatory Shellfish Observer Program...February 2007, pages 8-10). Although the decrease in bycatch might indicate a decline in pre-recruit crabs, the entire rationalized fleet in the Eastern District of 7 vessels switched to larger 9 inch mesh in the tunnels and doors in the 2005/2006 fishery. This has increased escape of smaller animals, more sorting being done on the bottom, rather than on deck. This not only saves time and improves efficiency, but also reduces the number of bycaught animals and handling mortality and it can misrepresent observed data to show a decrease in pre-recruit crabs.

WHAT WILL HAPPEN IF NOTHING IS DONE? Potential foregone harvests of legal size male crabs and lost revenue to the fleet and the State of Alaska.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? There is a distinct possibility that more AIGKC could be made available on the market.

WHO IS LIKELY TO BENEFIT? The AIGKC fleet and the State of Alaska.

WHO IS LIKELY TO SUFFER? No one I could think of.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Bing Henkel

(HQ-07F-148)

FAVOR

Kevin L. Kaldestad PC 4
Bristol Bay Economic Development Corporation PC6
Jeff Kauffman PC7
Rick Mezich PC9
Alan Bing Henkel PC10
Alaska Crab Coalition PC11
Norton Sound Economic Development PC12

OPPOSE

U.S. Fish and Wildlife Service PC 3
Unalaska AC 2

FINAL ACTION: Carries Fails Tabled No Action See Prop. # _____

ABSENT _____ ABSTAIN_____

DATE _____ TIME _____ TAPE # _____

PROPOSAL 384 - 5 AAC 39.675. Crab pot gear storage for Bering Sea/Aleutian Islands IFQ, CDQ, and Adak community allocation crab fisheries. Increase time that golden king crab gear may be left unattended prior to storage as follows:

The solution for the Eastern and Western golden king crab fisheries is to allow for the gear to be left unattended for 45 days.

ISSUE: The longline fisheries in the Eastern and Western Aleutian Islands golden kings crab fisheries are fully rationalized. The soak time has increased substantially. The requirement that stipulates vessels to put pots into storage if left unattended for more than 14 days is not applicable to these fisheries. It is common to allow the pots to soak up to 30 days. While a vessel is offloading crab in port, the pots should be allowed to be left soaking. Then upon returning to the fishing grounds, the vessel can immediately resume pulling gear.

WHAT WILL HAPPEN IF NOTHING IS DONE? The industry will continue being forced to put pots into storage if they will not be returning to the fishing grounds within the 14 day window. This is a lot of needless time and work for the fleet, as well as wasted fuel and fishing time.

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

WHO IS LIKELY TO BENEFIT? All of the crab harvesters in the Eastern and Western Aleutian Islands golden king crab fisheries.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? Changing the requirement to 30 days was considered, but it was felt that 45 days was more appropriate in granting some flexibility so that crab harvesters would not commit a violation.

PROPOSED BY: Linda Kozak

(HQ-07F-433)

FAVOR

OPPOSE

U.S. Fish and Wildlife Service PC 3
Unalaska AC 2

FINAL ACTION: Carries Fails Tabled No Action See Prop. #_____

ABSENT _____ ABSTAIN_____

DATE _____ TIME _____ TAPE # _____

PROPOSAL 385 - 5 AAC 35.XXX. Eastern Aleutian District Tanner Crab Harvest Strategy. This proposal seeks to establish a harvest strategy for the Eastern Aleutian District Tanner crab stock by creating a new regulation to read as follows:

5 AAC 35.XXX Eastern Aleutian District Tanner Crab Harvest Strategy. (a) In the Eastern Aleutian District, a commercial Tanner crab fishery may open only if analysis of preseason survey data indicates that the subject population:

(1) meets or exceeds the threshold level of mature male abundance specified in (b) of this section, which is one-half the long-term average of mature male abundance; and

(2) in a section of the Eastern Aleutian District, is sufficient to provide a guideline harvest level of 35,000 pounds or more as calculated under (d) of this section.

(b) The threshold levels of mature male abundance, in numbers of crab, for the following sections of the Eastern Aleutian District are:

(1) Akutan Section	200,000
(2) Unalaska/Kalekta Bay Section	65,000
(3) Makushin/Skan Bay Section	45,000

(c) In the Eastern Aleutian District,

(1) the registration deadline is 5:00 p.m. December 24.

