
PROPOSAL 245 - 5 AAC 34.935. Closed waters in Registration Area Q. Extend the closure line north for the Norton Sound Section commercial king crab fishery from 64° 10' N. lat to 64° 15' N. lat., as follows:

Make the north closure line straight across the west to East on the 64 15' N Lat. line.

5 AAC-34.395. Closed waters in Registration Area Q.

- (a) Except as provided in 5 AAC 34.915 (a) (6), all waters of the Norton Sound Section enclosed by a line from 64° 24.00' N. lat. 166° 15.00' W long., to 64° 15.00' N. lat., 166° 15.00' W long., [to 64° 15.00' N. LAT., 163° 30.00' W LONG., to 64° 10.00' N. LAT., 163° 30.00' W LONG., to 64° 10.00' N. LAT., 162° 00.00' W LONG., to 64° 15.00' N. LAT., 162° 00.00' W LONG.,]. to 64° 15.00' N. lat., 161° 30.00' W long., to 64° 00.00' N, lat., 161° 30.00' W long., to 64° 00.00' N lat., 161° 15.00' W long., to 63°

32.00'N lat., 161° 15.00' W long. are closed to the taking of king crab during the summer season.

What is the issue you would like the board to address and why? I would like the board to return the closure line along the north coast of Norton Sound to the old closure line that ran continuously on 64° 15'N Lat. While closure areas are important to protect female and juvenile crab. The need for as much closed area has decrease with the commercial crab fleet now require to use escapement mesh or rings. The use of these rings has decrease the number female and juvenile crab handled by the commercial crab fleet. Returning to the old closure line will also allow the commercial crabbers to spread out and reduce gear conflicts between commercial crabbers. The straight line across will make it fair for crabbers leaving both Nome and Golovin. Currently crabbers from Golovin must travel further to get to open are that those in Nome.

PROPOSED BY: Randy Takak (HQ-F16-038)

PROPOSAL 246 - 5 AAC 02.607. Subsistence fishing gear; and 5 AAC 39.105. Types of legal gear. Add a definition for crab rakes and allow crab rakes as lawful subsistence shellfish gear north of Cape Newenham, as follows:

In that portion of the area north of the latitude of Cape Newenham, shell fish may only be taken by shovel, RAKE, jigging gear, pots and ring net.

5 AAC 39.105. TYPES OF LEGAL GEAR. (d)(31) **a crab rake** is a handheld implement no longer than 16 feet, equiped with one or more prongs used to gather crab.

What is the issue you would like the board to address and why?

Rakes are commonly used to harvest crab in the Norton Sound Section and may be used generally in the Northern District of the Bering Sea and Chukchi Sea. When handlining it is common practice to place a rake in the ice hole so that it can be used to move the crab up through the hole. With the establishment of the Spiny King Crab in in the Norton Sound Section, rakes have been found to be an effective method to catch crab wedged between boulders. During the transition period of ice break-up in eastern Norton Sound red King Crab are caught using rakes at Cape Denbigh, Besboro Island, and the rocky coast near Kliketarik.

PROPOSED BY: Charles Lean (HQ-F16-040)

PROPOSAL 247 - 5 AAC 64.022. Waters; seasons; bag, possession, annual, and size limits; and special provisions for the Kodiak Area. Repeal regulations that prohibit sport fishing for king or Tanner crab in the Kodiak Area 14 days before and after a commercial king or Tanner crab fishery, as follows:

5 AAC 64.022(a)(12) is amended to read:

(12) Tanner crab: may be taken from January 1 – December 31 [, EXCEPT THAT FROM JULY 15 – FEBRUARY 10, A PERSON MAY NOT TAKE TANNER CRAB IN WATERS

25 FATHOMS OR GREATER IN DEPTH DURING THE PERIODS 14 DAYS BEFORE AND 14 DAYS AFTER THE COMMERCIAL RED KING CRAB, BLUE KING CRAB, OR TANNER CRAB SEASON]; bag and possession limit of six male crab; minimum size is five and one-half inches carapace width;

What is the issue you would like the board to address and why? This provision in sport fishing regulations, which is intended to prevent preseason commercial fishery “prospecting” and also the illegal sale of sport-caught crab following closure of the commercial fishery, is partially duplicated by current regulations addressing commercial king and Tanner crab fisheries (5 AAC 34.053; 5 AAC 35.053) which prohibit operators from participating in the sport fishery within 14 days of a commercial season. Other regulatory provisions for the commercial fishery which effectively discourage illegal sale of sport-caught crab by commercial vessels require that operators deliver their entire catch to processors within as little as 24 hours and no later than 72 hours following closure of the season (5 AAC 34.031; 5 AAC 35.031; 5 AAC 35.556).

Adoption of this proposal will help simplify sport fishing regulations and increase angling opportunity for king and Tanner crab by removing provisions which are largely duplicated in current regulations addressing the commercial king and Tanner Crab fisheries occurring within the Kodiak Area.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F16-157)

PROPOSAL 248 – 5 AAC 65.010. Fishing seasons for Alaska Peninsula and Aleutian Islands Area. Repeal regulations that prohibit sport fishing for king or Tanner crab in the Alaska Peninsula and Aleutian Islands Area 14 days before and after a commercial king or Tanner crab fishery, as follows:

5 AAC 65.010(g) is repealed:

(g) **Repealed** / **2017** [FROM JULY 15 THROUGH FEBRUARY 10, A PERSON MAY NOT TAKE TANNER CRAB IN WATERS 25 FATHOMS OR MORE IN DEPTH FROM 14 DAYS BEFORE AND 14 DAYS AFTER A COMMERCIAL RED KING CRAB OR TANNER CRAB FISHERY].

What is the issue you would like the board to address and why? This provision in sport fishing regulations, which is intended to prevent preseason commercial fishery “prospecting” and also retention of sport-caught crab for sale following closure of the commercial fishery, is partially duplicated by current regulations addressing commercial king and Tanner crab fisheries (5 AAC 34.053; 5 AAC 35.053) which prohibit operators from participating in the sport fishery within 14 days of a commercial season. Other regulatory provisions for the commercial fishery which effectively discourage the illegal sale of sport-caught crab by commercial vessels require that operators deliver their entire catch to processors within as little as 24 hours and no later than 72 hours following closure of the season (5 AAC 34.641; 5 AAC 34.681; 5 AAC 34.941; 5 AAC 35.031; AAC 35.556).

Adoption of this proposal will help simplify sport fishing regulations and increase angling opportunity for king and Tanner crab by removing provisions which are largely duplicated in current regulations

addressing the commercial king and Tanner Crab fisheries occurring within the Alaska Peninsula and Aleutian Islands areas.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F16-158)

PROPOSAL 249 - 5 AAC 35.525. Lawful gear for Registration Area J. Establish 20 pot gear limit for vessels participating in the South Peninsula District commercial Tanner crab fishery and cap the total number of pots allowed in the fishery at 1,000 pots, as follows:

Overall Limit 1,000 pots

Each-Boat-20 pots

(A) That will give everybody
A chance at The fishery

(B) Help smaller boats
weather is a issue
safety is a Issue

What is the issue you would like the board to address and why? South Alaska Peninsula Tanner Crab 20 pot Limit Tanner Crab! 5AAC 35 525

crab are having A hard Time Coming back, A smaller Pot Limit will help everyone Including The crab.

PROPOSED BY: William Dushkin, Paul K. Gunderson, Ben Mobeck (HQ-F16-062)

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)

PROPOSAL 251 - 5 AAC 35.510. Fishing seasons for Registration Area J. Change season closure date from March 31 to April 15 for *C. bairdi* Tanner crab in waters west of 166° W long., as follows:

5 AAC 35.510(f)(1) should be amended to read: “male *C. bairdi* Tanner crab **east of 166° W long.** may be taken from 12:00 noon October 15 until 11:59 p.m. March 31. **Male *C. bairdi* Tanner crab west of 166° W long. may be taken from 12:00 noon October 15 until 11:59 p.m. April 15;**”

What is the issue you would like the board to address and why? As it is currently written in regulation, the season closure date for *C. bairdi* Tanner crab in the Bering Sea District is March 31. This date was originally established as a way to protect molting and mating *C. bairdi* crab throughout the Eastern Subdistrict during the spring. Unfortunately, this date is based upon limited information and data for *C. bairdi* crab as determined in the Gulf of Alaska and not the Bering Sea. Applying the March 31 season closure date to both the eastern (EBT) and western (WBT) populations of *C. bairdi* Tanner crab in the Eastern Subdistrict unnecessarily restricts commercial harvesters targeting western *C. bairdi* Tanner crab. Regulations that incentivize full and efficient use of the crab resource will work to diminish wasteful discarding and unnecessary mortality. In order to allow commercial crab harvesters the opportunity to target western *C. bairdi* in the best and most efficient manner possible, while also minimizing potential negative impacts during a biologically sensitive life history period, the season ending date for *C. bairdi* Tanner crab (west of 166° W long.) should be extended to April 15.

