SUPPLEMENTAL PROPOSALS
For the Alaska Board of Fisheries
2009/2010 Meeting Cycle

Proposal 193 Revise the management triggers in the Yukon River Summer Chum Management Plan.

Proposal 194 Revise the management triggers in the Yukon River Fall Chum Management Plan

Proposal 195 Close summer commercial Dungeness crab fishery in Southeast Alaska District 2. (Previously listed as ACR 5)

Proposal 196 Adjust the total allowable catch for the Bering Sea *C. opilio* Tanner crab commercial fishery by repealing Section (a)(2). (Previously listed as ACR 7)

Proposal 197 Reduce the minimum size limit for Tanner crab in the Bering Sea commercial fishery. (Previously listed as ACR 9)

Proposal 198 Remove the minimum total allowable catch in the Saint Matthew Island Section Blue King Crab fishery.

Proposal 199 Modify the Yukon River Coho Salmon Management Plan to provide for late season harvest.

SUPPLEMENTAL PROPOSALS

This proposal was developed as a board generated proposal. It is scheduled for consideration during the January 26-31, 2010 meeting.

PROPOSAL 193 - 5 AAC 05.362. Yukon River Summer Chum Salmon Management Plan. Revise the management triggers in the Yukon River Summer Chum Management Plan as follows:

5 AAC 05.362. Yukon River Summer Chum Salmon Management Plan

(a) The objective of this management plan is to provide the department with guidelines to manage for the sustained yield of Yukon River summer chum salmon. The department shall use the best available data, including preseason run projections, test fishing indices, age and sex composition, subsistence and commercial harvest reports, and passage estimates from escapement monitoring projects to assess the run size for the purpose of implementing this plan.

(b) When the projected run size of summer chum salmon is **equal to or less than the minimum OEG** [600,000 FISH OR LESS], the commissioner shall, by emergency order, close the
(1) commercial, sport, and personal use directed summer chum salmon fisheries;
(2) subsistence summer chum salmon fisheries, except that, if indicators show an individual escapement goal in a district, subdistrict, or portion of a district or subdistrict will be met, the commissioner may open, by emergency order, a directed subsistence summer chum fishery in that district, subdistrict, or portion of a district or subdistrict.

(c) When the projected run size of summer chum salmon is more than **the minimum OEG** [600,000] fish, but not more than **the minimum OEG plus the low end of the amounts necessary for subsistence (ANS) range** [700,000 FISH],
(1) the commissioner shall close, by emergency order, the commercial, sport, and personal use directed summer chum salmon fisheries;
(2) the department shall manage the subsistence directed summer chum salmon fishery to achieve drainage-wide escapement of no less than **the minimum** [600,000] summer chum salmon **OEG** , except that, if indicators show that individual escapement goals within a district, subdistrict, or portion of a district or subdistrict will be met, the commissioner may open, by emergency order, a less restrictive directed subsistence summer chum fishery in that district, subdistrict, or portion of a district or subdistrict.

(d) When the projected run size of summer chum salmon is more than **the minimum OEG plus the low end of the ANS range** [700,000 FISH], but not more than **the minimum necessary drainage-wide escapement or low end of the BEG (or SEG) range plus the midpoint of the ANS range** [1,000,000 FISH],
(1) the commissioner may open, by emergency order, a subsistence fishery with fishing seasons and periods as specified in 5 AAC 05.360(d) ;
(2) and if indicators show that individual escapement goals within a district, subdistrict, or portion of a district or subdistrict will be met, the commissioner may open, by emergency order, a summer chum fishery for commercial, sport, or personal use fishing in that district, subdistrict or portion of a district or subdistrict.

(e) When the projected run size of summer chum salmon is more than **the minimum necessary drainage-wide escapement or low end of the BEG (or SEG) range plus the midpoint of the ANS range** [1,000,000 FISH], the commissioner may open, by emergency order, a drainage-wide commercial fishery with the harvestable surplus distributed by district or subdistrict in proportion to the guideline harvest levels established in (f) of this section. **The department shall mange the summer chum salmon fisheries to achieve escapements within the established escapement goal range commensurate with larger run size**s.