(2) the vessel operator must register with the department before fishing in any of the sections and may not be simultaneously registered to fish in more than one section at a time.

(3) the commissioner may close, by emergency order, any section based on fishery performance.

(d) If the commercial Tanner crab fishery in the Eastern Aleutian District is opened under (a) of this section and the threshold level of abundance

(1) is equal to or less than the long-term average of mature male abundance, the guideline harvest level will be no more than 10 percent of the molting mature male abundance and no more than 30 percent of the legal size male abundance;

(2) exceeds the long-term average of mature male abundance, the guideline harvest level will be no more than 20 percent of the molting mature male abundance and no more than 30 percent of the legal size male abundance.

(e) In implementing this harvest strategy, the board directs the department to consider the reliability of the estimates of abundance of Tanner crab, the manageability of the fishery, and other factors deemed necessary to be consistent with sustained yield principles, and to use the best scientific information available.

(f) Nothing within this section prohibits the department from opening a commercial fishery for Tanner crab in the General Section of the Eastern Aleutian District if preseason survey results indicate that a harvestable surplus of Tanner crab is available and harvest rate would not exceed 20% of the molting mature male abundance or 30 percent of the legal male abundance.

(g) The long-term average of mature male abundance, in numbers of crab, for each of the following sections of the Eastern Aleutian District are:

(1) Akutan Section	400,000
(2) Unalaska/Kalekta Bay Section	130,000
(3) Makushin/Skan Bay Section	90,000

(h) For the purposes of this section

(1) "long-term average of mature male abundance" means the long-term average of the estimated abundance of male Tanner crab greater than 114 millimeters in carapace width:

(2) "molting mature male abundance" means the estimated abundance of 100 percent of newshell, and 15 percent of oldshell Tanner crab that are more than 114 millimeters in carapace width.

ISSUE: The Eastern Aleutian District Tanner crab fishery does not have a regulatory harvest strategy. The EAD Tanner crab stock is surveyed annually and since 2004 the Alaska Department of Fish and Game has managed the fishery using elements of the harvest strategy created for Kodiak Tanner crab.

WHAT WILL HAPPEN IF NOTHING IS DONE? Eastern Aleutian District Tanner crab fishery will continue to be managed based on principles contained within the Kodiak District Tanner crab regulatory harvest strategy.

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

WHO IS LIKELY TO BENEFIT? Participants in the Eastern Aleutian District Tanner crab fishery will benefit from having the department's management policies for this fishery clearly defined in regulation.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game

(HQ-07F-275)

FAVOR

Unalaska AC 2

OPPOSE

U.S. Fish and Wildlife Service PC 3

FINAL ACTION: Carries Fails Tabled No Action See Prop. # _____

ABSENT _____ ABSTAIN _____

DATE _____ TIME _____ TAPE # _____

PROPOSAL 386 - 5 AAC 35.505(c). DESCRIPTION OF REGISTRATION AREA J DISTRICTS. This proposal amends this regulation by adding new paragraphs to read:

(c)(1) Akutan Section: all waters west of Akun Head (54° 17.58' N lat., 165° 37.58' W long.) and east of North Head (54° 13.5' N. lat., 165° 51.08' W. long.) to the three nautical mile state-waters boundary and north of a line from 54° 07.63' N. lat., 165°39.88' W. long. to 54° 08.36' N. lat., 165° 38.36' W. long.

(2) Unalaska/Kalekta Bay Section: all waters west of Erskine Point (53° 58.55'N. lat., 166° 16.30' W. long.) and east of Cape Cheerful (54° N. lat., 166° 40.33' W. long.) to the three nautical mile state-waters boundary.

(3) Makushin/Skan Bay Section: all waters south of Cape Kovrzhka (53° 50.67' N. lat., 167° 09' W. long.) and north of Spray Cape (53° 36.83' N. lat., 167° 09.33' W. long.) to the three nautical mile state-waters boundary.

(4) General Section: all remaining waters of the EAD not contained within (1) through (3) of this section.

ISSUE: This proposal seeks to place into regulation the harvest sections utilized by ADF&G for management of Eastern Aleutian District Tanner crab. Current regulations define the Eastern Aleutian District, but do not describe the smaller harvest sections that are currently being used for management and stock assessment.