While the western *C. bairdi* Tanner crab fishery had been closed since the 2008/2009 fishing season, commercial harvesters targeting this stock over the past several seasons (2013/2014, 2014/2015, 2015/2016) have now been encountering significant co-mingled populations of clean, legal-size *C. bairdi* and *C. opilio* during the course of their normal fishing operations for either species. With an increasing *C. bairdi* population (and increasing TAC) and a continued healthy population of *C. opilio*, vessels targeting western *C. bairdi* encounter high numbers of *C. opilio*. And when these same vessels make the conversion to target *C. opilio* after March 31, they continue to encounter high numbers of *C. bairdi* because of the geographic overlap and the biological similarity of these two species. Because the current western *C. bairdi* season closes six weeks sooner than the *C. opilio* season, early months of each season that had previously been spent targeting *C. opilio* crab are now spent targeting *C. bairdi* crab. However, a shorter season length in conjunction with currently restrictive incidental harvest limit regulations is causing vessels to unnecessarily discard incidental catch of legal male *C. opilio* crab during the early months of the season, which results in wasteful handling and discard mortality for this population. Such data is incorporated into annual species stock assessments and can negatively impact population estimates, future population projections, and future total allowable catch (TAC) amounts.

Commercial harvesters recognize and appreciate that the protection of sensitive mating and molting periods is one of the most basic and fundamental ways to conservatively manage crab stocks. As such, the actively avoid these periods during the course of their fishing operations (i.e., fishing at greater depths to avoid shallower areas where molting and mating is thought to occur). The federal King and Tanner Crab FMP states that fishing seasons are used to protect crabs during the molting and mating portions of their life cycle and that closed seasons are set to maximize the reproductive potential of crab populations; however, the FMP also states that king and Tanner crab seasons may be combined to minimize handling mortality, to maximize efficiency, and to reduce unnecessary administrative and enforcement burdens. The FMP states that seasons may also be combined when a given species is taken primarily as an incidental catch and it acknowledges that the specification of fishing seasons is important in achieving biological conservation, economic and social, vessel safety, and gear conflict objectives. For commercial harvesters, there is a need to strike a balance between unnecessary and wasteful mortality to one crab population with the minimal potential for fishery impacts to the sensitive life history period of another population. If the current season closure date for *C. bairdi* 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. 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 by reducing the need for operators to focus solely on *C. bairdi* earlier in the season and by allowing the greatest maximum retention of all legal male crab species harvested. This 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 increase the efficiency of 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-F16-018)

PROPOSAL 252 - 5 AAC 39.645. Shellfish onboard observer program. Allow a vessel carrying an onboard observer to rig, bait, and set gear for a new crab fishery before fully exiting the crab fishery for which the observer was briefed, as follows:

5 AAC 39.645(e) should be amended to read, “In addition to the permit requirements in 5 AAC 34.055 and 5 AAC 35.055, the permit for a vessel that **catches or catches and** processes Tanner crab, red king crab, blue king crab, or golden king crab must require that an observer, approved by the department and provided by the permittee, be briefed by the department for the fishery in which the vessel participates [AND THAT THE OBSERVER BE ON BOARD THE VESSEL BEFORE THE VESSEL OBTAINS A TANK INSPECTION, BEFORE THE VESSEL TAKES CRAB, AND BEFORE THE START OF AND DURING ALL PROCESSING OPERATIONS]. For the purposes of 5 AAC 34.055, 5 AAC 35.055, and 5 AAC 39.140, the observer is a representative of the department. All information collected by the observer is confidential property of the department. The department shall develop guidelines for approval of observers, including training requirements, conflict-of-interests standards, data collection schedules and standards, record keeping and reporting requirements, and other criteria needed to ensure accurate and objective reporting.

What is the issue you would like the board to address and why? The briefing requirements contained in the Shellfish Onboard Observer Program outline a rigidly narrow scope for placing certified observers onboard commercial crab catcher vessels and catcher-processor vessels. Currently, prior to a commercial vessel engaging in any activity related to setting gear, hauling gear, and offloading/processing catch in a target crab fishery, that vessel must have an observer onboard that has been briefed for that specific fishery. In seeking to adjust the regulation at 39.670(c)(3)(D), commercial crab harvesters acknowledge that that change would be in conflict with the current Shellfish Onboard Observer Program in that a vessel would not be allowed to re-rig, bait, and set gear for a new target fishery because an observer for the new target fishery would not be onboard. To illustrate this point, an observed vessel seeking to re-rig, bait, and set gear for the *C. opilio* fishery at the conclusion (final haul) of their *C. bairdi* fishery prior to their offload of *C. bairdi* are prevented from doing so because their onboard observer has not been officially briefed for this next target (although this observer for the *C. bairdi* fishery may have been briefed previously for the *C. opilio* fishery) and through the processing of re-rigging and setting gear, a vessel is considered to be officially engaged in the new target fishery.

Flexibility in gear regulations for the purpose of increased efficiencies and safety also requires flexibility in the placement of observers as part of the Shellfish Onboard Observer Program. So long as a certified shellfish observer has been briefed for a specific crab fishery at some point in the current commercial season, vessels should not be operationally constrained by unnecessarily restrictive observer regulations. If this regulation (in conjunction with 39.670(c)(3)(D)) is not

modified, vessel operators will continue to waste time (i.e., increased crew hours spent tending empty gear) and money (i.e., increased fuel costs from tending empty gear) in storing and pulling open pots prior to their ability to re-rig, bait, and set those pots for their next target crab species and will be subject to an increased likelihood of incurring a major injury during the extraneous handling of pot gear.

PROPOSED BY: Alaska Bering Sea Crabbers (HQ-F16-019)

PROPOSAL 253 - 5 AAC 39.670. Bering Sea/Aleutian Islands Individual Fishing Quota (IFQ) Crab Fisheries Management Plan. Allow a vessel participating in a rationalized crab fishery to rig, bait, and set pot gear for a new crab fishery prior to fully exiting the crab fishery for which the vessel is validly registered, as follows:

5 AAC 39.670(c)(3)(D) should be amended to read: “a vessel’s crab pot gear may not be deployed unless the vessel is actively participating in harvesting the species in the applicable area; **except that a vessel participating in a rationalized crab fishery may deploy crab pot gear for another rationalized target crab fishery if all of the following criteria are met: 1) while at sea, the vessel has notified ADF&G of its intent to switch target fishery within 48 hours of the final haul for the previous target fishery; 1) gear conversion and setting occurs only during the conclusion of the haul trip for the previously targeted species, prior to offload; 2) re-rigged and baited gear is hauled within 10 days after setting; and 3) hauling of re-rigged and baited gear does not occur prior to registering for the new target fishery.**”

What is the issue you would like the board to address and why? 5 AAC 39.670(c)(3)(D) is a component of the BSAI Individual Fishing Quota (IFQ) Crab Fisheries Management Plan. Under this regulation as it is currently written, a vessel’s crab pot gear may not be deployed unless that vessel is actively harvesting one of the rationalized crab species in the applicable registration area. As such, when a vessel is switching between target crab species, it is prevented from re-rigging, baiting, and setting its pot gear prior to delivery and registration for its next target species (pots not aboard the vessel and rigged for the species on board must be stored in the water unbaited and open), otherwise the vessel would be out of compliance for their target fishery. This regulation is extremely inefficient from a vessel operations standpoint as it requires vessel operators to waste time (i.e., increased crew hours spent tending empty gear) and money (i.e., increased fuel costs from tending empty gear) in storing and pulling open pots prior to their ability to re-rig, bait, and set those pots for their next target crab species. Further, the inefficiencies that result from this regulation provide no biological or conservation benefit to the rationalized crab stocks (i.e., protections for juvenile and female crab are maintained through pot gear specifications maintained in regulation).

At the time BSAI Crab Rationalization was implemented, it was important for ADF&G to accurately track fishing effort under this new management program. One way of initially achieving this was through strict vessel registration and gear deployment requirements for each target fishery. Experience now shows that the multitude of economic efficiencies and benefits achieved through Crab Rationalization are being diminished through continuation of this regulation without achieving any biological, conservation, or management benefits as a balance. The major cause of

injuries aboard Bering Sea crab vessels occurs during the handling of pot gear. Regulations that result in extraneous gear interactions are in direct contrast to the multiple safety improvements achieved by this fleet through the Rationalization Program. Without adoption of the amended regulatory language as proposed below, vessel operators will be required to continue operating in an extremely inefficient manner and will be subject to unnecessary financial costs for no realized benefit to either the target crab stocks or management program. With the stipulations and conditions included in the proposed regulatory language, ADF&G will maintain their ability to effectively monitor and record fishing effort and catch data without a decrease in management effectiveness.