(f) The department shall manage the commercial summer chum salmon fishery for a guideline harvest level of 400,000 - 1,200,000 summer chum salmon to be distributed as follows:
(1) Districts 1 and 2: 251,000 - 755,000 fish;
(2) District 3: 6,000 - 19,000 fish;
(3) Subdistrict 4-A: 113,000 - 338,000 fish, the equivalent roe poundage of 61,000 - 183,000 pounds, or a combination of pounds of roe and numbers of fish;
(4) Subdistricts 4-B and 4-C: 16,000 - 47,000 fish;
(5) Subdistricts 5-B, 5-C, and 5-D: 1,000 - 3,000 fish;
(6) District 6: 13,000 - 38,000 fish.

(g) When the projected summer chum salmon harvest level for Districts 1 - 6 combined is 400,000 fish or less, the department shall allocate the commercial harvest available by percentage to each district or subdistrict as follows:
(1) Districts 1 and 2: 62.9 percent;
(2) District 3: 1.6 percent;

(3) Subdistrict 4-A: 28.2 percent;
(4) Subdistrict 4-B and 4-C: 3.9 percent;
(5) District 5: 0.3 percent;
(6) District 6: 3.2 percent.

ISSUE: This proposal provides an opportunity for review of potential changes to the management trigger points in the management plan. The current management triggers may be inflexible and preclude a commercial harvest of and apparent surplus of salmon. When the management plan was adopted, the trigger points were based on the necessary escapement, subsistence needs, and a buffer for escapement distribution. Escapement goals, subsistence harvests, and market conditions have changed but the trigger points have not. Adjustments to the management triggers may allow for maximizing commercial fishing opportunities while still providing adequate escapement and subsistence needs.

WHAT WILL HAPPEN IF NOTHING IS DONE? Continued lack of fishing opportunity even when a harvest could take place.

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

WHO IS LIKELY TO BENEFIT? Increased management flexibility should benefit all participants.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? No.

PROPOSED BY: Alaska Board of Fisheries
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This proposal was developed as a board generated proposal. It is scheduled for consideration during the January 26-31, 2010 meeting.

PROPOSAL 194 - 5 AAC 01.249. Yukon River Drainage Fall Chum Salmon Management Plan. Revise the management triggers in the Yukon River Fall Chum Management Plan as follows:

5 AAC 01.249. Yukon River Drainage Fall Chum Salmon Management Plan
The objective of this management plan is to ensure adequate escapement of fall chum salmon into the Yukon River drainage and to provide management guidelines to the department. The department shall implement this plan from July 16 through December 31 each year, as follows:

(1) the department shall use the best available data, including preseason projections, mainstem river sonar passage estimates, test fisheries indices, subsistence and commercial fishing reports, and fish passage estimates from escapement monitoring projects to assess the run size of chum salmon;

(2) when the projected **fall chum salmon** run size **is equal to or less than the lower end of the established drainage-wide BEG (or SEG) range [**300,000 CHUM SALMON OR LESS], the commissioner shall close, by emergency order, the
(A) commercial, sport, and personal use directed chum salmon fisheries; and
(B) subsistence directed chum salmon fisheries, except that if indicators suggest that an individual escapement goal in a subdistrict, district, or a portion of a subdistrict or district will be achieved, the commissioner may, by emergency order, open a subsistence directed chum salmon fishery in that subdistrict, district or portion of that subdistrict or district;

(3) when the projected **fall chum salmon** run size is more than **the low end of the established drainage-wide BEG (or SEG) range** [300,000], but not more than **the low end of the established drainage-wide BEG (or SEG) range plus the low end of the established drainage-wide amounts necessary for subsistence (ANS) range,** [500,000 CHUM SALMON], the
(A) targeted drainage-wide minimum **fall chum salmon** escapement goal is **the low end of the established drainage-wide BEG (or SEG) range** [300,000 CHUM SALMON];
(B) commissioner shall, by emergency order, close the commercial, sport, and personal use directed chum salmon fisheries, except that if indicators suggest that an individual escapement goal and identified subsistence needs in a subdistrict, district, or portion of a subdistrict or district will be achieved, the commissioner may, by emergency order, open a sport or personal use fishery in that subdistrict, district, or portion of that subdistrict or district; and
(C) department shall manage the subsistence chum salmon directed fisheries to achieve the targeted drainage-wide escapement goal, except that if indicators suggest that an individual escapement goal in a subdistrict, district, or a portion of a subdistrict or district will be achieved, the commissioner may, by emergency order, open a less restrictive subsistence directed chum salmon fishery in that subdistrict, district, or portion of the subdistrict or district;