WHAT WILL HAPPEN IF NOTHING IS DONE? The Eastern Aleutian District Tanner crab fishery will continue to be managed by emergency order using the geographic boundaries described in this proposal.

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

WHO IS LIKELY TO BENEFIT? Participants in the Eastern Aleutian District Tanner crab fishery will have harvest sections outlined in regulation and the department's management policies for this fishery will be more clearly defined.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game

(HQ-07F-274)

FAVOR

OPPOSE

U.S. Fish and Wildlife Service PC 3

FINAL ACTION: Carries Fails Tabled No Action See Prop. # _____

ABSENT _____ ABSTAIN _____

DATE _____ TIME _____ TAPE # _____

PROPOSAL 387 - **5 AAC 34.910(d)(1). Fishing seasons for Registration Area Q; and 5 AAC 34.915 (b). Norton Sound red king crab harvest strategy.** Start open access Norton Sound king crab fishery on June 15 as follows:

5 AAC 34.910 Fishing seasons for Registration Area Q.

(d)(l) from 12:00 noon June 15 [JULY 1] through 12:00 noon September 3 (summer season); and

5 AAC 34.915 Norton Sound red king crab harvest strategy.

(b) [NOTWITHSTANDING 5 AAC 39.690 (e) (7), THE COMMISSIONER MAY, BY EMERGENCY ORDER, OPEN A CDQ FISHERY IN NORTON SOUND, WITH AN ALLOCATION OF 7.5 PERCENT OF THE FORECASTED GUIDELINE HARVEST LEVEL FOR MALE RED KING CRAB, TO BEGIN AT 12:00 NOON JUNE 15, OR NO LESS THAN 72, HOURS AFTER THE COMMERCIAL BEACH AND GILLNET HEARRING FISHERY IS CLOSED, WHICHEVER IS LATER, THROUGH 12:00 NOON JUNE 28 (SUMMER SEASON). AFTER JULY 1, THE COMMISSIONER MAY, BY EMERGENCY ORDER, OPEN A CDQ FISHERY FOR THE HARVEST OF ANY REMAINING ALLOCATION AFTER THE CLOSURE OF THE CMMERCIAL RED KING CRAB FISHERY.]

ISSUE: The Open Access Norton Sound red king crab fishery opens on July 1 while the CDQ fishery opens on June 15. The Norton Sound crab fleet is small boat fleet with most boats being 32 feet or under. The CDQ fishery is prosecuted by a small portion of the Norton Sound crab fleet and provides a limited volume of product to market prior to July.

Over the last several years the Norton Sound GHL has risen. As the season runs later into August more double shelled crabs are encountered. Moving the Open Access fishery start to June 15 and placing the CDQ fishery at the end of the open access season would remove most of the fleet from possibly of fishing on double shelled crab. If large numbers of double shelled crab are encountered Fish and Game shuts the fishery down. Currently if the fisher is closed because of double shelled crab the entire fleet suffers. If the Open Access opens June 15 and double shell crab were encountered in the CDQ fishery and was closed only a small number of fishermen would be affected. Since CDQ fisherman fish both Open Access and CDQ it is likely that a shortened CDQ fishery would have a smaller economic impact to them then a shortened open access fishery.

A CDQ Fishery that takes place after the open Access fishery in most years will take much less time to prosecute then the current two week season that is set before the season. This further reduces the risk of a large number of double shelled crabs being caught.

The main processor has invested time and money in building a fresh crab market for Norton Sound crab. The processor is able tot get the fresh CDQ crab to the market during the end of June but then has a three to five day break before fresh open access crab is on the market. This break comes right during the important July 4 sales window. Fresh CDQ

crab is already sold and fresh open access crab is not available yet.

The main processor has a limited daily processing capacity and a limited number of days per week to ship fresh crab out to market. By opening the open access season on June 15 the processor and fishermen have more flexibility to schedule deliveries and processing. This will help improve quality and maximize the value of the fishery.

The past regulations were adopted when this fishery was a large boat (100' and over) Fishery. For the last decade the fishing fleet has shifted to a small Boat (42' and under) with the super-exclusive registration. The earlier season is favorable for the small boats because of the safety factor i.e. long daylight, better weather, and higher boat traffic.