PROPOSED BY: Alaskan Bering Sea Crabbers

(HQ-F16-021)

PROPOSAL 254 - 5 AAC 35.521. Identification of Bering Sea Tanner crab. Amend the description of a hybrid Tanner crab so that hybrid designation is dependent upon the target Tanner crab fishery for which the vessel is validly registered, as follows:

5 AAC 35.521(c) should be amended to read: “For the purpose of 5 AAC 35.510(f)(3) and 5 AAC 35.520(b), a hybrid Tanner crab **is considered to be either a C. bairdi Tanner crab or a C. opilio Tanner crab dependent upon whichever target Tanner crab fishery the vessel is registered for and for which the vessel’s pot gear is actively rigged** [THAT CONFORMS TO THE DESCRIPTION IN (a) OF THIS SECTION IS CONSIDERED TO BE A C. BAIRDI TANNER CRAB, AND A HYBRID TANNER CRAB THAT DOES NOT CONFORM TO THAT DESCRIPTION IS CONSIDERED TO BE A C. OPILIO TANNER CRAB].”

What is the issue you would like the board to address and why? *Chionoecetes opilio* crab and *Chionoecetes bairdi* crab naturally crossbreed with one another with their offspring displaying physical characteristics from both parents (species). It is understood that for the purposes of accurate catch accounting during both the directed *C. opilio* and *C. bairdi* fisheries, ADF&G needs to account for all crab landed during the course of commercial crab fishery operations. As the regulations under 5 AAC 35.521 are currently written, unless a Tanner crab displays the exact characteristics of a *C. bairdi* crab (red eyes and notched upper lip at two points with angular V-shaped cuts from an “M” shape), for catch accounting purposes all other *Chionoecetes* crab are considered to be *C. opilio* irrespective of whether they are a true *C. opilio* or a hybrid Tanner crab. Unfortunately, this identification regulation as currently written has the potential to result in violations for vessels that unintentionally retain hybrid Tanner crab during a season and/or in an area that is prohibited. The mixed physical characteristics make it extremely difficult to identify hybrid Tanner crab in a quick and efficient manner, especially during active fishing operations. This point is emphasized in a study by ADF&G and University of Maine researchers in which experts encountered significant difficulty in consistently correctly identifying hybrid *C. opilio* crab. This same study also noted difficulty on the part of observer trainees in correctly identifying hybrid *C. opilio*.

If this regulation is not addressed, vessel operators will likely receive unnecessary citations and penalties for possessing hybrid Tanner crabs for no conservation benefit. Hybrid Tanner crab are not accounted for in the stock assessment or harvest strategy calculations of either individual

Tanner (*C. bairdi* or *C. opilio*) crab species. Because of this, the retention of hybrid Tanner crab can be viewed as a defacto conservation benefit (savings) for true *C. bairdi* and *C. opilio* crab and should not result in punishment. The proposed change to the regulatory language outlined below allows for the continued accounting of all crab landed without unnecessarily punishing vessels for the retention of crab that are not even considered as part of either Chionoecetes population.

PROPOSED BY: Alaska Bering Sea Crabbers (HQ-F16-022)

PROPOSAL 255 - 5 AAC 35.506. Area J registration. All full retention of incidentally taken legal male *C. opilio* Tanner crab when a vessel is participating in the *C. bairdi* Tanner crab fishery east of 166° W. long., as follows:

In the Bering Sea District, a vessel operator that is registered to fish for the *C. bairdi* Tanner crab east of 166° W long. may also retain all legal male *C. opilio* Tanner crab taken incidentally during normal eastern *C. bairdi* Tanner crab commercial operations.”

What is the issue you would like the board to address and why? Over the past several commercial fishing seasons for *C. bairdi* Tanner crab (2013/2014, 2014/2015, and 2015/2016), vessels targeting eastern *C. bairdi* crab (EBT) between 166° W long. and 163° W long. have been encountering increasing amounts of clean, legal-size male *C. opilio* during the course of their normal fishing operations. Because of the geographic overlap and biological similarity of these two species, vessels targeting eastern *C. bairdi* crab do incidentally harvest *C. opilio* crab as part of their normal fishing operations. Unfortunately, because the eastern boundary limit for retention of *C. opilio* in the directed fishery is at 166° W. long., these vessels are forced to discard all incidentally harvested *C. opilio* crab when targeting eastern *C. bairdi* crab. Regulations that require vessels to discard *C. opilio* crab results in unnecessary and wasteful mortality to the population of *C. opilio* as a whole. 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. Mortality data from both directed catch and discard amounts (in both the directed fishery and as incidental catch) 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 eastern *C. bairdi* crab target fishery 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 a vessel operator has an adequate amount of *C. opilio* crab individual fishing quota (IFQ) available, that operator should not be required by regulation to discard *any* incidentally taken legal male *C. opilio* crab.

Additionally, during the 2015/2016 commercial Tanner crab season, an unusually high number of citations were issued to vessels regarding the retention of hybrid Tanner crab. Specifically, vessels targeting *C. bairdi* Tanner crab east of 166 ° W. long. were cited for possessing hybrid *C. opilio* Tanner crab. Because these hybrid crab are considered *C. opilio* crab under current identification guidelines contained in regulation, vessels were in violation as *C. opilio* are not allowed to be

retained and possessed east of 166 ° W. long. Vessels that received citations were utilizing the proper eastern *C. bairdi* pot gear and during the course of their fishing operations, crew were taking the time to actively sort the crab. Unfortunately, the mixed physical characteristics of these crab make it extremely difficult to quickly identify hybrid Tanner crab and remove them from the retained catch for eastern *C. bairdi* crab such that these vessels are not retaining any *C. opilio* crab. This point is emphasized in a study by ADF&G and University of Maine researchers in which experts encountered significant difficulty in consistently correctly identifying hybrid *C. opilio* crab. This same study also noted difficulty on the part of observer trainees in correctly identifying hybrid *C. opilio*.

If *C. opilio* crab are not allowed to be retained as incidental catch between 166° W long. and 163° W long. during the directed eastern *C. bairdi* fishery, regulatory discards and their associated mortality will continue. 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. Current healthy populations of multiple, overlapping crab stocks now necessitate a re-examination of previous stock boundaries and species retention to provide harvesters with the greatest flexibility so that unnecessary discards and mortality are not mandated 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.

Further, if retention of *C. opilio* as incidental catch between 166° W long. and 163° W long. during the directed eastern *C. bairdi* fishery is not addressed, vessel operators will likely continue to receive unnecessary citations and penalties for possessing hybrid Tanner crab for no conservation benefit. Hybrid Tanner crab are not accounted for in the stock assessment or harvest strategy calculations of either individual Tanner (*C. bairdi* or *C. opilio*) crab species. Because of this, the retention of hybrid Tanner crab can be viewed as a defacto conservation benefit (savings) for true *C. bairdi* and *C. opilio* crab and should not result in punishment. The proposed regulatory change allows for the continued accounting of all crab landed without unnecessarily punishing vessels for the retention of crab that are not even considered as part of either *Chionoectes* population.

PROPOSED BY: Alaska Bering Sea Crabbers; Central Bering Sea Fisherman’s Association; and the City of St. Paul (HQ-F16-020)

PROPOSAL 256 - 5 AAC 35.506. Area J registration. Allow full retention of legal male *C. bairdi* Tanner crab incidentally harvested by vessels targeting Bristol Bay red king crab, as follows:

5 AAC 35.506(i)(2) should be amended to read: “east of 166° W, as incidental harvest while the vessel operator is registered for the Bristol Bay red king crab fishery; a vessel operator that is registered to fish for Bristol Bay red king crab may also retain all legal male *C. bairdi* Tanner crab taken incidentally during normal Bristol Bay red king crab commercial operations [IN AN AMOUNT NOT TO EXCEED FIVE PERCENT OF THE WEIGHT OF BRISTOL BAY RED KING 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 Bristol Bay red king crab are only allowed to retain *C. bairdi* Tanner crab in an amount not to exceed five percent of the weight of Bristol Bay red king 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 red king crab is configured differently from the pot gear used to target *C. bairdi* crab such that the pot gear utilized for targeting Bristol Bay red king crab has a larger mesh size and larger escapement rings than pot gear used for targeting *C. bairdi* Tanner crab. The naturally smaller *C. bairdi* crab have an increased ability to escape from red king crab pots. Regulated gear specifications, by target crab species, resulting in the physical difference in pot gear used, aids managers in their ability to distinguish between and track the effort of vessels targeting Bristol Bay red king crab versus those targeting *C. bairdi* crab, irrespective of the fact that these fisheries occur in an overlapping geographic area. But because of this geographic overlap, vessels targeting Bristol Bay red king crab do incidentally harvest *C. bairdi* crab as part of their normal fishing operations. If a vessel operator has an adequate amount of *C. bairdi* Tanner crab individual fishing quota (IFQ) available, that operator should not be incentivized by regulation to discard *any* incidentally taken legal male *C. bairdi* 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), it can reasonably be expected that vessel operators targeting Bristol Bay red king crab will encounter greater numbers of legal male *C. bairdi* crab on the fishing grounds. 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. bairdi* crab during the Bristol Bay red king crab target fishery will be directly targeted and harvested at a later time when king crab operations are complete. This results in compounded mortality calculations being incorporated into the *C. bairdi* 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. bairdi* Tanner crab is retained, discards and their associated mortality will likely increase as the population overlap between *C. bairdi* crab and Bristol Bay red king crab increases. Available data may not seem to indicate that harvesters targeting Bristol Bay red king crab are actively retaining *C. bairdi* 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. bairdi* crab on the grounds during their red king 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.

