


MEMORANDUM

TO: Council, SSC and AP Members

FROM: Clarence G. Pautzke  
Executive Director 

DATE: April 12, 1994

SUBJECT: Crab Management

ESTIMATED TIME

1 HOUR

**ACTION REQUIRED**

Reports from Board/Council Consultation Group and Alaska Board of Fisheries.

**BACKGROUND**

In January the Council added Norton Sound superexclusive registration as a Category 1 measure to the crab FMP. The proposed rule has been published in the *Federal Register* and, if approved, rulemaking should be complete by July 1, 1994 when the season begins. We notified the Alaska Board of Fisheries about the Norton Sound decision and held a Consultation Group meeting on February 18. It is summarized in D-2(a).

The Board met March 14-17 in Anchorage and Kim Spitler, NMFS Regional Office, has summarized their considerations in D-2(b). Here are the highlights:

1. Adak Pot Limits. The Board voted against any pot limits for the Adak king crab fisheries.
2. Crab Pot Definition. The Board amended the definition of king and Tanner crab pot gear to include gear 10' x 10' x 42" to clarify allowable gear and discourage tack-welding of pots.
3. Tunnel Height Opening. The Board did not consider the PNCLAC's request to change tunnel height opening from 3" to 4".
4. Tank Inspections. The Board voted to relax requirements for tank inspections and landing times.

There were several other items raised at the Crab Consultation Group meeting, but they were not discussed by the Board:

5. Bering Sea Crab Industry Advisory Group. This would be an ADFG-coordinated meeting with industry in August on upcoming crab fisheries.
6. ADFG Fifth Region. This is an idea being explored by ADFG for Bering Sea crab and groundfish fisheries issues.

7. Determination of GHLs. The Consultation Group reviewed GHL procedures in February and suggested the Research Planning Group, initiated under the State-Federal Action Plan, establish a research plan for crab. NMFS and ADFG will work on arranging a symposium on the science of crab management.
8. Ninety-day limit on observers on one vessel. Current State regulations prohibit an observer for serving more than 90 days a year on the same vessel. This has caused some vessels to have to come into port early, breaking up fishing operations. Flexibility is needed to waive this requirement under certain circumstances. ADFG said they would consider this.
9. Annual Consultation Group Meetings and Subjects. The Group feels that an annual meeting is sufficient to deal with issues of mutual concern. They also agreed that the group should be able to extend their purview beyond crab if needed, for example, to scallops. They need Council and Board concurrence for this.

# DRAFT

Meeting Summary  
Council/Board Crab Consultation Group  
February 18, 1994  
Anchorage, Alaska

## Background

In October 1993, the Alaska Regional Director of the National Marine Fisheries Service and the Commissioner of the Alaska Department of Fish and Game approved a "State/Federal Action Plan for Management of Commercial King and Tanner Crab Fisheries." The plan was developed to foster improved coordination and communication between the National Marine Fisheries Service (NMFS) and the Alaska Department of Fish and Game (ADF&G) with respect to crab management under the Fishery Management Plan for the Commercial King and Tanner Crab Fisheries in the Bering Sea/Aleutian Islands Area (FMP). As a result of that plan, a consultation group consisting of members of the North Pacific Fishery Management Council (NPFMC) and the Alaska Board of Fisheries (BOF) was formed to meet publicly on an annual basis to focus on crab issues. This was the initial meeting of the Consultation Group.

Council and Board Members Present: R. Alverson (NPFMC), K. Andrew (BOF), D. Bower (BOF), L. Edfelt (BOF), L. Engel (BOF), R. Hegge (NPFMC), D. Jacobsen (BOF), A. Millikan (NPFMC), S. Pennoyer (NPFMC), R. Samuelsen (NPFMC).