(4) when the projected **fall chum salmon** run size is more than **the low end of the established drainage-wide BEG (or SEG) range plus the low end of the established drainage-wide ANS range but not more than the low end of the established drainage-wide BEG range plus the high end of the established drainage-wide ANS range** [500,000 CHUM SALMON], the
(A) targeted drainage-wide escapement goal is **the low end of the established drainage-wide fall chum salmon BEG (or SEG)** [300,000] or more chum salmon;
(B) commissioner may, by emergency order, open a
(i) subsistence fishery according to the fishing seasons and periods specified in 5 AAC 01.210(c) - (h) and 5 AAC 05.367; and
(ii) personal use fishery and sport fishery to allow the retention of chum salmon; and
(C) if indicators suggest that an individual escapement goal and identified subsistence needs in a subdistrict, district, or a portion of a subdistrict or district will be achieved, the commissioner may, by emergency order, open a commercial fishery in that subdistrict, district, or portion of that subdistrict or district;

(5) in addition to the fisheries specified in (4) of this section, when the projected **fall chum salmon** run size is more than **the low end of the established drainage-wide BEG (or SEG) range plus the high end of the established drainage-wide ANS range**, [600,000 CHUM

SALMON], the commissioner may, by emergency order, open a drainage-wide commercial fishery with the targeted harvest of the surplus **fall chum salmon** above **the low end of the established drainage-wide BEG (or SEG) range plus the high end of the established drainage-wide ANS range,** [600,000 CHUM SALMON] distribution by district or subdistrict proportional to the guideline harvest range established in 5 AAC 05.365; the department shall distribute the harvest levels below the low end of the guideline harvest range by district or subdistrict proportional to the midpoint of the guideline harvest range. **Additionally, the department shall mange the fall chum salmon fisheries to achieve escapements within the established drainage BEG (or SEG) commensurate with larger run sizes.**

(6) for management of the Toklat River salmon stocks, the Kantishna River and Subdistricts 5-A and 6-A fisheries will be managed to achieve the established spawning escapement goals and the following provisions will apply:
(A) from August 15 through May 15, the Toklat River drainage is closed to sport and subsistence fishing;
(B) in the Kantishna River, the following subsistence permit requirements will apply:
(i) from August 15 through December 31, the subsistence salmon harvest limit in the Kantishna River is 2,000 chum salmon;
(ii) from August 15 through December 31, the annual harvest limit for the holder of a Kantishna River subsistence salmon fishing permit is 450 chum salmon; until the fishery harvest limit of 2,000 chum salmon is reached, permits for additional salmon may be issued by the department;
(iii) based on an evaluation of inseason run strength indicators, the commissioner may, by emergency order, reopen the Kantishna River fall season chum salmon subsistence fishery and allow the fishery to exceed the 2,000 fall chum salmon harvest limit if indications are that the Toklat River fall chum salmon minimum escapement goals will be achieved; the commissioner will close that fishery when the commissioner determines that it is necessary for the conservation and protection of chum salmon.

ISSUE: This proposal provides an opportunity for review of potential changes to the management trigger points in the management plan. The current management triggers may be inflexible and preclude a commercial harvest of and apparent surplus of salmon. When the management plan was adopted, the trigger points were based on the necessary escapement, subsistence needs, and a buffer for escapement distribution. Escapement goals, subsistence harvests, and market conditions have changed but the trigger points have not. Adjustments to the management triggers may allow for maximizing commercial fishing opportunities while still providing adequate escapement and subsistence needs.

WHAT WILL HAPPEN IF NOTHING IS DONE? Continued lack of fishing opportunity even when a harvest could take place.