Prior to rationalization, the *C. bairdi* Tanner crab population was in a severely depressed state. 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 wasteful mortality are not incentivized in direct opposition to the conservation benefits achieved. Such 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. 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 the various 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-F16-023)

PROPOSAL 257 - 5 AAC 35.510. Fishing seasons for Registration Area J. Extend the Bering Sea District eastern boundary for retention of *C. opilio* crab from 166° W. long. to 165° W. long., as follows:

5 AAC 35.510(f)(2) should be amended to read: “in waters west of **165° W. long.**, [166° W. LONG.] male *C. opilio* Tanner crab may be taken from...”

What is the issue you would like the board to address and why? Over the past several commercial fishing seasons for *C. bairdi* Tanner crab, vessels targeting eastern *C. bairdi* crab (EBT) between 166° W long. and 163° W long. have been encountering increasing amounts of clean, legal-size male *C. opilio* during the course of their normal fishing operations. Unfortunately, because the eastern boundary limit for retention of *C. opilio* is at 166° W. long., these vessels are forced to discard all *C. opilio* crab.

There is a healthy population of *C. opilio* beyond the current eastern boundary. Requiring vessels to discard *C. opilio* crab forces unnecessary and wasteful mortality to the population of *C. opilio* as a whole. Mortality data from both directed catch and discard amounts are incorporated into annual stock assessments and can negatively impact population estimates and future population projections.

If the current eastern boundary for *C. opilio* crab is retained, regulatory discards and associated mortality will continue. Forced discards of legal male *C. opilio* crab are an unnecessary source of mortality that should be minimized and avoided to the greatest extent practicable. One of the many benefits outlined and achieved with implementation of the Crab Rationalization program was improved resource conservation, which should be a continuing focus and goal as commercial crab regulations are refined.

PROPOSED BY: Peter Liske

(HQ-F16-075)

PROPOSAL 258 - 5 AAC 35.506. Area J registration. Extend the Bering Sea District eastern boundary for retention of *C. bairdi* crab from 163° W. long. to 162° W. long., as follows:

5 AAC 35.506(i)(3) should be amended to read: “in a directed *C. bairdi* Tanner crab fishery occurring between **162° W. long.** [163° W. LONG.] and 166° W. long.”

What is the issue you would like the board to address and why? Over the past several commercial fishing seasons, vessels targeting Bristol Bay red king crab have been encountering increasing amounts of clean, legal-size male *C. bairdi* crab as this population continues to grow and increase to healthy, sustainable levels. Unfortunately, because the eastern boundary limit for retention of eastern *C. bairdi* Tanner crab is at 163° W. long., these vessels are unable to retain any *C. bairdi* crab eastward of 163 W. long, including any *C. bairdi* harvested incidentally during directed red king crab operations.

Overlapping populations of both Bristol Bay red king crab and eastern *C. bairdi* are stable. Regulations that require or incentivize vessels to discard legal male *C. bairdi* crab forces unnecessary and wasteful mortality to the population of *C. bairdi* as a whole. Mortality data from both directed catch and discard amounts are incorporated into annual stock assessments and can negatively impact population estimates and future population projections.

If the current eastern boundary for *C. bairdi* crab is retained, discards and associated mortality will likely continue, especially as the *C. bairdi* population continues to grow. Any discards of legal male *C. bairdi* crab are an unnecessary source of mortality that should be minimized and avoided to the greatest extent practicable. One of the many benefits outlined and achieved with implementation of the Crab Rationalization program was improved resource conservation, which should be a continuing focus and goal as commercial crab regulations are refined. Further, adjusting the boundary eastward by one degree of latitude will not negatively impact sensitive life stages or time periods of Bristol Bay red king crab because: 1) bycatch of female and juvenile red king crab will be allowed to escape as the size of the escapement rings and mesh used for bairdi

and 2) the season closure of eastern bairdi would be remain March 31 to protect sensitive life periods.

PROPOSED BY: Peter Liske

(HQ-F16-076)

PROPOSAL 259 - 5 AAC 34.925. Lawful gear for Registration Area Q. Specify that escape rings and mesh are placed on a vertical plane or side of the pot in the Saint Matthew Island Section blue king crab fishery, as follows:

5 AAC 34.925(b)(2) is amended to read:

(2) in the Saint Matthew Island Section, each king crab pot must have eight escape rings with an inside diameter measure of 5.8 inches placed **on a vertical plane** within one mesh measurement from the bottom of the pot, with four escape rings on two sides of a four-sided pot, or if the pot has no escape rings as specified in this paragraph, then one-half of one **vertical** side of a four-sided pot must have a side panel composed of not less than eight-inch stretched mesh webbing;

What is the issue you would like the board to address and why? Placement of escape mechanisms for undersize and female crab is specified on a vertical surface in other Bering Sea and Aleutian Islands king crab fisheries, but not in the Saint Matthew Island Section blue king crab fishery. This could result in escape mechanisms placed in suboptimal locations causing small male and female crab to be retained and brought to the surface in crab pots. This proposed change will bring the Saint Matthew Island Section pot gear escape mechanism regulation in alignment with other king crab pot gear regulations for the Bering Sea.

PROPOSED BY: Alaska Department of Fish and Game

(HQ-F16-163)

PROPOSAL 260 - 5 AAC 35.521. Identification of Bering Sea Tanner crab. Adopt by reference the Alaska Department of Fish and Game *Chionoecetes* Crab Quick Reference Guide for *C. bairdi* and *C. opilio* Tanner crab, as follows:

5 AAC 35.521(c) is amended to read:

(c) For the purpose of 5 AAC 35.510(f)(3) and 5 AAC 35.520(b), a hybrid Tanner crab that conforms to the description in (a) of this section is considered to be a *C. bairdi* Tanner crab, and a hybrid Tanner crab that does not conform to that description is considered to be a *C. opilio* Tanner crab, **as illustrated in the Alaska Department of Fish and Game *Chionoecetes* Crab Quick Reference Guide, revised as of February, 2016 and adopted by reference.**

Editor's note: A copy of the Alaska Department of Fish and Game *Chionoecetes* Crab Quick Reference Guide adopted by reference in 5 AAC 35.521(c) can be found on the department's website at (INSERT WEB ADDRESS).

What is the issue you would like the board to address and why? The species range for *C. bairdi* and *C. opilio* Tanner crab overlap in the Bering Sea and these two species hybridize with resultant Tanner crab having morphological characteristics forming a continuum between the two species. A separate fishery for hybrid crab does not exist; however, hybrid Tanner crab are classified as either *C. bairdi* or *C. opilio* according to characteristics described in 5 AAC 35.521. Adopting the department's quick reference guide is a measure to help fishermen identify the two harvestable species *C. bairdi* and *C. opilio*.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F16-165)

PROPOSAL 261 - 5 AAC 35.506. Area J registration. Allow *C. opilio* Tanner crab bycatch retention up to five percent in the Bering Sea District *C. bairdi* Tanner crab fishery, east of 166° W. long., as follows:

5 AAC 35.506(j) is amended to read:

(j) In the Bering Sea District,

(1) a vessel operator that is registered to fish for *C. bairdi* Tanner crab east of 166° W. long. may also retain *C. opilio* Tanner crab 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; and

(2) a vessel operator that is registered to fish for *C. bairdi* Tanner crab west of 166° W. long. may also retain *C. opilio* Tanner crab 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? Fishermen have been encountering *C. opilio* Tanner crab east of 166° W. long., but with no means to harvest those crab towards their individual fishing quota. Allowing some retention of this bycatch will reduce discard mortality.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F16-166)

PROPOSAL 262 - 5 AAC 35.505. Description of Registration Area J Districts; 5 AAC 35.506. Area J registration; 5 AAC 35.50X. Western Aleutian District Tanner crab harvest strategy; 5 AAC 35.510. Fishing seasons for Registration Area J; 5 AAC 35.525. Lawful gear for Registration Area J; 5 AAC 35.558. Reporting requirements for Registration Area J; and 5 AAC 35.590. Vessel length restrictions. Develop a management plan for the Western Aleutian District commercial Tanner crab fishery, as follows:

5 AAC 35.505. Description of Registration Area J districts

(d) Western Aleutian District: all waters west of 172° W. Long, and south of 54° 36' N. Lat.

(1) The Adak Section is comprised of the state waters of the Aleutian Islands Subdistrict between 175° W. long. and 178° W. long.

