

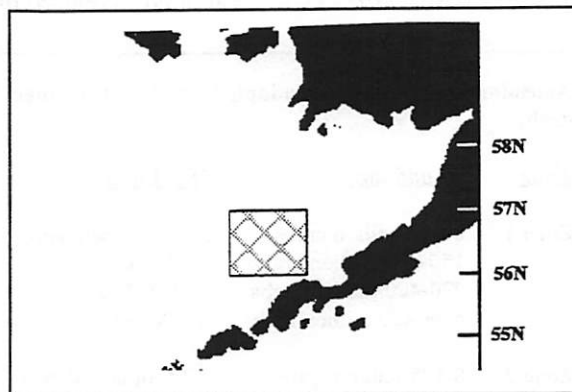
**Joint Meeting
Alaska Board of Fisheries
and
North Pacific Fishery Management Council
February 4, 1997**

**TAB 4: COUNCIL COMMITTEE REPORTS ON CRAB
MANAGEMENT**

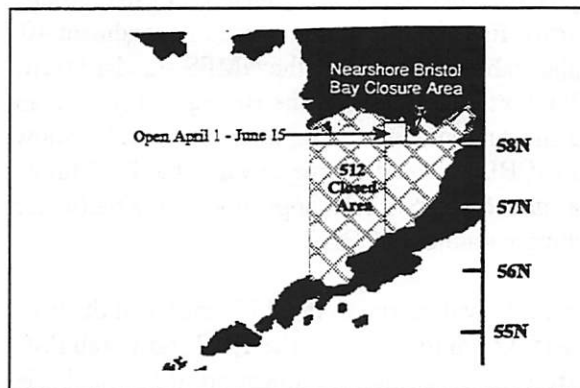
- a. Crab plan team report**
- b. PNCIAC report**

Summary of 1996 NPFMC Actions to Conserve Crab

Amendment 37: In June 1996, the Council took final action on several measures to protect the Bristol bay red king crab stock from possible impacts due to groundfish fisheries. First, the Council adopted a year-round closure to non-pelagic trawling in the Red King Crab Savings Area (162° to 164° W, 56° to 57° N). An extended duration of the closure period provides for increased protection of adult red king crab and their habitat. To allow some access to productive rock sole fishing areas, the area bounded by 56° to 56°10' N latitude would remain open during the years in which a guideline harvest level for Bristol Bay red king crab is established. A separate bycatch limit for this area would be established at no more than 35% of the red king crab prohibited species catch (PSC) limits apportioned to the rock sole fishery.



To protect juvenile red king crab and critical rearing habitat, the Council recommended that all trawling be prohibited on a year-round basis in the nearshore waters of Bristol Bay. Specifically, the area east of 162° W (i.e., all of Bristol Bay) would be closed to trawling, with the exception of an area bounded by 159° to 160° W and 58° to 58°43' N that would remain open to trawling during the period April 1 to June 15 each year. It was



felt that such a closure area would protect known areas of juvenile red king crab habitat while at the same time allow trawling in an area that can have high catches of flatfish and low bycatch of other species. The area north of 58°43' N was closed to reduce bycatch of herring, and also of halibut, which move into the nearshore area in June. In addition to establishing nearshore trawl closure areas, the Council also recommended that NMFS rescind regulations allowing trawling for Pacific cod in the area off Port Moller, as these regulations are out of date given the current status of red king crab and scientific knowledge of critical habitat.

The third management measure adopted by the Council was a reduction of PSC limits for red king crab taken in trawl fisheries. Specifically, the Council recommended adoption of a stairstep-based PSC limit for red king crab in Zone 1. PSC limits would be based on abundance of Bristol Bay red king crab as shown in the adjacent box.

Discussion of crab bycatch management highlighted the need for additional information and future assessment of management actions. The Council recommended that all vessels (including vessels using pot and longline gear) fishing for groundfish in the Red King Crab Savings Area and the 159° to 160° W area require 100% observer coverage. In addition, the Council recommended that closure areas and crab PSC limits be re-evaluated on a regular basis because crab abundance and distribution change over time.