Staff Present: L. Jones, Executive Director (BOF); C. Pautzke, Executive Director (NPFMC); J. Pollard (NOAA-GCAK); B. Harris (Alaska DOL); K. Griffin (ADFG); J. Hilsinger (ADFG); J. Koenings (ADFG); W. Nippes (ADFG); C. Oliver (NPFMC); K. Spitler (NMFS); and D. Witherell (NPFMC).

Public Present: Jerry Nelson (Courageous Seafoods); Garry Loncon (Royal Aleutian Seafoods); Kris Poulsen (Kris Poulsen & Assoc.); Paul Rachey (Arctic Alaska); and Arni Thomson (Alaska Crab Coalition).

Steve Pennoyer acted as facilitator for the meeting which was mainly informational in nature. The agenda included background information on the Crab FMP and an overview of federal and state responsibilities in the BSAI crab fisheries.

An overview of the status of crab stocks was provided by ADF&G staff, as well as a review of how Guideline Harvest Levels are developed. Kim Spitler reported on the interaction of the state and federal agencies for management of crab.

There were 12 discussion items on the agenda (Attachment 1); most were informational only. Arni Thomson reported on the recent meeting of the Pacific Northwest Crab Industry Advisory Committee (PNCIAC) which included comments on several of the discussion items on the Consultation Group's agenda. Public comments on agenda discussion subjects were provided by Jerry Nelson (Courageous Fisheries), Arni Thomson (Alaska Crab Coalition), Garry Loncon (Royal Aleutian Seafoods); and Kris Poulsen (Poulsen & Assoc.).

Following is a brief recap for each of the agenda discussion items:

#### Category 1 Issues

The recent approval of the Norton Sound superexclusive crab registration area concerned some Council members. They indicated that the full Council, during its deliberations on the proposal, expressed a desire that the Board agree to refrain from recommending similar areas until the Council has the opportunity to develop a comprehensive fishery management regime for all the groundfish and crab fisheries. BOF members present said they could not speak officially for the Board, but would be willing to convey the Council's concerns and discuss the issue at their next meeting. A letter signed by the former Board president indicating the BOF would refrain from future requests for superexclusive areas apparently was not discussed by the full Board. It was pointed out that any superexclusive designation proposals are under Category 1 in the FMP, thus requiring the full Council review process. It was suggested that the minutes on this subject from the Council's January meeting should be made available to the Board before they discuss the subject at their March meeting. Opinions on additional superexclusive areas were split: some Council members thought a commitment from the Board was necessary while others felt the Board should not forego opportunity to consider public proposals for such areas.

#### Category 2 Issues

A proposal currently before the BOF which would establish pot limits for Adak red and brown king crab, was briefly reviewed. It was clarified that the PNCIAC recommendation of no less than 150

pots for vessels under 125 ft. applies only to the red king crab fisheries. Pot limits are within the purview of the state under the FMP as long as certain non-discriminatory measures are adhered to. Other than discussion of the issue, there was no action by the Consultation Group.

### Category 3 Issues

Two proposals were discussed: **Tanner crab pot definition and the tunnel height opening for Tanner pots.** The Tanner crab pot definition is being discussed by the Board of Fisheries in March to clarify whether tack-welding of two or more pots together should be allowed and whether this circumvents the purpose of the pot limits. The tunnel height issue was proposed by petition to the Board of Fisheries; however, because it did not meet Board requirements for out-of-cycle proposals they declined to put it on their agenda for their upcoming meeting. The concern of the proposers is that the current 3" opening may be overly restrictive and may prevent the capture of large mature bairdi crab; they prefer a 4" opening. ADF&G biologist Bill Nippes said that ADF&G is gathering data to determine whether a problem does exist. Legally, tunnel height could be taken up on the Board's agenda under their consideration of pot definitions. Whether or not it will be, is still up to the Board.

The following issues on the agenda were briefly addressed:

**BS Crab Industry Advisory Group** - Jeff Koenings (ADF&G) advised that the purpose of such a group would primarily be to increase communication between managers and users. It would be more informational in nature and not a formal, advisory group. He anticipated a one- to two-day meeting in August to go over the upcoming crab fisheries.