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

WHO IS LIKELY TO BENEFIT? Increased management flexibility should benefit all participants.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? No.

PROPOSED BY: Alaska Board of Fisheries
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This proposal was previously listed as ACR 5. It is scheduled for consideration during the March 16-20, 2010 meeting.

PROPOSAL 195 - 5 AAC 32.110(1). Fishing seasons for Registration Area A. Close summer commercial Dungeness crab fishery in Southeast Alaska District 2 as follows:

5 AAC 32.110(1). Fishing seasons for Registration Area A.
Close portions of District 2 to commercial Dungeness crab fishing.

ISSUE: The summer commercial crab fishery in District 2, opened this year for the first time since 1985, significantly impacted the customary and traditional gathering levels of Dungeness crab for subsistence so as to threaten sustainable of the opportunity for subsistence crab fishing for our village and community.

The Board did not consider and address the adverse impact on subsistence when it adopted the regulation in 2009 opening District 2 to commercial summer crab fishing.

Our request is directed at the impact on subsistence and the adverse biological impact of harvesting large quantities of soft male crabs in the summer by the commercial fleet.

District 2 has been closed to commercial crab fishing since 1985. When it was opened this year by the Board, the commercial fleet placed over 100 pots per vessel in our traditional summer subsistence areas and caught all the crab within the first two weeks, leaving little or nothing for us to gather.

WHAT WILL HAPPEN IF NOTHING IS DONE? Continued impact on subsistence opportunity.

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

WHO IS LIKELY TO BENEFIT? Subsistence use.

WHO IS LIKELY TO SUFFER? Possibly commercial use.

OTHER SOLUTIONS CONSIDERED? No.

PROPOSED BY: Richard Peterson, President of the Organized Village of Kasaan
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This proposal was previously listed as ACR 7. It is scheduled for consideration during the March 16-20, 2010 meeting.

PROPOSAL 196 - 5 AAC 35.517 (a)(2). Bering Sea *C. opilio* Tanner crab harvest strategy. Adjust the total allowable catch for the Bering Sea *C. opilio* Tanner crab commercial fishery by repealing Section (a)(2) as follows:

5 AAC 35.517. Bering Sea *C. opilio* Tanner crab harvest strategy.
(a) In the Bering Sea District, the commercial *C. opilio* Tanner crab fishery may open only if the department's analysis of preseason survey data indicates the population of *C. opilio* Tanner crab
(1) contains an estimated spawning biomass of at least 25 percent of B_{msy}; [AND]
[(2) HAS A MINIMUM TOTAL ALLOWABLE CATCH (NOT INCLUDING THE CDQ QUOTA) FOR THE COMMERCIAL *C. OPILIO* TANNER CRAB FISHERY OF AT LEAST 15 MILLION POUNDS; NEITHER THE COMMERCIAL *C. OPILIO* TANNER CRAB FISHERY OR THE CDQ FISHERY UNDER 5 AAC 39.690 WILL OPEN IF THE MINIMUM TOTAL ALLOWABLE CATCH IS NOT MET.]

(b) If the estimated spawning biomass of *C. opilio* Tanner crab is
(1) at least 25 percent of B_{msy}, but less than B_{msy}, the total allowable catch will be $(F_{msy}/3+(B_t-0.25 \times B_{msy}) \times 0.417 \times F_{msy}/(0.75 \times B_{msy})) \times 100$ percent of the estimated mature male biomass or 58 percent of exploited legal males, whichever is less;
(2) at or above B_{msy}, the total allowable catch will be $(0.75 \times F_{msy}) \times 100$ percent of the estimated mature male biomass or 58 percent of the exploited legal males, whichever is less.