Historically in the Norton Sound area there is a good weather in the month of June. Historically August is the time when the larger storms start to hit the area. By starting in the Open Access season on June 15 the entire fleet would be able to take advantage of the historic good weather window. This same time also coincides with that long summer daylight allowing the fleet to fish in the cool evening hours when the ocean is generally calmer. A June 15 opening date would align the Norton Sound Section access with the opening date of the Kotzebue Sound section to the north.

Climate change appears to be taking place in Norton Sound. The ocean ice is melting sooner and it appears crab are migrating offshore earlier in the spring. Over the last several years molting crab have been encountered in different numbers at the end of the season. This would indicate that the molt may be happening sooner also.

WHAT WILL HAPPEN IF NOTHING IS DONE? Status quo will remain. The opportunity to sell a larger amount of Norton Sound crab into a favorable market will be missed.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, by starting the season earlier there is less of a chance that the season would still be open when crab begin to molt (double shell). A significant percentage of the harvest would be available in the market prior to July 4.

WHO IS LIKELY TO BENEFIT? Norton Sound commercial crab fishermen and processors by having more time to harvest crab. The fishermen with small boats will have a better chance to fish during a time of year with good weather.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Steve Ivanoff

(HQ-07F-137)

FAVOR

OPPOSE

U.S. Fish and Wildlife Service PC 3

FINAL ACTION: Carries Fails Tabled No Action See Prop. #_____

ABSENT _____ ABSTAIN_____

DATE _____ TIME _____ TAPE # _____

PROPOSAL 388 - 5 AAC 34.915(b). Norton Sound Section red king crab harvest strategy. Modify openings for crab fishery in Norton Sound as follows:

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

(b) Notwithstanding 5 AAC 39.690 (e) (7), the commissioner may, by emergency order, open a CDQ fishery in Norton Sound, with an allocation of 7.5percent of the forecasted guideline harvest level for male red king crab, to begin at 12:00 noon June 15 [, OR NO LESS THAN 72 HOURS AFTER THE COMMERCIAL BEACH AND GILLNET HERRING FISHERY IS CLOSED, WHICHEVER IS LATER,] through 12:00 noon June 28 (summer season). After July 1, the commissioner may, by emergency order, open a CDQ fishery for the harvest of any remaining allocation after the closure of the commercial red king crab fishery.

ISSUE: The Norton Sound Red King Crab CDQ fishery can not open until June 15th or 72 hours after the Norton Sound Herring fishery closes which ever is later. This regulation was put in place to address the enforcement concern of having the Norton Sound herring and crab fisheries open simultaneously with only a limited enforcement presence. The Norton Sound herring fishery is no longer a large fishery and the Department leaves the fishery open continuously. The Norton Sound herring fishery is now likely to be a fishery to harvest bait for the local fleet and will need to remain open past June 15. The main effect of this regulation now will be an inconvenience to the Norton Sound Crab fishing fleet.

WHAT WILL HAPPEN IF NOTHING IS DONE? Opening of the Norton Sound red king crab CDQ fishery will be delayed if the Norton Sound herring fishery is open past 12:00 noon June 12. This will reduce the opportunity to harvest the Norton Sound red king crab CDQ allocation.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, this will help insure that the CDQ harvest is completed before June 28 and placed into the fresh crab market prior to July 4. The Norton Sound open entry red king crab fishery closure is frequently based on the beginning of the male molt, precluding any more fishing for the year.

WHO IS LIKELY TO BENEFIT? Norton Sound red king crab fishermen.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Norton Sound Economic Development Corporation

(HQ-07F-116)

FAVOR

OPPOSE

U.S. Fish and Wildlife Service PC 3

FINAL ACTION: Carries Fails Tabled No Action See Prop. # _____

ABSENT _____ ABSTAIN _____

DATE _____ TIME _____ TAPE # _____

PROPOSAL 389 - 5 AAC 34.920(d). Size limits for Registration Area Q. Reduce size limit for blue king crab in Norton Sound as follows:

5 AAC 34.920 Size limits for Registration Area Q.

(d) In the Norton Sound Section, only male red king crab for and three-quarter inches or greater, and male blue king crab five [AND ONE-HALF] inches or greater, in width of shell, may be taken or possessed.