**New 5th ADF&G Region for BSAI Fisheries** - This idea is being explored by ADF&G as a result of an overall plan to consolidate some divisions for budgetary and efficiency reasons. A workgroup has been exploring the options though no action is likely to take place unless the legislature approves start-up funding. Recommendations will be available in six to eight weeks.

**Separate BOF for BSAI Marine Shellfish Fisheries** - This idea has been proposed by some industry participants, however it's unlikely there would be funding for a separate Board.

**BOF Proposal Cycle and Agendas** - PNCIAC has suggested a two-year cycle for crab proposals rather than the current three. There is also concern that crab proposals are not getting the attention needed because of other pressing issues (this was expressed for both the Board and Council processes). Board members indicated that although the normal cycle for crab proposals is three years, there is a process for submitting out-of-cycle and emergency-type proposals. Council members also recognize that crab issues have been sometimes set aside for more pressing matters and will be addressing that issue at future meetings. It was noted that the Board spends 60-80 days per year in session and that roughly 10% of their time is spent on crab.

**Determination of GHs.** - There was a request from industry and Council members for a review of the process for setting Guideline Harvest Levels for the crab fisheries. ADF&G personnel provided a written overview as well as an oral report and answered questions from Board and Council members. It was suggested that the Research Planning Group initiated under the State/Federal Action Plan should establish a research plan for crab, and possibly schedule a symposium on the science of crab management. NMFS indicated it would work with ADF&G to arrange such a symposium.

**Role of Industry in the new State-Federal Action Plan** - The Group received an overview of the various groups established under the State-Federal Action Plan and their role in management decisions. It was noted that the intent of the Action Plan was not to confuse the industry, but rather to establish a more formal mechanism for exchange of information and ideas on the management and conservation of the crab resource.

**Cross-certification of groundfish and crab observers** - The Group received comments from the public indicating a need for observers to be cross-trained in order to save time and money when a vessel leaves one fishery and enters another. Concern was also expressed with the current State requirement that no observer may serve any more than 90 days a year on the same vessel. It was suggested that this requirement may be justified; however, some leeway should be given to managers to waive the rule when it will seriously impact a vessel by having to return an observer in the middle of a fishing trip. It was also stressed that when the Council's Research Plan goes into effect, overall coordination between the state and federal observer programs is imperative. Commissioner Rosier said he would look into the 90-day issue. Also of concern to industry was that groundfish observers must go to Seattle for debriefing. Some suggested debriefing in Dutch Harbor as crab observers do.

**Role of the SSC in reviewing crab management measures** - After discussion it was determined that the current review of GHs by the plan team is probably sufficient. However, the Council has the option of requesting their SSC to review any analysis or management proposal if they feel there is a need. Also, a member of the SSC and/or other scientists from outside the area could be pulled in to provide peer review at the annual meeting of the Research Planning Group.

**Summary:** Board and Council members expressed satisfaction with the first meeting of the Group. They felt that the staff reports on the various issues made them better informed and will aid them in future decisions. The Group felt that although crab issues are the main focus of their discussions for now, they would not limit their scope just to crab. For instance, if a scallop FMP is approved, there will need to be the same close coordination between the Board and the Council in making management decisions. All members agreed to the need for a broad forum in order to deal with any issue of significance to both the Board and the Council.

The Group felt an annual meeting would be sufficient to deal with the issues of mutual concern; however, each group must go back to their respective bodies and discuss it before any final plans are made.