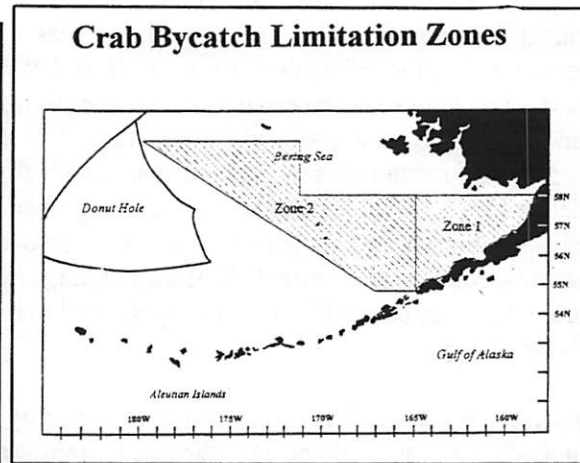
Amendment 37 PSC limits for Zone 1 red king crab.

Abundance	PSC Limit
Below threshold or 14.5 million lbs of effective spawning biomass (ESB)	35,000 crabs
Above threshold, but below 55 million lbs of ESB	100,000 crabs
Above 55 million lbs of ESB	200,000 crabs

Amendment 41: In September, the Council approved an agreement negotiated by affected industry groups regarding PSC limits for *C. bairdi* Tanner crab taken in BSAI trawl fisheries. Under the agreement, PSC limits for *bairdi* in Zones 1 and 2 will be based on total abundance of *bairdi* crab as indicated by the NMFS trawl survey. Based on 1996 abundance (185 million crabs), the PSC limit for *C. bairdi* in 1997 will be 750,000 crabs in Zone 1 and 2,100,000 crab in Zone 2. Crab bycatch accrued from January 1 until publication of the final rule (expected by April 1997) will be applied to revised bycatch limits established for specified fisheries.

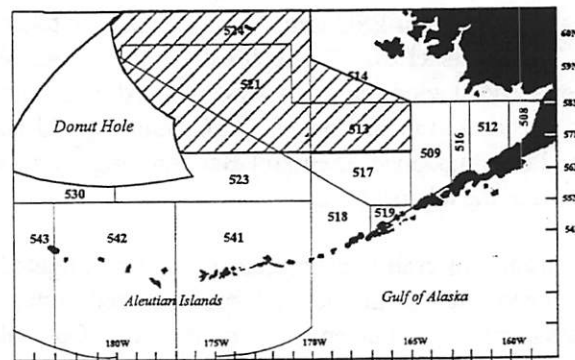
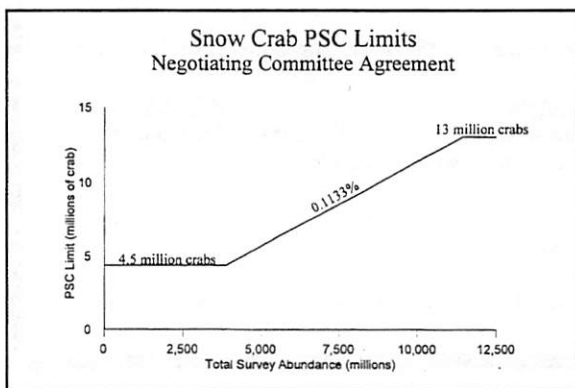
Amendment 41 PSC limits adopted for *bairdi* Tanner crab.

<u>Zone</u>	<u>Abundance</u>	<u>PSC Limit</u>
Zone 1	0-150 million crabs	0.5 % of abundance
	150-270 million crabs	750,000
	270-400 million crabs	850,000
	over 400 million crabs	1,000,000
Zone 2	0-175 million crabs	1.2 % of abundance
	175-290 million crabs	2,100,000
	290-400 million crabs </td <td>2,550,000</td>	2,550,000
	over 400 million crabs	3,000,000



Amendment 40: In December, the Council approved an agreement negotiated by affected industry groups regarding PSC limits for *C. opilio* snow crab taken in BSAI trawl fisheries. Under proposed Amendment 40, PSC limits for snow crab will be based on total abundance of *opilio* crab as indicated by the NMFS standard trawl survey. For 1998 and thereafter, the snow crab PSC cap will be set at 0.1133% of the Bering Sea snow crab abundance index, with a minimum PSC of 4.5 million snow crab and a maximum of 13 million snow crab. Snow crab taken within the "Snow Crab Bycatch Limitation Zone (SCBLZ) would accrue towards the PSC limits established for individual trawl fisheries. Upon attainment of a snow crab PSC limit apportioned to a particular trawl target fishery, that fishery would be prohibited from fishing within the SCBLZ.