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

(d) For the purposes of this section,
(1) "B_{msy}" means the population biomass of mature male and female *C. opilio* Tanner crab that could produce maximum sustained yield under prevailing environmental conditions;
(2) "B_t" means the biomass of mature male and female *C. opilio* Tanner crab in a given year;
(3) "estimated mature male biomass" means the estimated biomass of all morphometrically mature male *C. opilio* Tanner crab;
(4) "estimated spawning biomass" means the estimated biomass of all morphometrically mature male *C. opilio* Tanner crab and all morphometrically mature female *C. opilio* Tanner crab;
(5) "exploited legal males" means 100 percent of the new-shell male *C. opilio* Tanner crab that are at least 102 millimeters (four inches) in width of shell, plus a percentage of old-shell male *C. opilio* Tanner crab that are at least 102 millimeters in width of shell estimated at the time of the survey; the percentage of old-shell male *C. opilio* Tanner crab will be based on the expected fishery selectivity for old-shell verses new-shell male *C. opilio* Tanner crab;
(6) "F_{msy}" means the fishing mortality of the mature male *C. opilio* Tanner crab stock that could produce maximum sustained yield under prevailing environmental conditions.

ISSUE: The Bering Sea snow crab fishery was declared overfished by the National Marine Fisheries Service in 1999. In response to the overfishing declaration, ADF&G developed a rebuilding plan in 2000, 5 AAC 35.517 Bering Sea *C. opilio* Tanner Crab Harvest Strategy. The rebuilding plan contains a minimum total allowable catch (TAC) of 15 million pounds for the commercial fishery (not including the community development quota fishery). The minimum harvest level was utilized to minimize the risk of the fishery exceeding harvest targets when the fishery was managed inseason as a competitive fishery under a guideline harvest level. Since the 2005/06 fishing season the snow crab fishery has been included in the federal Crab Rationalization Program, and managed under a total allowable catch (TAC). Inseason management is no longer conducted by ADF&G under a guideline harvest level.

ADF&G may need to adjust the TAC for the 2009/10 season below levels determined by 5 AAC 35.517 Bering Sea *C. opilio* Tanner Crab Harvest Strategy and below the minimum TAC to achieve the rebuilt level, $B_{msy,}$ under the federal rebuilding schedule for snow crab.

If ADF&G determines a harvestable surplus of snow crab is available under 5 AAC 35.517 that is less than the minimum TAC or if ADF&G reduces the calculated TAC for the 2009/10 season to a level below the minimum TAC to achieve stock rebuilding under federal guidelines, then the fishery would remain closed. ADF&G is requesting that the minimum TAC be removed from the snow crab management plan because it no longer serves the purpose it was originally developed for and, as an unforeseen effect of the regulation, could close the fishery when a harvestable surplus could be taken without the risk of exceeding the harvest target.

The Bering Sea snow crab fishery is managed for a total allowable catch. Although there are no allocations in state regulation, the National Marine Fisheries Service issues individual fishing quota shares (IFQ) to qualified participants. Removing the snow crab minimum TAC will not affect the federal allocation to IFQ holders.

The snow crab TAC for the 2009/10 season will be determined by October 1, 2009. If the snow crab TAC is less than the minimum TAC in regulation, the snow crab season would not open, although a harvestable surplus is available. The next regularly scheduled Board of Fisheries meeting for Bering Sea crab will occur in 2010/11. If this issue was taken up during the 2010/11 Board meeting cycle, it would not take effect until the 2011/12 snow crab season.

WHAT WILL HAPPEN IF NOTHING IS DONE? Lack of fishing opportunity.

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

WHO IS LIKELY TO BENEFIT? Participants in the fishery.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game

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This proposal was previously listed as ACR 9. It is scheduled for consideration during the March 16-20, 2010 meeting.

PROPOSAL 197 - 5 AAC 35.520. Size limits for Registration Area J; and 5 AAC 35.508. Bering Sea District *C. bairdi* Tanner crab harvest strategy. Reduce the minimum size limit for Tanner crab in the Bering Sea commercial fishery as follows:

5 AAC 35.520. Size limits for Registration Area J.
(a) Only male Tanner crab of the species *Chionoecetes opilio* **XX** [3.1] inches or greater in width of shell may be taken or possessed.