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## BSAI King and Tanner Crab Committee/Group Directory

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### Crab Interim Action Committee (CIAC)

Steve Pennoyer (NMFS Regional Director)  
Carl Rosier (ADF&G Commissioner)  
Alan Millikan (WDF Director's representative)

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### Pacific Northwest Crab Industry Advisory Committee (PNCIAC)

Arnie Aadland (Ocean Viking Fisheries)  
Dave Benson (Arctic Alaska Fisheries Corp.)  
Bart Eaton (Trident Seafoods, Inc.)  
Don Giles (Icicle Seafoods, Inc.)  
Spike Jones (Snowking, Inc.)  
Bruce Joyce (commercial fisherman)  
Kevin Kaldestad (Kaldestad Fisheries)  
Garry M. Loncon (Royal Aleutian Seafoods, Inc.)  
Robert Miller (Cascade Boat Company)  
Arni Thomson (Alaska Crab Coalition)  
Rich White (Dutch Harbor Seafoods Ltd.)

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### Crab Plan Team

Ken Griffin (ADF&G, Juneau)  
Rance Morrison (ADF&G, Dutch Harbor)  
Peggy Murphy (ADF&G, Juneau)  
Bill Nippes (ADF&G, Kodiak)  
Bob Otto (AFSC, Kodiak)  
David Witherell (NPFMC)  
Jerry Reeves (AFSC)  
Tom Shirley (UAF)  
Kim Spitler (NMFS/RO)

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### Council/Board Consultation Group

Alaska Board of Fisheries:  
Kay Andrew  
Larry Edfelt  
Larry Engel  
Dick Jacobsen  
Dick Bower

### North Pacific Fishery Management Council:

Robert Alverson  
Ron Hegge  
Al Millikan  
Steve Pennoyer  
Robin Samuelsen

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### Research Planning Group

#### Alaska Department of Fish and Game (ADF&G):

Bill Donaldson  
Doug Eggers  
Peggy Murphy  
Bill Nippes  
Doug Pengilly  
Leslie Watson

#### National Marine Fisheries Service (NMFS):

Richard Marasco  
Jerry Reeves  
Russell Nelson  
Robert Otto  
Bradley Stevens

+ university representatives  
+ Council representative

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### State/Federal Policy Group

#### State:

Dave Benton  
Ken Griffin  
Bonnie Harris  
Jeff Koenings  
Earl Krygier  
Carl Rosier

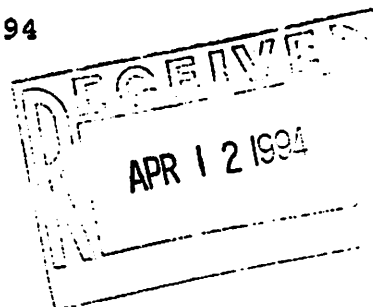
#### Federal:

Ron Berg  
Steve Pennoyer  
Jon Pollard  
Kim Spitler



**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
**National Marine Fisheries Service**  
**P.O. Box 21868**  
**Juneau, Alaska 99802-1668**

March 25, 1994



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To <b>CLARENCE PAUTZKE</b>	From <b>KIM SPITLER</b>	
Co. <b>NPFMC</b>	Co. <b>NMFS-JUNEAU</b>	
Dept.	Phone #	
Fax # <b>907-271-2817</b>	Fax #	

**MEMORANDUM TO:** The Record

**FROM:** Kim Spitler *KS*  
 Fisheries Management Division

**SUBJECT:** Alaska Board of Fisheries meeting, March 14-17, 1994, Anchorage, Alaska

I attended Session 1 of the Alaska Board of Fisheries (Board) meeting in Anchorage, March 14-17, 1994. Session 1 included proposals relevant to statewide Dungeness crab, shrimp, and miscellaneous shellfish fisheries. The Bering Sea/Aleutian Islands (BSAI) crab fisheries are managed cooperatively under a fishery management plan (FMP) which delegates much of the management to the state, with Council oversight. Pertinent crab proposals reviewed by the Board included: pot limits for the Adak red and brown king crab fisheries, king crab pot definition, and landing and inspection requirements.

Because of joint state and federal involvement, other proposals of interest to NMFS were the state scallop fishery management plan and the state scallop moratorium petition.