ISSUE: The legal size for blue king crab in the Norton Sound Section is 5 1/2 inches. This size restriction is based on the legal size for St. Matthews Island Section blue king crab. The Norton Sound king crab are smaller than their southern relatives. Legal size for Norton Sound red king crab is 4 3/4 inches compared to southern population with legal size of 6 1/2 inches. Legal size for king crab has been based on size at sexual maturity plus two molts. Survey work conducted in 2005 and 2006 collected size measurements for Norton Sound blue king crab. This data supports a reduced legal size requirements to 5 inches for Norton Sound blue king crab.

WHAT WILL HAPPEN IF NOTHING IS DONE? Development of a blue king crab fishery will proceed slowly. The harvested biomass may be missed, however there are commercial closures around the inhabited island of the section.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, blue king crab with new shells will be available for harvest. Currently only a few king crab in their terminal molt reach legal size.

WHO IS LIKELY TO BENEFIT? Norton Sound commercial crab fisherman.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Norton Sound Economic Development Corporation

(HQ-07F-114)

FAVOR

OPPOSE

U.S. Fish and Wildlife Service PC 3

FINAL ACTION: Carries Fails Tabled No Action See Prop. # _____

ABSENT _____ ABSTAIN _____

DATE _____ TIME _____ TAPE # _____

PROPOSAL 390 - 5 AAC 34.925(b), (d). Lawful gear for Registration Area Q.
Modify escapement mechanisms for crab pots in Northern Sound fishery as follows:

5 AAC 34.925 Lawful gear for Registration Area Q. (b) In addition to the requirements of 5 AAC 39.145, in the Pribilof District, [AND] the Saint Matthew Island **and Norton Sound** Sections of the Northern District, escape mechanism requirements for king crab pots are as follows:

(3) in the Norton Sound Section, each king crab pot must have four escape rings with an inside diameter measure of 4 and one-half inches placed within one mesh measurement from the bottom of the pot, with two escape rings on two sides of a four-sided pot, or if the pot has no escape rings as specified in this paragraph, then the lower half of one side of a four-sided pot must have a side panel composed of not less than six and one-half-inch stretched mesh webbing

(d) In the Norton Sound and Kotzebue Sound Sections during the winter commercial king crab season, a king crab pot

(4) in the Norton Sound Section, each king crab pot must have four escape rings with an inside diameter measure of 4 and one-half inches placed within one mesh measurement from the bottom of the pot, with the two escape rings on two sides of a four-sided pot, or if the pot has no escape rings as specified in this paragraph, then the lower half of one side of a four-sided pot must have a side panel composed of not less than six and one-half-inch stretched mesh webbing.

ISSUE: There is no other escape mechanism required besides the 18 inch biodegradable twine for pots used in the Norton Sound king crab fishery. This addresses the issue of lost pots ghost fishing, but does not address the unnecessary mortality of handling sublegal male and female crabs that have no way to escape pots before they are pulled to the surface, sorted and discarded to drift to the bottom. The future of crab stock is thus subjected to the risks of predation, injury and disfigurement. Unnecessary mortality and loss of value are occurring to these crabs. Over the last couple of years fishermen have reported seeing an increase in the number of sublegal crab with broken or missing legs.

Legal size was compared to escapement ring and escapement mesh size required in other king crab fisheries around Alaska. After comparing this to the smaller legal size in Norton Sound escape rings of 4.5 inches or greater and escapement mesh of 6.5 inches or larger is warranted.

WHAT WILL HAPPEN IF NOTHING IS DONE? Large numbers of sublegal male and small female crab will continue to be subjected to unnecessary risk while being pulled to the surface and returned to the water.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, when crab reach legal size they are less likely to have missing legs and so can be sold graded as number on fancies.

WHO IS LIKELY TO BENEFIT? Norton Sound commercial and subsistence crab fishermen will benefit from a healthier crab stock.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Norton Sound Economic Development Corporation

(HQ-07F-115)

FAVOR

OPPOSE

U.S. Fish and Wildlife Service PC 3

FINAL ACTION: Carries Fails Tabled No Action See Prop. #_____

ABSENT _____ ABSTAIN_____

DATE _____ TIME _____ TAPE # _____

PROPOSAL 391 - 5 AAC 34.925. Lawful gear for Registration Area Q; and 5 AAC 02.607. Subsistence fishing gear. Require galvanic release or other thread for Nome winter crab fishery as follows:

A galvanic release or thread that breaks down quicker. This is less salty and cold water - so something that works in this area.