(b) In the Bering Sea District, Tanner crab size limits are as follows:
(1) male *C. bairdi* Tanner crab, or hybrid Tanner crab conforming to the identification criteria described at 5 AAC 35.521(a) , must be **XX** [5 ½] inches or greater in width of shell;
(2) male *C. opilio* Tanner crab, or hybrid Tanner crab conforming to the identification criteria described at 5 AAC 35.521(b) , must be **XX** [3.1] inches or greater in width of shell.

and

5 AAC 35.508. Bering Sea District *C. bairdi* Tanner crab harvest strategy.
(a) In the Bering Sea District, the commercial *C. bairdi* Tanner crab fishery may open only if an analysis of preseason survey data indicates that the population contains 21,000,000 pounds or more of mature female crab biomass in the Eastern Subdistrict.

(b) The department shall establish separate total allowable catch levels for that portion of the Bering Sea District east of 166° long., and that portion west of 166° long., based on the proportion of molting mature males east and west of 166° long.

(c) If the commercial *C. bairdi* Tanner crab fishery in the Eastern Subdistrict is open under (a) of this section, and the mature female crab biomass is
(1) at least 21,000,000 pounds, but less than 45,000,000 pounds, the total allowable catch will be no more than 10 percent of the molting mature male abundance or 50 percent of the exploitable legal size male abundance, whichever is less;
(2) 45,000,000 pounds or more, the total allowable catch will be no more than 20 percent of the molting mature male abundance or 50 percent of the exploitable legal size male abundance, whichever is less.

(d) Repealed 7/1/2006.

(e) If the commercial fishery in the Bering Sea District is not opened because it did not meet the threshold requirements specified in (a) of this section, the total allowable catch for each portion east and west of 166° long. is reduced by one-half as computed as specified in (c) of this section during the next season in which the requirements specified in (a) of this section are achieved.

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

(g) For the purposes of this section,
(1) "exploitable legal size male abundance" means the estimated abundance of 100 percent of newshell and 32 percent of oldshell male *C. bairdi* Tanner crab that are more than 140 millimeters (five and one-half inches) in carapace width, including the spines;
(2) "mature female crab biomass" means the estimated biomass of female *C. bairdi* Tanner crab that are more than 79 millimeters in carapace width;
(3) "molting mature male abundance" means the estimated abundance of 100 percent newshell and 15 percent of oldshell male *C. bairdi* Tanner crab that are more than 112 millimeters in carapace width.

ISSUE: The current minimum size limit of 5.5 inches (140 mm) carapace width (CW) was established for Tanner crab *(Chionoecetes bairdi)* in the Bering Sea in 1976. It has never been changed. Zheng (2008) showed that mean size of maturity of male Tanner crabs declined from 120 mm CW in 1990 to 100 mm CW in 2006 in the Bristol Bay area. For females, a longer time series of maturity data show that female maturity size declined steadily since 1975 in both Bristol Bay and Pribilof areas. Because of terminal molt, this decline in maturity size has unintended consequences: (1) the few large-growing males experience higher fishing mortality rates and many are removed before they have an opportunity to reproduce, (2) handling mortality of sublegal males increased with the increasing proportion of sublegal to legal-sized crabs, (3) at-sea discards comprise a greater proportion of the total catch, thus increasing catch sorting time and costs, and (4) legal male catch-per-unit-effort (CPUE) declined. The combination of reduced legal male CPUE and increased proportion of sublegals have combined to compromise fishery profitability. Decreased profitability leads the fleet to abandon fishing prematurely, resulting in foregone catch as the fishery no longer attains guideline harvest limits (catch quotas) designed to achieve optimum sustainable yield. NMFS/RAM reports show foregone harvests of the TAC in 2006-07, 2007-08 and 2008-09 due to low CPUE and lack of profitability were respectively: 771,000 pounds; 3.1 million pounds; and 2.2 million pounds.

Reduction in size limit, commensurate with the decline in size of maturity, would reduce catches of sublegal males, thus reducing handling and discard mortality.

The regulation was not in error when originally established, but now, owing to a decline in maturity size, a significant proportion of mature males never molt to legal size. Thus, the original motivation of the size limit to allow males one to two opportunities to mate and then become available to the fishery is no longer maintained.

At the time the size limit was established at 1-2 molts above maturity size, it was unforeseen that mean maturity size would decline by 20 mm CW or more. A reduction in minimum size limit (and commensurate adjustment in harvest rate) is necessary to continue to achieve original optimum yield objectives for this fishery.