Crab Proposals

1. #504--Establish a pot limit in the Adak king crab fishery.  
**BOARD VOTED AGAINST POT LIMITS.** (FMP Category 2 measure-->State must consider certain criteria when implementing regulations.) Proposal from Kodiak Longline Vessel Owner's Association (KLVOA) to establish a 200/250 for the red king crab (rkc) single pot fishery and 475/600 for the brown king crab (bkc) longline pot fishery (vessels <125 ft/vessels > 125 ft). During public testimony, KLVOA amended the proposal to 100/120 for rkc and 520/650 for bkc.

An ADF&G staff report on Adak pot limits presented by Ken Griffin and Peggy Murphy included: background information for deliberations on the need for pot limits in the Adak fisheries, a brief history of pot limits in the BSAI crab fisheries, and FMP requirements for pot limits.

Public testimony was given by Kris Poulsen, Arni Thomson, Linda Kozak, Dick Powell, Greg Gerhardstein, and Steve Hall. Arni



Thomson, representing Alaska Crab Coalition (ACC), stated a preference for a 200/250 rkc pot limit, if the Board decided to impose one. He noted that 150 was the "break-even" pot limit discussed by ACC; a lower pot limit and it was not economically feasible to enter the Adak rkc fishery. ACC gave no recommendations for a bkc pot limit. Steve Hall and Greg Gerhardstein fish approximately 1200 pots in the bkc fishery. They noted a minimum 1000 pot limit in the bkc fishery to be able to continue to operate profitably. Linda Kozak and Dick Powell, representing KLVOA, explained that they initially proposed a pot limit for the Adak bkc fishery after noting a decrease in catch per unit effort when vessels using 1500-1600 pots entered the fishery.

Board action on this issue began with an overview by Bonnie Harris (Department of Law) of the crab FMP requirements: consistency with the National Standards of the Magnuson Act, the management goals and objectives of the FMP, and specific criteria for pot limits. Earl Krygier noted that it was critical, considering past appeal actions and supersession of Board regulations, that information be on the record as to the justification of a management measure, especially an economic analysis of the effects of the management measure on industry. Earl Krygier reported that ADF&G could not recommend a bkc pot limit at this time due to insufficient fishery data necessary to justify such a regulation. Future observer coverage requirements might provide the needed information to analyze the applicability of pot limits. Peggy Murphy outlined a derivation of an Adak rkc pot limit based on methodology used to establish Bristol Bay rkc pot limits in March 1993. The Greenberg economic analysis used in March 1993 showed that the impacts of a 20% differential in pot limits between vessel size classes (<125 ft/>125 ft) fell substantially equally on each size class. A 151/189 Adak rkc pot limit was derived using a percent reduction of average pots per vessel that was realized when Bristol Bay pot limits were derived.

Board deliberations began with Larry Edfelt's overview of the Adak pot limit issue. In March 1993, other BSAI crab fishery pot limits were imposed, the impetus being the unmanageability of those fisheries. At that time, the Board concluded that the Adak fisheries did not meet these criteria and, therefore, a pot limit was not justified. Larry Nicholson, ADF&G Westward Region staff, noted that the major reason for a rkc pot limit is the potential of an influx of vessels into this fishery due to a possible decline in the Bristol Bay rkc fishery or the Bering Sea Tanner crab fisheries. Board member Trefon Angasan queried the Department of Law as to the justification of a pot limit based on a projection of future conditions. Bonnie Harris felt that the more speculative the measure, possibly the harder it would be to justify. But, neither do you need to wait for a fishery to be in "crisis" before a management measure is imposed. After

approximately one and a half hours of deliberation, the Board voted 7-0 against imposing pot limits in the Adak rkc and bkc fisheries.