5 AAC 35.506. Area J registration

(5) for the Western Aleutian District *C. bairdi* Tanner crab fishery, the registration deadline is 5:00 p.m. October 10; **except that in the Adak Section a vessel must register at least 5 days prior to beginning fishing.**

5 AAC 35.50X. Western Aleutian District Tanner crab harvest strategy

(a) In the Western Aleutian District, a commercial Tanner crab fishery may be open based on the best scientific information available, if the department determines that there is a harvestable surplus of

(1) tanner crab available in the Adak Section, the commissioner may open, by emergency order, a commercial tanner crab fishery only in the Adak Section under 5 AAC 34.510(e);

(2) at least 1,000,000 pounds of tanner crab in the remainder of the Western Aleutian District, the commissioner may open, by emergency order, a commercial tanner crab fishery in the remainder of the Western Aleutian District

5 AAC 35.510. Fishing seasons for Registration Area J

(e) In the Western Aleutian District, pots may be operated to take Tanner crab only during a season opened by emergency order from 12:00 noon to November 1 through 12:00 noon March 31, **except that in the Adak Section a season may be opened by emergency order from 12:00 noon August 1.**

5 AAC 35.525. Lawful gear for Registration Area J

(c) The following pot limits are in effect in Registration Area J:

(6) in the Adak Section of the Western Aleutian District no more than 50 pots per vessel is allowed.

5 AAC 35.558. Reporting requirements for Registration Area J

In the Eastern Aleutian District **and in the Western Aleutian District,** a validly registered Tanner crab vessel must report each day to the department

(1) the number of pot lifts;

(2) the number of crab retained for the 24-hour fishing period preceding the report; and

(3) any other information that the commissioner determines is necessary for the management and conservation of the fishery, as specified in the vessel registration certificate issued under 5 AAC 35.020.

5 AAC 35.590. Vessel length restrictions

(d) in the Adak Section of the Western Aleutian District, Tanner crab may not be taken by vessels over 60 feet overall length. In the remainder of the Western Aleutian District, Tanner crab may not be taken by vessels over 60 feet in overall length when the guideline harvest level for Tanner crab in the Western Aleutian District is 1,500,000 pounds or less.

What is the issue you would like the board to address and why? We are asking that the Board develop a management plan framework for Western Aleutian District tanner crab. Aleutian Island tanner crab were formerly managed under a Federal Fisheries Management Plan, but with the

adoption of Amendment 24 Aleutian Island tanners were removed from the FMP and full responsibility was returned to ADF&G.

The Board did create a management plan for Eastern Aleutian District tanners, but the management plan for the Western Aleutian District tanners is much less complete. We propose that the management plan framework for WAI district tanners be fleshed out in a manner that generally follows the management framework the Board adopted for Adak Red King Crab, addressing: 1) Adak section boundaries, 2) registration requirements, 3) harvest strategy, 4) season dates, 5) pot limits 6) reporting requirements, 7) vessel size limits

PROPOSED BY: Adak Community Development Corporation (HQ-F16-044)

PROPOSAL 263 - 5 AAC 39.645. Shellfish onboard observer program. Reduce onboard observer coverage rates and change observer deployment periods for the Aleutian Islands golden king crab fishery, as follows:

The best solution would be for the onboard observer requirement to be determined annually by the department in consultation with the fleet such that the total coverage is 30 to 50% of the total weight of golden king crab harvested. The following regulatory language is suggested:

5 AAC 39.645 (d)(4)(A)(ii) **the department in consultation annually with the fleet will determine the most effective means to observe the harvest of 30-50% of the total golden king crab weight harvested by each catcher vessel while operating fishing gear east of 174 degrees W. Long., during each of the three trimesters dated August 1 through October 31, November 1 through January 31, and February 1 through April 30, during each registration year.**
[DURING THE HARVEST OF 50 PERCENT OF THE TOTAL GOLDEN KING CRAB WEIGHT HARVESTED BY EACH CATCHER VESSEL WHILE OPERATING FISHING GEAR EAST OF 174 DEGREES W. LONG., DURING EACH OF THE THREE TRIMESTERS DATED AUGUST 15 THROUGH NOVEMBER 15, NOVEMBER 16 THROUGH FEBRUARY 15, AND FEBRUARY 16 THROUGH MAY 15, DURING EACH REGULATORY YEAR; AND]

5 AAC 39.645 (d)(4)(A)(iii) **the department in consultation annually with the fleet will determine the most effective means to observe the harvest of 30-50% of the total golden king crab weight harvested by each catcher vessel while operating fishing gear west of 174 degrees W. Long., during each of the three trimesters dated August 1 through October 31, November 1 through January 31, and February 1 through April 30, during each registration year.**
[DURING THE HARVEST OF 50 PERCENT OF THE TOTAL GOLDEN KING CRAB WEIGHT HARVESTED BY EACH CATCHER VESSEL WHILE OPERATING FISHING GEAR EAST OF 174 DEGREES W. LONG., DURING EACH OF THE THREE TRIMESTERS DATED AUGUST 15 THROUGH NOVEMBER 15, NOVEMBER 16 THROUGH FEBRUARY 15, AND FEBRUARY 16 THROUGH MAY 15, DURING EACH REGULATORY YEAR;]

This approach would allow the department to adjust the observer coverage requirement as needed based on periodic review of the observer program as well as changes to the fishery over time.

What is the issue you would like the board to address and why? Current requirements governing onboard observers in the Aleutian Islands golden king crab fishery are specified in regulation and are therefore not readily subject to change as changing conditions may require. For example, current regulations call for observer coverage during the harvest of 50% of the total golden king crab weight harvested by catcher vessels during each trimester. Because of the way the regulations are written and the fishery is conducted, the actual observer coverage for each vessel has been nearer to 70 percent, rather than 50 percent.

This extra coverage costs money that could be better used to fund additional research. This is especially true since this fishery has very low bycatch of female or sublegal crabs or other species. These regulations were adopted after crab rationalization when observer data was the primary source of data for the fishery and stock. The department and the fleet are currently conducting a golden king crab survey (carried out by the fleet with ADF&G scientists onboard) that should decrease the need for data collected by observers. Additionally, the trimesters dictated in the regulation no longer match the season opening and closing dates of the fishery.

Ideally, new regulations would give the department the flexibility to work with the fleet on an annual basis to establish observer requirements that provide the needed information without the unnecessary cost of observing a larger proportion of the harvest.

PROPOSED BY: Aleutian King Crab Research Foundation (EF-F16-102)

PROPOSAL 264 - 5 AAC 34.625. Lawful gear for Registration Area O. Repeal provisions allowing concurrent harvest of red and golden king crab in Registration Area O, as follows:

5 AAC 34.625(f) is repealed:

(f) **Repealed** / /2017 [A VESSEL MAY BE REGISTERED TO FISH IN THE COMMERCIAL RED KING CRAB AND GOLDEN KING CRAB FISHERIES AT THE SAME TIME. HOWEVER, ONLY SINGLE LINE POTS MAY BE OPERATED IN AREAS OPEN TO RED KING CRAB FISHING AND ONLY LONGLINE POTS MAY BE OPERATED IN AREAS OPEN TO GOLDEN KING CRAB FISHING].

What is the issue you would like the board to address and why? Aleutian Islands golden king crab are managed for individual fishing quota (IFQ) and community development quota (CDQ) allocations in two separate fisheries, east and west of 174° W. long. Aleutian Islands red king crab are managed for individual fishing quota (IFQ) and community development quota (CDQ) allocations only in the Petrel District (west of 179° W. long.). Red king crab in the Dutch Harbor District (east of 171° W. long.) and Adak District (171° W. long. to 179° W. long.) are managed for open access participants.

Aleutian Islands red king crab district boundaries do not align with the Aleutian Islands golden king crab management boundaries. Prior to crab rationalization vessels were allowed under 5 AAC 34.625(f) to fish red king crab and golden king crab at the same time if both species were open. Regulation 5 AAC 39.670(c)(6), adopted with implementation of crab rationalization, does not allow a vessel to harvest IFQ and non-IFQ crab simultaneously; therefore this proposal would repeal the

regulation allowing simultaneous harvest of red and golden king crab in the Aleutian Islands. Concurrent Aleutian Islands red and golden king crab harvest would be problematic because two of the three red king crab districts fall within the western Aleutian Islands golden king crab area. Allowing red king crab retention during golden king crab fishing would create concern with regard to red king crab harvest location.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F16-164)

PROPOSAL 265 – 5 AAC 35.408. Registration Area H Tanner crab harvest strategy.