For 1997 only, all snow crab bycatch in areas ^{513,} 514, 521, 523, and 524 will accrue to the PSC limit, and the PSC limit will be increased by 10%. Based on 1996 survey abundance (5,425 million crabs), the 1997 snow crab PSC limit will be 6,760,000 crabs. Snow crab bycatch accrued from January 1 until publication of the final rule (expected by July) will apply to all fisheries that take snow crab in 1997.



JAN 21 1997

January 6, 1997

MINUTES OF THE PACIFIC NORTHWEST CRAB INDUSTRY ADVISORY
COMMITTEE

Leif Erickson Lodge Hall, Seattle, Washington

AREA/SPECIES: Bering Sea/Aleutian Islands king and tanner
crab fisheries.

Committee present: Garry Loncon, Chairman, Royal Aleutian
Sfds.; Rob Rogers, Icicle Sfds.; Kevin Kaldestad, F/V
Aleutian Mariner; Dave Benson, Tyson Sfds.; Gary Stewart,
F/V Polar Lady; Clyde Sterling, Peter Pan Sfds.; Gary
Painter, F/V Trailblazer; Phil Hanson, UNISEA Inc.; Arni
Thomson, Alaska Crab Coalition, Secretary.

Committee not present: These committee members were not
present, only because they had scheduled departures for
the Bering Sea opilio fishery, Joe Wabey, F/V Arctic Eagle,
Robert W. Miller, F/V Northern Cascade.

ADF&G staff: Bob Clasby, Dir. Commercial Fisheries; Pete
Probasco, Supervisor, Westward Region; Al Spallinger,
Westward Region Shellfish Biologist; Doug Pengilly,
Shellfish Research.

NMFS staff: Not present.

NPFMC staff and members: David Fluharty

Industry present: Ron Sherin, Barbara J; Paul Rachey,
Eclipse Gear Works; Kris Fanning, Entrance Point; Chuck
Hosmer, Courageou/Baranof; Bart Eaton, Trident Sfds; Tom
Casey, AFCG; Ken Tippett, Alaska Boat Co.; Scott Mattulich,
Wash. State Univ.; Kristian Poulsen, North Sea; Sig J.
Hansen, Northwestern; Vidar Warness, Polar Sea; Koll Hagen,
Unicrab; Lance Nylander, Dungeness Gear Works; Jim Goldade,
Seattle Ship Supply; Rick Mezich, Fierce Allegiance; Bob
Scofield, Dorian Metal Fab.; Tom Parks, Katie K; Vince
Curry, PSPA; Al Chaffee, Yardarm Knot; Dan Matsen, Shaman;
Shawn Jones (?), Shellfish; Bill Widing, Aleutian Beauty;
Mary LeDoux, Norquest/Dragnet Fisheries; Brad Warren,
Pacific Fishing Magazine; Roger Thomas, Deception; Elgin
Olrogg, Seafirst Bank; Jim Michaels, Seafirst Bank; Chris
Martin, Seafirst Bank; Peter Kinchla, Courageous/Baranof.

CALL TO ORDER, Garry Loncon, Chairman, 9:15 AM

ANNOUNCEMENTS:

** The Board of Fisheries will meet from March 9 - 20th to
review a limited number of shellfish proposals for possible
changes in regulations. The meeting will be held at the
West Coast International Inn in Anchorage, near the airport.

** A special meeting with ADF&G staff and BSAI crab vessel owners, fishermen, processors and representatives to discuss management options for the Bristol Bay red king crab fishery will be held in Anchorage, Alaska, February 3, 1997. The meeting will be held at the Holiday Inn, Ketchikan Room, beginning at 8:30 AM and continuing through the remainder of the day. The purpose of the meeting is to discuss the ADF&G petition accepted by the Board of Fisheries regarding management options for the Bristol Bay red king crab fishery.