2. Agenda Change Request #1: King and tanner crab pot definition. (FMP Category 3 measure--> not rigidly specified or frameworked.) **BOARD VOTES TO AMEND DEFINITION TO INCLUDE GEAR 10'x10'x42"**. This clarifies allowable gear and discourages the tack-welding of pots. Board did not address a PNCIAC request to adjust the 3" tunnel height opening on tanner crab pots to 4" (5AAC 35.525(k)). At the Council/Board Crab Consultation Group meeting, February 18, 1994, it was determined that legally, tunnel height could be taken up on the Board's agenda under their consideration of pot definitions. Whether or not it would be, was up to the Board's discretion.

3. Agenda Change Request #2: Landing and inspection requirements. 5 AAC 34.030. (FMP Category 3 measure.) **BOARD VOTES TO RELAX REQUIREMENTS FOR TANK INSPECTIONS AND LANDING TIMES.** Tank inspections must occur within 72 hrs. of a season opening in the St. Matthew and Adak fisheries. This relaxation would allow a "fair start" for vessels participating in these fisheries requiring a longer running time from the inspection point at Dutch Harbor.

#### Other Proposals

4. #513--Develop a statewide weathervane scallop management plan. **BOARD ADOPTS COMMERCIAL SCALLOP INTERIM MANAGEMENT PLAN AND ASSOCIATED REGULATIONS** Recent growth in the fishery prompted concerns regarding resource conservation of scallops and incidentally-caught species and no fishery management plan existed to address these issues. ADF&G developed an interim management plan under the regulations for high-impact emerging fisheries (5 AAC 39.210). The draft FMP was presented to the Board for review, modification, and adoption. The FMP is intended as a description of the state's long-term management strategy for Alaskan scallop fisheries. Key management measures and associated regulations of the FMP include: establishment of fishery registration areas and registration requirements, gear specifications, area-specific guideline harvest ranges, bycatch caps, fishing seasons, an industry-funded observer program, and crew size limits. With minor modifications (creation of a ninth registration area and changes to the fishing season in Yakutat), these measures were adopted and incorporated into the state's scallop fishery management plan.

ADF&G staff reported on the status of the federal draft fishery management plan. The primary purpose of this FMP is to protect the fishery from further overcapitalization and reduce the potential for overexploitation. This would be achieved by a

vessel moratorium intended to stabilize the size and capitalization of the scallop fleet during the time that the Council is considering limited entry alternatives for this fishery. The state and federal FMPs are intended to be compatible. The federal plan specifies a state-federal agreement for cooperative management of the scallop resources off Alaska. The three alternatives to the proposed scallop FMP were outlined and it was noted that the Council will take action on this proposed FMP at its April 1994 meeting.

**5. State scallop moratorium petition BOARD APPROVES MORATORIUM AND FORWARDS TO CFEC.** ADF&G has petitioned the Commercial Fisheries Entry Commission (CFEC) to place a 4-year moratorium on new entrants into the statewide scallop fishery. ADF&G is concerned that new entrants into the fishery will hinder efforts to develop a successful management system that will lead to the orderly development of Alaska's scallop resources. ADF&G views this moratorium as a necessary component of the state's overall scallop management program. Board approval of the petition is required prior to review by CFEC. CFEC has the authority to establish a 4-year moratorium on new entrants to a fishery while the CFEC is investigating the need of limiting entry to that fishery. Several Board members voiced concerns that the proposed moratorium could limit participants from small, local Alaskan communities from entering the fishery. Their concerns will be outlined in a letter to CFEC.

At its February 9, 1994, meeting in Seattle and again at the Council/Board Crab Consultation Group meeting, February 18, 1994, in Anchorage, PNCIAC requested a reporting of crab research activities. ADF&G staff addressed this request in an evening presentation, March 15, 1994. Dr. Gordon Kruse briefly summarized ADF&G, NMFS, and university research projects on king and Tanner crab. Leslie Watson, Westward Region, summarized the Bering Sea Crab Test Fishery Program and its efforts to date.