

**PROPOSAL 250 - 5 AAC 35.506. Area J registration.** Allow full retention of legal male *C. opilio* crab incidentally harvested by vessels targeting *C. bairdi* crab in the Bering Sea District west of 166° W. long., as follows:

5 AAC 35.506(j) should be amended to read (new language in bold): “In the Bering Sea District, a vessel operator that is registered to fish for *C. bairdi* Tanner crab west of 166° W. long. may also retain **all legal male *C. opilio* Tanner crab taken incidentally during normal western *C. bairdi* Tanner crab commercial operations** [IN AN AMOUNT NOT TO EXCEED FIVE PERCENT OF THE WEIGHT OF *C. BAIRDI* TANNER CRAB ON BOARD THE VESSEL AND REPORTED ON AN ADF&G FISH TICKET].”

**What is the issue you would like the board to address and why?** As currently outlined in regulation, vessel operators targeting western *C. bairdi* Tanner crab are only allowed to retain *C. opilio* Tanner crab in an amount not to exceed five percent of the weight of *C. bairdi* crab on board the vessel and reported on an ADF&G fish ticket. This regulation was originally adopted as a way for managers to accurately record effort and landings and to ensure that commercial vessel operators were using the appropriate gear type for the crab species they were targeting. Today, not only are vessels required to register for an individual target crab species, the pot gear used (with specifications codified in regulation) to target western *C. bairdi* crab is different from the pot gear used to target *C. opilio* crab. Pot gear used for targeting *C. bairdi* crab has a larger mesh size and larger escapement rings than pot gear used for targeting *C. opilio* crab. The naturally smaller *C. opilio* crab have an increased ability to escape from *C. bairdi* pots. Regulated gear specifications by target species, resulting in the physical difference in the pot gear used, aids managers in their ability to distinguish between and track the effort of vessels targeting western *C. bairdi* crab versus those targeting *C. opilio* crab, irrespective of the fact that these fisheries occur in both an overlapping geographic area and overlapping timeframe. But because of these overlaps and the biological similarity of the two species, vessels targeting western *C. bairdi* crab do incidentally harvest *C. opilio* crab as part of their normal fishing operations. If a vessel operator has an adequate amount of *C. opilio* crab individual fishing quota (IFQ) available, that operator should not be incentivized by regulation to discard *any* incidentally taken legal male *C. opilio* crab.

The rigidity found in an unnecessarily low incidental retention level is currently working in direct opposition to the management goal and objective of continued species conservation. One of the original (and continuing) goals of the Crab Rationalization Program outlined in the 2004 Final EIS focused on the need for reduction of bycatch and its associated mortality. Additionally, National Standard 9 states that “*Conservation and management measures shall, to the extent practicable, (a) minimize bycatch and (b) to the extent bycatch cannot be avoided, minimize the mortality of such bycatch.*” It is the minimization of bycatch mortality that is of concern. Over the past few years, survey and stock assessment information have indicated significant growth in the *C. bairdi* Tanner crab population. With a continued increase in this population (and available TAC), vessel operators with both *C. bairdi* and *C. opilio* IFQ have had to make significant adjustments to their commercial fishing operations. Because the current western *C. bairdi* season closes six weeks sooner than the *C. opilio* season, early months normally spent targeting *C. opilio* crab are now spent targeting *C. bairdi* crab. However, these two crab species are significantly co-mingled together making it difficult for vessel operators to completely avoid *C. opilio* when targeting *C. bairdi*. Regulations that incentivize full and efficient use of the crab resource will work to minimize

unnecessary and wasteful mortality to this population whereas the current incidental regulation creates a disincentive for such usage. Data on both directed catch and discard amounts (and their associated mortality rate) for a species are incorporated into annual stock assessments and can negatively impact population estimates, future population projections, and future total allowable catch (TAC) amounts. These discards of legal male *C. opilio* crab during the *C. bairdi* crab target fishery will be directly targeted and harvested at a later time. This results in compounded mortality calculations being incorporated into the *C. opilio* crab stock assessment because of the mortality associated with: 1) when a crab is taken as incidental catch; 2) when a crab is taken as directed catch; and 3) when a crab is taken as both incidental and directed catch.

If the current incidental harvest limit for *C. opilio* crab is retained, discards and their associated mortality will likely increase as the overlap and species interaction between *C. bairdi* crab and *C. opilio* crab increases. Available data may not seem to indicate that harvesters targeting *C. bairdi* crab are actively retaining *C. opilio* in amounts that approach the current 5% incidental limit, it is important to recognize that this information is generally presented in aggregate across the fleet. Such aggregate data masks the fact that on an individual level, vessels do encounter large numbers of *C. opilio* crab on the grounds during their western *C. bairdi* crab operations. Unfortunately, on an individual catcher vessel basis, a 5% (by weight) incidental catch limit is too small to effectively manage during fishing operations and vessel operators would rather discard their incidental catch than risk a penalty for exceeding the regulated limit.

One of the many benefits outlined and achieved with implementation of the Crab Rationalization program was improved resource conservation such that previously depleted stocks have been able to recover to healthy and sustainable levels. However, healthy populations of multiple, overlapping crab stocks now necessitate more flexibility for harvesters targeting those stocks so that unnecessary discards and mortality are not incentivized in direct opposition to the conservation benefits achieved. This flexibility will provide for increased efficiency in operations for harvesters. Allowing the greatest maximum retention of all legal male crab species harvested will result in fewer pots being hauled throughout the season, which not only lessens the amount of time spent on the water while increasing CPUE, but it has the added benefit of increasing crew safety by decreasing the amount of time spent handling pot gear. Further, this flexibility will work to maximize deliveries of crab to coastal communities, especially to the community of St. Paul. This will result in increased fish taxes, business taxes, and other fees (i.e., fuel sales and supplies), which are a critical source of revenue not only for coastal communities, but for the State of Alaska.

**PROPOSED BY:** Alaska Bering Sea Crabbers; Central Bering Sea Fishermen's Association; and the City of St. Paul (HQ-F16-017)

\*\*\*\*\*