Amend the noncommercial harvest strategy for Tanner crab in the Cook Inlet Area to allow limited opportunity in the absence of abundance estimates, as follows:

5 AAC 35.408 is amended by adding a new paragraph to read:

(e) If data to estimate abundance of legal male Tanner crab are not available, or trawl surveys have not been conducted for three consecutive years, the noncommercial fisheries for Tanner crab in the Cook Inlet Area (including the Cook Inlet – Resurrection Bay Saltwater Area as described in 5 AAC 58.005) will be managed as follows:

(1) Tanner crab may be taken in subsistence and sport fisheries from October 1 through the last day of February;

(2) bag and possession limit is set at three male Tanner crab;

(3) only male Tanner crab with a minimum size of five and one-half inches across the widest part of the shell, including spines, may be taken or possessed;

(4) no more than one pot per person with a maximum of one pot per vessel may be used to take Tanner crab;

(5) a shellfish harvest recording form is required as specified in 5 AAC 02.015 and 5 AAC 58.026;

What is the issue you would like the board to address and why? Tanner crab noncommercial fisheries east of the Point Pogibshi to Anchor Point line have been closed since 2011 because estimated abundance of legal size male Tanner crab was below the 50,000 threshold in 2011, 2012 and 2013. The Tanner crab noncommercial fisheries in the Kamishak District have been closed since 2012 because no legal size male Tanner crab (five and one-half inches) were detected in the last trawl survey. Due to a lack of funding, no trawl surveys have been conducted in the Southern District since 2013 or in Kamishak District since 2012. If the harvest strategy is not amended, the noncommercial fisheries will remain closed until funding is restored to conduct trawl surveys. These provisions allow the potential for limited opportunity for subsistence, personal use, and sport users when the department cannot conduct surveys for three or more years.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F16-159)

PROPOSAL 266 – 5 AAC 77.516. Personal Use Tanner Crab Fishery. Allow a personal use fishery for Tanner Crab in Lower Cook Inlet with a bag limit of two crabs per person per day, pot limit of two pots per person and unspecified size restrictions on pots and season limits, as follows:

Allow a two crab per person two pot with a size restriction on size of pots used.season limits etc.

What is the issue you would like the board to address and why? Establish new management objectives and reopen cook inlet tanner crab personal use fishery. Residents have been deprived of a small personal use fishery past several years because of poor data gathering performed by adfg .We have record recruitment of juvenile crab yet no season on mature males. To get record recruitment obviously there are more than sufficient males for breeding... numerical data on population estimates use over a 300 to 1 ration to determine abundance of mature males which is totally ridiculous. A sport / personal use fishery could be far more useful in accurately determining abundance

PROPOSED BY: Joseph Hanes

(EF-F16-123)

PROPOSAL 267 – 5 AAC 02.220. Subsistence Tanner crab fishery; 5 AAC 35.306. Area E registration; 5 AAC 35.310. Fishing seasons for Registration Area E; 5 AAC 35.320. Size limits for Registration Area E; 5 AAC 35.325. Lawful gear for Registration Area E; 5 AAC 35.327. Tanner crab pot storage for Registration Area E; 5 AAC 35.340. Registration Area E inspection points; 5 AAC 35.345. Inspection requirements for Registration Area E; 5 AAC 35.3XX. Operation of other gear in Registration Area E; 5 AAC 35.3XX. Logbooks; 5 AAC 35.3XX. Reporting requirements for Registration Area E; and 5 AAC 35.3XX. Prince William Sound Tanner Crab Harvest Strategy. Create a harvest strategy and amend regulations for Tanner crab in Prince William Sound specifying conditions under which the commercial fishery may occur and reduce the legal size limit in the subsistence Tanner crab fishery, as follows:

5 AAC 02.220(2) is amended to read:

5 AAC 02.220. Subsistence Tanner crab fishery.

(2) only male Tanner crab five [AND ONE-HALF] inches or greater in width of shell may be taken or possessed;

5 AAC 35.306(b) is amended to read:

5 AAC 35.306. Area E registration.

(b) A Tanner crab vessel must be registered under 5 AAC 35.020 no later than 30 days [FOR REGISTRATION AREA E] before the scheduled opening date of the commercial Tanner crab season.

5 AAC 35.310 is amended to read:

5 AAC 35.310. Fishing seasons for Registration Area E. In the Northern District and Hinchinbrook District, pots may be operated to take Tanner crab only from 8:00 a.m. to 6:00 p.m., with a soak time of 14 hours, between 6:00 p.m. to 8:00 a.m., from 12:00 noon January 15 until 12:00 noon March 31. The commissioner may, by emergency order, increase the daily fishing period specified in this section based on the department's assessment of efforts, manageability, and harvest rate [THE COMMERCIAL HARVEST OF TANNER CRAB IN THE PRINCE WILLIAM SOUND AREA IS CLOSED UNTIL THE BOARD OF FISHERIES HAS ADOPTED A HARVEST STRATEGY IN THIS CHAPTER].

5 AAC 35.320 is amended to read:

5 AAC 35.320. Size limits for Registration Area E. Only male Tanner crab 5.0 [5.3] or greater in width of shell may be taken or possessed.

5 AAC 35.325 is amended to read:

5 AAC 35.325. Lawful gear for Registration Area E. (a) Tanner crab may be taken only with Tanner crab pots as defined in 5 AAC 35.050 [AND RING NETS]. Tanner crab taken by other means must be returned to the water without further harm.

(b) ~~Repealed~~ / /2017 [IN THE EASTERN DISTRICT, TANNER CRAB MAY BE TAKEN WITH POTS THAT HAVE TUNNEL EYE OPENINGS THAT EXCEED FIVE INCHES (13 CM) IN ONE DIMENSION].

...

(d) The number of Tanner crab pots that may be operated from a vessel will be announced before the opening of each commercial Tanner crab season, not to exceed 30 Tanner crab pots per vessel. In determining the annual pot limit, the department will consider the

(1) total number of registered vessels;

(2) estimated catch per unit effort; and

(3) size of the guideline harvest level [DURING THE COMMERCIAL TANNER CRAB SEASON IN PRINCE WILLIAM SOUND MANAGEMENT AREA, AN AGGREGATE OF NO MORE THAN 75 KING AND TANNER CRAB POTS MAY BE OPERATED FROM A VESSEL REGISTERED TO FISH FOR TANNER CRAB].

5 AAC 35.327(a) is amended to read:

5 AAC 35.327. Tanner crab pot storage for Registration Area E. (a) Cone or pyramid Tanner crab pots with all bait and bait containers removed and all doors not secured closed, and rectangular Tanner crab pots with all bait and bait containers removed and with all doors secured fully open, may be stored in the water only from 30 days before the scheduled opening date of the commercial Tanner crab season in Registration Area E until 30 days after the closure of that season.

...

5 AAC 35.340 is repealed:

5 AAC 35.340. Registration Area E inspection points. ~~Repealed~~ / /2017 [REGISTRATION AREA E INITIAL INSPECTION AND REINSPECTION POINTS ARE LOCATED IN CORDOVA, VALDEZ, AND SEWARD OR AT OTHER LOCATIONS SPECIFIED BY THE DEPARTMENT].

5 AAC 35.345 is amended to read:

5 AAC 35.345. Inspection requirements for Registration Area E. (a) Unless required by the commissioner under (b) of this section, a vessel fishing for Tanner crab in Registration E is not required to undergo an inspection.

(b) The commissioner may, by public announcement, require that vessels fishing for Tanner crab in Registration E be inspected within [WITHIN] 24 hours before the scheduled opening date of the commercial Tanner crab season in Registration Area E or at any time during

the open season [, A TANNER CRAB VESSEL REGISTERED FOR REGISTRATION AREA E MUST HAVE ALL HOLDS, LIVE TANKS, AND FREEZERS INSPECTED] by a local representative of the department at an inspection point specified by the department [IN 5 AAC 35.340. TANNER CRAB MAY NOT BE ON BOARD THE VESSEL AT THE TIME OF INSPECTION. THE REQUIREMENTS OF THIS SECTION DO NOT APPLY TO A REGISTERED TANNER CRAB VESSEL THAT DOES NOT HAVE A SALTWATER CIRCULATION SYSTEM IN ITS HOLDS OR LIVE TANKS].

5 AAC 35 is amended by adding new sections to read:

5 AAC 35.3XX. Operation of other gear in Registration Area E. A person or vessel that operates commercial, subsistence, sport, or personal use pots during the 30 days immediately before the scheduled opening date of the commercial Tanner crab season in Registration Area E may not participate in that commercial Tanner crab fishery.

5 AAC 35.3XX. Logbooks. (a) An operator of a vessel registered to fish using pot gear in the commercial Tanner crab fishery shall complete logbooks provided by the department.

(b) A logbooks described in (a) of this section shall be

(1) updated daily;

(2) sealed in envelopes provided by the department to maintain confidentiality; and

(3) submitted to the primary processor or buyer for attachment to fish ticket; the processor or buyer shall forward fish tickets with the attached, sealed envelopes containing logbooks to the department in accordance with 5 AAC 39.130.

(c) A catcher-seller described in 5 AAC 39.130 shall attach logbooks described in this section to the department copy of fish tickets.

(d) A person may not make a false entry in the logbook required in (a) of this section.