This proposal to reduce the minimum size limit for Tanner crabs in the Bering Sea is not allocative, because it affects all fishery participants equally. All participating fishermen and processors will share in the increased yield and economic efficiencies resulting from a reduced size limit, if enacted.

The unforeseen loss of sustained yield and increase in handling and discard mortality of sublegal male Tanner crabs would continue for two more seasons until this matter is address by the Board of Fisheries on their regular meeting cycle in 2010/2011.

The Alaska Crab Coalition is a fisheries trade association representing the owners and operators of Bering Sea and Aleutian Islands crab fishing vessels since 1986.

WHAT WILL HAPPEN IF NOTHING IS DONE? Lack of fishing opportunity.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes.

WHO IS LIKELY TO BENEFIT? Participants in the fishery.

WHO IS LIKELY TO SUFFER? This proposal to reduce the minimum size limit for Tanner crabs in the Bering Sea is not allocative, because it affects all fishery participants equally. All participating fishermen and processors will share in the increased yield and economic efficiencies resulting from a reduced size limit, if enacted.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Arni Thomson, Alaska Crab Coalition
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This proposal was developed as a board generated proposal. It is scheduled for consideration during the March 16-20, 2010 meeting.

<u>PROPOSAL 198</u> - 5 AAC 34.917. Saint Matthew Island Section Blue King Crab Harvest Strategy. Remove the minimum total allowable catch as follows:

Remove the minimum total allowable catch:
[(A)(2) HAS A MINIMUM TOTAL ALLOWABLE CATCH THRESHOLD (NOT INCLUDING THE CDQ QUOTA) FOR THE COMMERCIAL BLUE KING CRAB FISHERY THAT IS AT LEAST 2.5 MILLION POUNDS; NEITHER THE COMMERCIAL BLUE KING CRAB FISHERY OR THE CDQ FISHERY UNDER 5 AAC 39.690 WILL OPEN IF THE MINIMUM TOTAL ALLOWABLE CATCH THRESHOLD IS NOT MET.]

ISSUE: The Alaska Board of Fisheries (board), meeting via teleconference on September 28, 2009, removed the minimum total allowable catch (TAC) from the state's *Saint Matthew Island Section Blue King Crab Harvest Strategy*. The board enacted this change by emergency

regulation. Since the emergency regulation expires in 120 days, the board should revisit this issue to decide if removal of the minimum TAC should be made permanent.

The Saint Matthew Island Section blue king crab stock was declared overfished by the National Marine Fisheries Service (NMFS) in 1999. In response to the overfishing declaration, a rebuilding plan was developed in 2000. Part of that rebuilding plan is the state harvest strategy (5 AAC 34.917 *Saint Matthew Island Section Blue King Crab Harvest Strategy*). The harvest strategy contains a minimum TAC of 2.5 million pounds (not including the community development quota fishery) for the fishery to open. The minimum harvest level was implemented to promote stock rebuilding. The minimum harvest level was also utilized as a management tool to reduce the risk of the fishery exceeding harvest targets when the competitive fishery was managed inseason. Since the 2005/06 fishing season, the Saint Matthew Island Section blue king crab fishery has been included in the federal Crab Rationalization Program and managed under a TAC. As a result, inseason management of a competitive fishery is no longer conducted by the Alaska Department of Fish and Game (department).

The stock was declared rebuilt by NMFS on September 21, 2009. The department has requested that the minimum TAC be removed permanently from the blue king crab harvest strategy because it no longer serves the purpose for which it was originally developed, and as an unforeseen effect of the regulation, will close the fishery when a harvestable surplus could be taken without the risk of exceeding the harvest target.

WHAT WILL HAPPEN IF NOTHING IS DONE? The minimum TAC will remain as part of the harvest strategy and biologically allowable harvests below 2.5 million pounds will be precluded.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Unknown.

WHO IS LIKELY TO BENEFIT? The crab industry.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Board of Fisheries.
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This proposal was developed as a board generated proposal. It is scheduled for consideration during the January 26-31, 2010 meeting.