** At 7:00 P.M. on Monday, February 3, 1997 at the Westward Hilton in Anchorage, ADF&G is sponsoring a work session on the proposed regulations for management of the CDQ crab fisheries scheduled to begin in January 1998 with the opilio fishery. The public is invited to participate in the workshop. The Board of Fisheries will be reviewing and adopting regulations for the CDQ fisheries at the March 9-20th meeting at the West Coast International Inn. A copy of the proposed CDQ regulations, a sample permit form and the agenda change requests are available by calling the ADF&G Commercial Fisheries Management and Development Division in Juneau at (907) 465 4210 (Ken Griffin & John McNair).

ISSUES/DISCUSSION:

ADF&G PETITION FOR MANAGEMENT OF BRISTOL BAY KING CRAB FISHERY:

ADF&G comments:

P Probasco: ADF&G is concerned about slowing down the fishery and anticipates a big increase in effort in 1997. With 200 boats in the fishery this fall, it was a four day fishery and it went 50% over the GHL. We need to slow down the fishery, and manage it within the GHL. ADF&G does not see pot limits as the only solution to the problem. ADF&G is here today to initiate dialogue with the industry and to work with industry to develop solutions.

G Loncon: What is wrong with the tools available now? The fishery simply performed beyond the expectations of ADF&G and industry. Slowing the fishery down is management friendly but not resource friendly. Pot limits in the long run are not resource friendly; the perception is the petition sounds the alarm of a crisis. Setting up a downward sliding scale of pot limits linked to small GHLs will result in increasing pot lifts, discards and subsequent handling and bycatch mortality. PNCIAC does not see a crisis in the management of the red king crab fishery. The crisis is in the condition of the bairdi resource.

P Probasco: We are concerned about next year and an increase in effort and the need to get better control of effort to prevent going over the GHL.

A discussion ensues about inseason catch reporting accuracy. Apparently the fleet quit reporting after the closure announcement. This impaired the accuracy of the reporting.

The present situation of 48 hour advance notice of closure and the regulation mandating that all gear be unbaited at time of closure impedes shutting the fishery down on short notice.

A Thomson: On behalf of the ACC, he expresses concern over the allocative nature of pot limits and they are being proposed as the primary solution in the petition. He makes reference to ACC's recent experiences with the Norton Sound and Kodiak king and tanner crab fisheries where small pot limits created small boat fisheries and disenfranchised the traditional fleet. It appears to the ACC, that part of the solution is to improve upon the voluntary catch reporting system.

G Stewart: He suggests that the fleet be able to leave gear on the grounds--baited, to allow for very short notice of closure and fleet catch reporting right up to the time of closure.

B Clasby: Very concerned that we are working with slim margins and we need to be very cautious. What can be done to enable fisheries at low GHGs. Recognizes allocation and bycatch problems. Maybe we should just shoot with fixed time periods and search for industry input on shortest economically viable time period.

S Hansen: Suggests reporting every 12 hours instead of every 24 hours to keep better tabs on the catch.

P Probasco: We could look at 12 hour catch reporting and we do not need 100% of the fleet reporting. It could be done rapidly and systematically through MCI reporting.

G Loncon: Suggests that ADF&G provide the fleet with a standardized format for reporting prior to the season opening. Seems that setting up a real time system and some compliance level of reporting could be very helpful.

G Painter: It appears that ADF&G wants to reduce the pot limits in the Bristol Bay king crab fishery for whatever reasons. Come November first, I want my vessel to go fishing whatever it takes. If that means supporting reduced pot limits, so be it, I support reducing the pot limits so I can go fishing.

P Probasco: In response to several industry recommendations for a 48 to 72 hour pre-season bait-up as one of the alternatives to reducing pot limits, he states that ADF&G has concerns about pre-bait-up. There are some enforcement issues and it might make management more difficult because

the gear actually begins fishing when it is baited and set.

G Loncon: Lets pursue the bait-up idea; it allows sorting on the bottom and reduces bycatch and handling. How could we make it work?