ISSUE: The 30 thread cotton string required for the escape of crab from pots incase they are lost doesn't breakdown, it lasts for years. I have two year old pots used each year, and know of pots older with the tread still intact. Many pots get lost some years; over 100 last year; and close to that this year, when the ice goes out in winter.

WHAT WILL HAPPEN IF NOTHING IS DONE? The lost pots keep catching crab, the crab are caught without the escape working. I do not know what will happen in the long run, but it doesn't seem good.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes. No lost pots still catching crabs without an escape open.

WHO IS LIKELY TO BENEFIT? The crab fishery.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Kevin Bopp (HQ-07F-085)

FAVOR

OPPOSE

U.S. Fish and Wildlife Service PC 3

FINAL ACTION: Carries Fails Tabled No Action See Prop. # _____

ABSENT _____ ABSTAIN _____

DATE _____ TIME _____ TAPE # _____

Alaska Board of Fisheries

Additional proposals for the March 3-9, 2008 meeting:

(Includes agenda change requests accepted by the board and board generated proposals)

Proposal 401 (was ACR 5) - 5 AAC 52.065. Upper Copper River and Upper Susitna River Area Stocked Waters Management Plan and 5 AAC 70.065. Arctic-Yukon-Kuskokwim Region Stocked Waters Management Plan. Revise stocked waters management plan.

The current stocked waters management plans for the Upper Copper/Upper Susitna (UCUS) and Arctic-Yukon-Kuskokwim (AYK) management areas do not allow the bag limit in stocked waters to be reduced by emergency order. The Sport Fish Division hatcheries are currently at reduced production levels due to aging facilities and loss of warm water for accelerated rearing. The department has adjusted for these production shortfalls by reducing the number of fish stocked in some waters and stopping stocking of other waters altogether to maintain adequate numbers and sizes of fish in high-use waters. If production declines continue, recreational fishing opportunity and the quality of fishing will also decline in high-use waters because most stocked fish populations will be comprised of fewer and smaller fish.

The department requests that the Board amend the existing management plans to allow the department to reduce bag limits, institute catch and release, or modify methods and means in stocked waters by emergency order. The department will manage the stocked water fisheries during times of reduced hatchery production to provide the greatest benefit possible to sport anglers.

Proposed by: Alaska Department of Fish and Game

FAVOR

OPPOSE

Cordova District Fisherman United PC 2

FINAL ACTION: Carries Fails Tabled No Action See Prop. # _____

ABSENT _____ ABSTAIN _____

DATE _____ TIME _____ TAPE # _____

Proposal 402 (was ACR 6) - 5 AAC 38.xxx. New section. Develop new management measures to prevent overharvest and ensure accurate accounting, biological sampling and enforcement of state-waters scallop harvest.

The current state-waters vessel-based limited entry program is currently scheduled to expire December 31, 2008. Once this program expires, state waters will be open to scallop fishing by any vessel beginning January 1, 2009. Federal waters will remain under the federal license limitation program. This is a problem because the state-federal boundary crosses several of the commercial scallop beds, but scallops are currently managed without regard to this boundary. New management measures may be needed to prevent over-harvest and to ensure accurate accounting, biological sampling, and enforcement of state-waters scallop harvest, where permits will be unlimited, relative to federal waters, where there are 9 permits. Expiration of this limited entry program will occur before the next regularly scheduled miscellaneous shellfish meeting.

Proposed by: Alaska Department of Fish and Game

FAVOR

Kodiak AC3

OPPOSE

Cordova District Fisherman United PC 2

Kevin L. Kaldestad PC 4

Jim Stone PC8

Provider, Inc. PC5

FINAL ACTION: Carries Fails Tabled No Action See Prop. # _____

ABSENT _____ ABSTAIN _____

DATE _____ TIME _____ TAPE # _____

Proposal 403 (was ACR 15) - 5 AAC 39.975. Definitions; and 75.995. Definitions.
Update definitions to include Dark Rockfish (*S. ciliatus*).

The National Marine Fisheries Services (NMFS) is transferring management authority of dark rockfish (*S. ciliatus*) to the state of Alaska. Management control is expected by January of 2008 and the state does not have this species identified within its definitions.