5 AAC 35.3XX. Reporting requirements for Registration Area E. (a) A validly registered Tanner crab vessel must report each day to the department:

(1) the number of pot lifts;

(2) the number of crab retained for the 24-hour fishing period preceding the report;

and

(3) any other information that the commissioner requests as is necessary for the management and conservation of the fishery, as specified in the vessel registration certificate issued under 5 AAC 35.306.

5 AAC 35.3XX. Prince William Sound Tanner Crab Harvest Strategy. (a) If adequate data are available, the department shall estimate the abundance of preferred legal male Tanner crab in Prince William Sound and establish a guideline harvest level for legal male Tanner crab for each fishery if that abundance is above the threshold for opening a fishery. The department will not allow fishing that causes abundance to fall below the threshold level.

(b) The minimum stock threshold for the commercial fishery is 200,000 (50 percent of the long-term average abundance) preferred legal male Tanner crab. The commercial fishery may open only if the estimated abundance is greater than or equal to 200,000 preferred legal male Tanner crab. In addition, if the commercial fishery has been closed for more than two consecutive years, then the estimated abundance must be greater than or equal to 200,000

preferred legal male Tanner crab for more than one year before the commercial fishery may open. The commercial guideline harvest level will be determined as follows:

(1) the guideline harvest level for legal male Tanner crab may not exceed 15 percent of the estimated abundance of preferred legal male Tanner crab if the estimated abundance is greater than or equal to 200,000 (50 percent of the long-term average abundance), but less than 300,000 (75 percent of the long-term average abundance) preferred legal male Tanner crab;

(2) the guideline harvest level for legal male Tanner crab may not exceed 20 percent of the estimated abundance of preferred legal male Tanner crab if the estimated abundance is greater than or equal to 300,000 (75 percent of the long-term average abundance), but less than 400,000 (long-term average abundance) preferred legal male Tanner crab;

(3) the guideline harvest level for legal male Tanner crab may not exceed 25 percent of the estimated abundance of preferred legal male Tanner crab, if the estimated abundance is greater than or equal to 400,000 (long-term average abundance) preferred legal male Tanner crab;

(4) the guideline harvest level for legal male Tanner crab may be reduced or the commercial fishery closed if the estimated commercial harvest would cause the estimated abundance of preferred male Tanner crab to fall below the minimum stock threshold.

(c) In this section,

(1) "legal male" means male Tanner crab that are 127 mm (5.0 inches) or greater in carapace width, including the lateral spines, which is the legal size crab allowed to be retained for harvest;

(2) "preferred legal male" means male Tanner crab that are 135 mm (5.3 inches) or greater in carapace width, including the lateral spines, for which the abundance is used to estimate the abundance and threshold levels of legal male crab.

What is the issue you would like the board to address and why? There is no Tanner crab harvest strategy or management plan in regulation for Prince William Sound (PWS). Using historical harvest and survey information, the department developed a commercial/noncommercial management plan and harvest strategy. Components of the new harvest strategy and management plan include provisions for new male legal size, fishing hours, season dates, lawful gear, and pot storage. Other proposed elements include registration, logbook and reporting requirements.

The commercial harvest of Tanner crab in the PWS area is closed by regulation until the board has adopted a harvest strategy.

According to the statewide regulation 5 AAC 35.080, the department shall establish an annual harvest strategy for each Tanner crab stock that is consistent with the board's *Policy on King and Tanner Crab Resource Management*. If adequate data are available (estimates of recruitment, threshold level of abundance, acceptable biological catch, historical fishery performance data and reproductive potential), the department shall establish a threshold level of abundance of each stock and may not allow fishing on any stock that is below its threshold level of abundance.

PROPOSED BY: Alaska Department of Fish and Game

(HQ-F16-161)

PROPOSAL 268 - 5 AAC 35.310. Fishing seasons for Registration Area E; 5 AAC 35.31X. Registration Area E Tanner crab harvest strategy; 5 AAC 35.325. Lawful gear for Registrations Area E; 5 AAC 35.35X. Reporting requirements for Registration Area E; and 5 AAC 55.022. General provisions for seasons, bag, possession, and size limits, and methods and means for the Prince William Sound Area. Create a harvest strategy and amend regulations for Tanner crab in Prince William Sound specifying conditions under which the commercial fishery may occur and establish a sport fishery for Tanner Crab in Prince William Sound, as follows:

The harvest strategy and fishery regulations should be as follows:

5 AAC 35.310. Fishing Seasons for Registration Area E. (a) In the Northern and Hinchinbrook Districts, pots may be operated to take Tanner crab only from 8:00 a.m. to 5:59 p.m., with a soak time of 14 hours, from 6:00 p.m. to 7:59 a.m., from 12:00 noon January 15 until 12:00 noon March 31, unless closed earlier by emergency order.

(b) For the purposes of this section, "soak time" means the period of time that Tanner crab pot gear is submerged in the water in fishing condition and not being operated.

5 AAC 35.31x. Registration Area E Tanner crab harvest strategy. (a) In the Northern and Hinchinbrook Districts, a commercial Tanner crab fishery may only open if analysis of preseason survey data indicates that the subject population 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 (1991-2001).

(b) The threshold level of mature male abundance in numbers of crab for the Northern and Hinchinbrook Districts combined is 95,000.

(c) In the Northern and Hinchinbrook Districts, the registration deadline is 5:00 p.m. January 5.

(d) If the commercial Tanner crab fishery is opened under (a) of this section and the threshold level of mature male 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 the harvest strategy under this section, the board understands that the department will consider the reliability of the estimates of abundance on 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) Tanner crab in the Western and Eastern Districts may only be taken under the authority and conditions of a permit issued by the commissioner.

(g) The long-term average of mature male abundance in numbers of crab for the Northern and Hinchinbrook Districts combined is 190,000.

(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 113 mm 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 113 mm in carapace width.

5 AAC 35.325. Lawful gear for Registration Area K. (a) Tanner crab may only be taken with Tanner crab pots. Tanner crab taken by other means must be returned to the water without further harm.

(b) Each tanner crab pot must have no less than four escape rings of no less than four and three-quarters inches (121 mm) inside diameter installed on the vertical plane to permit escapement of undersized Tanner crab.

(c) In the Northern and Hinchinbrook Districts, the total number of pots allowed in the fishery is 300; the department will establish the individual vessel pot limit by dividing the 300 total pot limit by the number of vessels that register before the season opens; no more than 30 pots per vessel is allowed.

5 AAC 35.35x. Reporting requirements for Registration Area E. In the Prince William Sound Area, a validly registered Tanner crab vessel must report each day to the department

(1) The number of pot lifts;

(2) The number of crab retained for the 24-hour fishing period preceding the report; and

(3) Any other information that the commissioner determines is necessary for the management and conservation of the fishery, as specified in the vessel registration certificate issued under 5 AAC 35.306.

5AAC 55.022. General provisions for seasons, bag, possession, and size limits, and methods and means for the Prince William Sound Area. (b) (3) Tanner crab may be taken as follows:

(A) Tanner crab may be taken only from October 1 through March 31;

(B) only male Tanner crab 5 and one-half inches or greater in width of shell may be taken or possessed:

(C) the daily bag and possession limit is five male Tanner crab.

(D) Tanner crab may be taken only under a permit issued by the department; a harvest recording form under 5 AAC 75.016 is required;

(E) no more than two pots per person with no more than two pots per vessel may be used to take Tanner crab

(F) each Tanner crab pot must have no less than two escape rings of no less than four and three-eighths inches inside diameter

(G) a Tanner crab pot may not have any portion of the line attaching to pot to a buoy floating on the surface of the water at any time, except that portion of the line connecting the main buoy to any auxiliary buoy or buoys.

What is the issue you would like the board to address and why? Cordova District Fishermen United (CDFU) is a non-profit membership organization representing over 300 family fishermen who participate in the commercial fisheries in the Prince William Sound and Copper River region. It is our mission is to preserve, promote and perpetuate the commercial fishing industry in Area E in the state of Alaska; to further promote legislation, conservation, management and the general welfare for the mutual benefit of not just our members, but all commercial fishing families in Area E. It has been 27 years since the last tanner crab fishery in PWS. The CDFU Board of Directors

finds that adoption of a commercial harvest strategy in PWS is warranted and implores the BOF serious consideration of the provisions contained herein.

A harvest strategy should be formulated from the trawl survey data. Thresholds above which a commercial fishery could occur and guideline harvest levels (GHLs) can be determined conservatively using the same format and formulas used for the Eastern Aleutians District Tanner crab harvest strategy in the Westward Area (5 AAC 35.509), which supports a small commercial Tanner crab fishery in most years.