B Clasby: 48 hour bait-up would effectively result in no less than a five day fishery. It likely won't work for small GHLS.

K Tippett: To address ADF&G conservation concerns in regards to staying within the GHL, I would suggest the pre-announced closure notice, accelerated daily catch reporting--followed by rapid data analysis after closure, then a mop-up fishery in 12 hour increments to harvest the shortfall in the GHL, if there is one. This is being done in some of the federal groundfish fisheries in the Gulf of Alaska and the Bering Sea.

T Casey: Our group does not recognize there is a discard mortality problem and the most recent scientific reports by Tom Shirley (U. of A.) and Bob Otto (NMFS) show almost no mortality from pot lifts and discards. ADF&G should do whatever it takes to have a fishery. Our group wants a fishery on November first no matter what, and we support reduced pot limits if that's what it takes to have a fishery at five million pounds or less.

K Poulsen: To look at the pot limit as a solution to an overcapitalization problem is erroneous, particularly when we have a depressed resource. Reduced pot limits will increase mortality. Recent preliminary studies by Otto et. al indicate mortality likely is high to even slightly injured crabs due to predation by sand fleas. The results of laboratory experiments mentioned by Casey and the zero mortality estimates do not incorporate predation effects and Tom Shirley notes that in his report.

B Scofield: If indeed ADF&G feels they need to reduce the number of pots on the grounds to slow down the fishery, what levels would they recommend for GHLS of 7 and 5 million pounds?

ADF&G responds that they cannot answer that question at this time, that it is under consideration at this time.

Some additional discussion ensues about discard and handling mortality.

K Kaldestad: The reauthorization of the MSFCMA last year now includes a new National Standard that mandates minimizing bycatch and the mortality from bycatch. It seems that reducing pot limits which will increase the rate of discards will run counter to the new bycatch standard.

Then ADF&G is asked what their position is on whether or not discarding is a significant source of mortality?

D Pengilly: ADF&G does recognize discarding of crabs as a mortality problem when it involves large numbers of pre-recruits, juveniles and females and CPUE is very low, as occurred with the St. Matthews Is. fishery in 1996.

K Kaldestad: ADF&G is quoted in the Dutch Harbor Fisherman following the St. Matthew fishery, that the primary reason for closing the fishery substantially below the GHL was because of discard mortality from pot lifts. This is inconsistent with the ADF&G petition calling for reduced pot limits for Bristol Bay. I support status quo on pot limits and a pre announced closure notice.

T Casey: A pre announced closure will likely result in leaving 1-2 million pounds of king crab on the grounds, thus we support the alternative of reducing pot limits to maximize the harvest.

D Benson: In focusing on the ADF&G petition, it is clear from the first and second priority alternatives, that ADF&G wants to reduce the pot limits in the Bristol Bay fishery. However, I am now hearing that this may not be the case. If industry comes up with other alternatives that will solve management's problem, would ADF&G be willing to withdraw its petition?

B Clasby: Although other alternatives being discussed here today may take care of the problem, we would need a consensus from industry to adopt the other alternatives rather than the pot limits. And no, we cannot withdraw the petition that has been filed.

G Painter: Referring to your petition of December 6, 1996, on page 4, you reference that you will be unlikely to manage a fishery below 12 million pounds without some changes, meaning a reduction of the pot limits based on GHLS. Do I clearly understand that ADF&G cannot open the Bristol Bay king crab fishery without some management changes if the GHLS is under 12 million pounds?

P Probasco: No. That is not necessarily the case. We could open the fishery with a 5 million pound GHLS--with a pre-announced closure--with no changes in existing management measures.

T Parks: I seriously question that there is a crisis here. The problem is too many boats and ADF&G is expecting more boats to come into the fishery in 1997. I would suggest that the upcoming limited entry program restrict the fishery to those who participated in 1996..

B Clasby: ADF&G does not have limited entry jurisdiction over the fishery, the NPFMC does. The proposed program would have to be changed by them to achieve that.