This will allow for the adoption of the currently recognized species designations and common names into the statewide definitions for the pelagic shelf rockfish group. The dusky rockfish (*S. ciliatus*) has been considered a single variable species with light and dark forms. These two forms have now been determined to be two separate species by Orr and Blackburn: Orr, James W. and JE Blackburn. 2004. The dusky rockfishes (Teleostei: Scorpaeniformes) of the North Pacific Ocean: resurrection of *Sebastodes variabilis* (Pallas, 1814) and a redescription of *Sebastodes ciliatus* (Tilesius, 1813).

Sebastodes ciliatus was formerly defined as the Dusky rockfish. The common name is now Dark rockfish. The common name Dusky rockfish is now applied to a newly recognized species *Sebastodes variabilis*.

Proposed by: Alaska Department of Fish and Game

FAVOR

OPPOSE

Cordova District Fisherman United PC 2

FINAL ACTION: Carries Fails Tabled No Action See Prop. # _____

ABSENT _____ ABSTAIN _____

DATE _____ TIME _____ TAPE # _____

Proposal 404 (was ACR 16) - **5 AAC 06.200. Fishing districts, subdistricts, and sections; and 5 AAC 06.357. Ugashik River Sockeye Salmon Special Harvest Area Management Plan.** Clarify western boundary of Ugashik District as follows:

5 AAC 06.200. Fishing districts, subdistricts, and sections

...

(d) Ugashik District: all waters south of a line from Cape Greig at 57° 54' N. lat., 157° 82' W. long., to a point approximately one mile offshore at 57° 54' N. lat., 157° 70' W. long., then east of a line from 57° 54' N. lat., 157° 55' W. long. to Cape Menshikof at 57° 34' N. lat., 157° 84' W. long.

The new northwest corner of the main Ugashik District should be **57° 43.540' N. lat., 157° 43.805' W. Long.**

5 AAC 06.357. Ugashik River Sockeye Salmon Special Harvest Area Management Plan

...

(c) The Ugashik River Special Harvest Set Gillnet Area consists of all waters of the Ugashik River upstream of a line from 57° 62' N. lat., 157° 63' W. long. to 57° 83' N. lat., 157° 22' W. long., and downstream of a line from 57° 94' N. lat., 157° 56' W. long. to 57° 63' N. lat., 157° 24' W. long.

(d) The Ugashik River Special Harvest Drift Gillnet Area is all waters upstream of a line from 57° 63' N. lat., 157° 24' W. long. to 57° 94' N. lat., 157° 56' W. long., and downstream of a line from 57° 76' N. lat., 157° 65' W. long. to 57° 60' N. lat., 157° 75' W. long.

The new northwest corner of the Ugashik Special Harvest Area should be **57° 43.540' N. lat., 157° 43.249' W. long.**

At the December 2006 Board of Fisheries meeting in Dillingham the board decided to adopt proposal 112. At committee the board decided that the intent of the proposal was to remove a small triangle of area from the northern part of the Ugashik District. This proposal was adopted with the new northwest corner to be determined at a later time. The northwest point used for the 2006 season accidentally moved the West line towards the East and shrunk the district more than the proposal intended.

Proposed by: Warren Johnson, Bristol Bay Driftnetters Association

FAVOR

Bonnie Williams, Vince Webster, Howard Delo PC 1

OPPOSE

CDFU PC 2

FINAL ACTION: Carries Fails Tabled No Action See Prop. # _____

ABSENT _____ ABSTAIN _____

DATE _____ TIME _____ TAPE # _____

Proposal 405 - 5 AAC 28.055. Seabird avoidance measures in groundfish fisheries.
Modify seabird avoidance measures as follows:

5 AAC 28.055. Seabird avoidance measures in groundfish fisheries. When commercial fishing for groundfish with a longline in state waters, the operator of a vessel that is greater than 26 feet in overall length shall comply with the seabird avoidance measures described in **federal regulation** [50 C.F.R. 679.24, REVISED AS OF OCTOBER 1, 2004] and adopted by reference.

This proposal was presented to give the board the opportunity to address seabird avoidance measures in state-waters groundfish fisheries in order to better coordinate state regulations with revisions in federal regulations.

Proposed by: Alaska Board of Fisheries

FAVOR

Kodiak AC3

OPPOSE

Cordova District Fisherman United PC 2

FINAL ACTION: Carries Fails Tabled No Action See Prop. #_____

ABSENT _____ ABSTAIN_____

DATE _____ TIME _____ TAPE # _____