The department trawl survey occurs in two commercial districts, the Northern and Hinchinbrook Districts, and threshold levels of abundance as well as guideline harvest levels (GHL) can be determined based on population estimates for these districts combined (threshold = 95,000 mature crab; one-half the long-term average of mature male abundance 1991-2001). Because the department does not survey in the Western and Eastern Districts, a threshold level of abundance cannot be determined; these districts should have the opportunity for a commissioner's permit fishery if conditions warrant. Season dates should be consistent with other commercial Tanner crab fisheries (January 15 - March 31). Gear limits should be set conservatively with a maximum overall number allowed in order to prevent a commercial fishery from overwhelming the available resource (maximum 300 in the fishery and maximum 30 per vessel). A registration deadline of January 5 will allow ADF&G to establish and announce vessel pot limits before the beginning of the fishery each year. Reporting requirements should be set for once each day from fishing vessels and should include at a minimum the number of pots lifted and the number of crab retained. The fishery should remain superexclusive, which is currently in regulation. The Tanner crab size limit for the commercial fishery should remain at 5.3 inches, which is currently in regulation. A sport fishery for Tanner crab in PWS should be established in regulation consistent with the subsistence fishery regulations and limits.

The department has been conducting a trawl survey and producing abundance estimates for Tanner crab in PWS since 1991 but has failed to produce a harvest strategy. Currently, regulation 5 AAC 35.310, which was adopted in 1999, states that the commercial harvest of Tanner crab in the Prince William Sound Area (PWS) is closed until the Board of Fisheries (BOF) adopts a harvest strategy. ***PWS is the only area in the state that has a stock assessment for Tanner crab and no harvest strategy in regulation.*** At the 2014 statewide king and Tanner BOF meeting, ADF&G promised that they would prepare a harvest strategy for consideration at the 2017 statewide king and Tanner meeting, and furthermore, the BOF encouraged submission of an agenda change request for consideration of a harvest strategy for PWS Tanner crab in advance of the next scheduled meeting. ADF&G asserted at this meeting that they already had enough information to create a harvest strategy. Tanner crab abundance has been increasing in PWS as documented through ADF&G trawl surveys and subsistence harvests since 2008. With a properly crafted Tanner crab harvest strategy a commercial fishery in PWS could provide economic opportunity to local fishermen and communities.

ADF&G has endured severe budget cuts in fiscal year 16 and given the current fiscal situation in the state of Alaska they are expected to endure equally severe cuts next year. Fishery surveys are being eliminated, and surveys conducted by the Commercial Fisheries Division that have no commercial fishery associated with them are most likely to be cut. ***If a harvest strategy is not***

adopted now, we risk the loss of the survey and with it any hope for a commercial Tanner crab fishery in PWS; it is imperative that we use the data from the trawl survey to create a harvest strategy now.

PROPOSED BY: Cordova District Fishermen United (CDFU) (HQ-F16-055)

PROPOSAL 269 – 5 AAC 35.310. Fishing seasons for Registration Area E. Allow a commercial Tanner crab fishery in the Western District of Prince William Sound, as follows:

On January 1st crab fishing will commence in the Western District of PWS and continue until March 15th, or until 500,000 lbs. of Tanner Crab are caught; whichever comes first. Vessels will be limited to 25 pots.

What is the issue you would like the board to address and why? The Alaska Department of Fish and Game has apparently eliminated in perpetuity commercial crab fisheries in Prince William Sound (PWS) –

The Department has since 1991 relied solely on its trawl survey for its data regarding tanner crab stocks in PWS Area E. Trawl surveys take place in a very limited area of PWS and their effectiveness in these areas is widely questioned. Area E encompasses approximately 13,000 square nautical miles. Vast swaths of Area E have neither been fished nor surveyed nor managed in any manner for three decades. The Department appears to be acting in contradiction to the Tanner and King crab policy established by the Board of Fisheries which states as one of its goals; *“providing a sustained and reliable supply of high quality product to the industry and customers which will provide substantial and stable employment in all sectors of the economy relating to these fisheries.”*

The Western District of PWS which comprises roughly 4500 square nautical miles of the total PWS area has not had a pot survey, a trawl survey or a fishery since 1998.

PROPOSED BY: Robert A. Smith (HQ-F16-035)

PROPOSAL 270 – 5 AAC 35.310. Fishing seasons for Registration Area E. Allow a commercial Tanner crab fishery in the Eastern District of Prince William Sound, as follows:

On January 1st crab fishing will commence in the Eastern District of PWS and continue until March 15th, or until 500,000 lbs. of Tanner Crab are caught; whichever comes first. Vessels will be limited to 25 pots.

What is the issue you would like the board to address and why? The Alaska Department of Fish & Game has apparently eliminated in perpetuity commercial crab fisheries in Prince William Sound (PWS) -

The Department since 1991 relied solely on its trawl survey for its data regarding tanner crab stocks in PWS Area E. Trawl survey take place in a very limited area of PWS and their effectiveness in these areas is widely questioned. Area E encompasses approximately 13,000 square nautical miles. Vast swaths of Area E have neither been fished nor surveyed nor managed in any manner for three decades. The Department appears to be acting in contradiction to the Tanner and King crab policy established by the Board of Fisheries which states as one of its goals; *“providing a sustained and reliable supply of high quality product to the industry and consumers which will provide substantial and stable employment in all sectors of the economy relating to these fisheries.”*

With the exception of Dungeness surveys the Eastern District of PWS which comprises roughly 4,700 square nautical miles of the total PWS area has not had a pot survey, a trawl survey or a fishery since 1988.

PROPOSED BY: Robert A. Smith (HQ-F16-036)

PROPOSAL 271 – 5 AAC 34.2xx. Commissioner’s permits for king crab in Prince William Sound and 5 AAC 35.3xx. Commissioner’s permits for Tanner crab in Prince William Sound. Allow the department to issue commissioner’s permits for king and Tanner crab fisheries in Prince William Sound that have been closed for more than four years, as follows:

In order to accurately cross check Department data, the Commissioner of ADF&G shall be empowered to issue commissioners permits for crab fisheries for any and all districts of PWS which have heretofore been closed either by Emergency Order or regulation for any period of which exceeds 4 years.

What is the issue you would like the board to address and why? Alaska Department of Fish & Game (ADF&G) has by regulation blocked any commercial fishing of crab since 1999. From 1988-1999 commercial fishing was closed by Emergency Orders. Under current regulations, no commercial harvest can occur until the Department develops a harvest strategy. The Department has failed to develop a strategy for 18 years. At long last the Department will produce a harvest strategy for the 2017 Board of Fisheries (BOF) meeting; which apparently does not include commercial fishing. The Department’s stance appears to contradict BOF Tanner and King crab policy which states as one of its goals: *“providing a sustained and reliable supply of high quality product to the industry and consumers which will provide substantial and stable employment in all sectors of the economy and relating to these fisheries.”* In its proposed harvest strategy the Department appears to base its threshold abundance level based on an average of statistics and catch figures compiled over thirty years ago in a commercial crab fishery, combined with statistics and catch figures compiled over thirty years ago in a commercial crab fishery, combined with statistics gathered in the Department’s trawl survey. Due to budgetary constraints the Department has no plans to continue its trawl survey. A survey which by the way is destructive of habitat, and

widely viewed as not indicative of actual crab stocks. Subsistence catches indicate a level of abundance that does not appear to mesh well with the thought processes of the Department. Under current regulations the Commissioner cannot issue a Commissioners permit to conduct a fishery to provide the Department with a more accurate assessment of both Tanner and King crab stocks.

PROPOSED BY: Robert A. Smith (HQ-F16-032)

PROPOSAL 272 - 5 AAC 02.220. Subsistence Tanner crab fishery. Reduce the legal male size limit in the Prince William Sound subsistence Tanner crab fishery to five and three tenths inches or greater carapace width, as follows:

(2) Only male Tanner five and three tenths inches or greater in width of shell may be taken or possessed.

What is the issue you would like the board to address and why? Size limits for commercially caught crab are 5.3 inches. Requiring subsistence harvesters to adhere to a higher standard creates an additional burden and expense on subsistence fisherman. Currently subsistence users are the only user group permitted to harvest crab. The only user group data obtained by the Department comes from subsistence users. The discrepancy in size limits creates confusion among Department officials as well as harvesters in accurate reporting of subsistence harvests. This results in crab being reported as “sublegal” when they would qualify as legal under the 5.3 inch size limits for commercial fisheries.

PROPOSED BY: Wamu Choppell (HQ-F16-033)

PROPOSAL 273 – 5 AAC 02.220. Subsistence Tanner crab fishery. Increase the Prince William Sound subsistence Tanner crab daily bag and possession limit to 25 male Tanner crab, as follows:

5 AAC 02.220 (3) - The daily bag and possession limit is twenty five male Tanner Crab.

What is the issue you would like the board to address and why? Subsistence catches for Tanner Crab are abundant. Current bag and possession limits burden harvesters with large fuel costs. Raising bag limits will lower fuel costs and provide more local residents with access to this resource. Additionally, reducing the cost of subsistence harvesting of crab will provide the Alaska Department of Fish & Game with additional data that it needs to make informed decisions.

PROPOSED BY: Wamu Choppell (HQ-F16-037)