PROPOSAL 199 - 5 AAC 05.369. Yukon River Coho Salmon Management Plan. Modify the Yukon River Coho Salmon Management Plan to provide for late season harvest as follows:

5 AAC 05.369. Yukon River Coho Salmon Management Plan.

(a) The goal of this plan is to provide for the management of directed commercial coho salmon fishing in the Yukon River. The majority of Yukon River coho salmon spawn in tributaries that flow into the Yukon River from the mouth of the Yukon River up to and including the Tanana River drainage. The management of directed coho salmon fishing during the fall season is complicated by an overlapping run of more abundant fall chum salmon stocks.

(b) For the purpose of (c) of this section, the department shall use the best available information to assess coho salmon abundance including mainstem river sonar passage estimates, test fisheries indices, subsistence and commercial fishing reports, and estimates from escapement monitoring projects.

(c) The department may allow a directed coho salmon fishery under this section in years when

(1) the return of coho salmon measured under (b) of this section is projected to provide for a harvestable surplus;

(2) the fall chum salmon return is assessed by the department to be more than 550,000 fish;

(d) Fall chum salmon harvested during a directed commercial coho salmon fishery under this section will be considered incidental and may only occur on the harvestable surplus of fall chum salmon above 550,000 fish.

(e) In a year when a directed commercial coho salmon fishery is opened under this section in

(1) Districts 1, 2, and 3, the commissioner shall close, by emergency order, the coho salmon fall season no later than September 10;

(2) Subdistrict 5-A, and Districts 4 and 6, the commissioner shall close, by emergency order, the coho salmon fall season no later than October 5;

(f) In Subdistrict 5-B, 5-C, and 5-D there will be no directed commercial coho salmon fishery unless the department determines that there will be a harvestable surplus of coho salmon.

(g) The department shall distribute, to the extent practicable, the harvest opportunity in the directed coho salmon fishery between districts and subdistricts as follows:

(1) 24 hours of combined fishing time in Districts 1, 2, and 3 will be considered equal to 32 hours of fishing time in

(A) Subdistrict 4-A;

(B) Subdistricts 4-B and 4-C combined;

(C) Subdistrict 5-A; and

(D) District 6;

(2) to ensure an orderly and conservative fishery, coho salmon fishing will be managed as follows:

(A) in Districts 1, 2, and 3 combined, fishing time shall not exceed 24 hours in a seven-day period;

(B) in District 4-A, fishing time shall not exceed 32 hours in a seven-day period;

(C) in Subdistricts 4-B and 4-C combined, fishing time shall not exceed 32 hours in a seven-day period;

(D) in Subdistrict 5-A, fishing time shall not exceed 32 hours in a seven-day period;

(E) in District 6, fishing time shall not exceed 32 hours in a seven-day period.

(i) Notwithstanding any other provision in this section, if the commissioner determines that there is a harvestable surplus of coho salmon above escapement needs and those necessary for subsistence uses, and that a directed coho salmon commercial fishery will not have a significant impact on escapement or allocation of fall chum salmon, the commissioner may, by emergency order, open a directed coho salmon commercial fishery under this section.

ISSUE: The board adopted the Yukon River coho salmon management plan in 1999 to guide commercial coho salmon directed fishing throughout the fall chum salmon run where the potential for incidental harvest of fall chum salmon is high. The management plan was designed to ensure any directed coho salmon commercial fishery would not adversely impact escapement needs and subsistence uses for fall chum salmon. However, the plan is unclear about allowing a late season directed coho salmon directed fishery after the majority of the fall chum salmon run passes through fishing districts.

In September 2009, the board responded to a petition for an emergency regulation to allow for late season fishing during the 2009 season. The board would like to consider a permanent change to the management plan to allow for late season fishing if conditions warrant.

WHAT WILL HAPPEN IF NOTHING IS DONE? Fishery managers and the public will not be able to anticipate late season fishing opportunity for coho fishing.

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

WHO IS LIKELY TO BENEFIT? Fishermen who would like the opportunity to harvest coho salmon late in the season if conditions allow.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Board of Fisheries

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