G Loncon: I would like to recognize the importance of the recently adopted MSFCMA provisions regarding the fishing industry's need to reduce bycatch mortality. At this time I would like to summarize the PNCIAC recommendations to address the concerns of ADF&G in regards to the Bristol Bay king crab fishery so we can move on to the other agenda items:

1. Consider allowing the fleet to leave baited gear on the grounds after the season closure; this would allow for as little as a 12 hour notice of closure and more accurate inseason management. This could alleviate safety problems encountered at season closure with vessels rushing to get through their gear and get it unbaited and make the 24 hour landing requirement in bad weather. The MSFCMA also has a new National Standard to promote the safety of human life at sea. Returning to the grounds after offloading crab, the vessels will not be rushed and can engage in "careful release" of the crabs in the gear, by opening the pots at the railing, barely out of the water. Pots will not have to be brought on board for sorting or handling. Thousands of small crabs will have had time to sort out of the gear and will not be handled.
2. Revamp the existing voluntary MCI electronic catch reporting program by introducing a computerized format, reporting at 12 hour intervals and incorporating rapid analysis.
3. Use of pre-announced closure notice.
4. Allow a mop-up fishery in conjunction with the pre-announced closure in the event a substantial amount of the GHL is foregone.
5. Consider establishing a minimum threshold, below which it is not economically viable to conduct a fishery.

SUMMARY OF ADF&G OBSERVER PROGRAM "COST RECOVERY" PROPOSAL:

Doug Pengilly: Provides the industry with a summary of ADF&G's management needs for an observer program and clarifies that the observer program is not just an enforcement program. The current "Pay-as-you-go" third party contractor program will continue until 1999. The goal is to establish a state funded observer program, resource based, a percentage of the GHLS. (See the enclosed ADF&G memorandum, dated Jan. 3, 1997, Doug Pengilly to Pete Probasco, Summary of Board discussion on Shellfish Observer Program development.)

V Curry: Does ADF&G need legislative authority for the test fishery funding mechanism?

B Clasby: Yes. Legislature has been supportive up to now of test fish funding and they will likely support the new proposal.

D Pengilly: Costs should be fairly stable around \$2 million per year, based on costs over the recent years. I would foresee coverage levels remaining fairly stable.

We need to increase catcher boat coverage in king crab fisheries and the opilio fishery. We need to supplement information as a result of there being less and less catcher processors in the fisheries.

A Thomson: For the benefit of most of the industry representatives in this room who lack the necessary background on the new "Cost Recovery" crab observer proposal I would like to summarize for you the origin of the proposal.

First of all, I am a representative on the NPFMC Observer Oversight Committee that periodically reviews major changes to the groundfish and crab observer programs and most recently, this committee has been closely involved with the analysis of the 2% fee assessment program for crab and groundfish. This program which the NPFMC initially approved, has since been tabled in favor of continuance of the 3rd party contractor, pay-as-you-go program. The ADF&G cost recovery proposal, whereupon up to 2% of the value of the resource is dedicated to the observer program, is another form of an industry wide fee paying program.

Dedication of essentially 2% of the BSAI crab resources to to the State managed observer program essentially is a direct allocation of a federal resource to a state and raises legitimate legal questions under the MSFCMA.

Second, the origin of the ADF&G proposal began with an industry proposal solicited by the Board of Fisheries in March of 1996 in response to industry complaints about the excessive cost of 100% observer coverage on catcher boats involved in the hair crab, tanneri crab and brown crab fisheries. ADF&G presently recognizes only one level of observer coverage for management/data needs and that is 100%. This is in sharp contrast to the NPFMC groundfish program, which operates on 30% coverage for catcher boats. (See the attached industry observer proposal.)

Crab fishermen and the ACC developed a framework proposal for a statistical data gathering program that would satisfy ADF&G data gathering needs for catcher boats in the BSAI crab fisheries and that would reduce costs for catcher boats. It was basically a trip-based, rotating observer

program for catcher boats and vessel compliance could be linked to the permit for the fishery. If ADF&G needs flexibility in the range of coverage for catcher boats, then a range of 10% to say 50% and could be frameworked in a plan. However, the pay-as-you-go industry proposal has been discarded by ADF&G and it has been replaced with the cost recovery proposal, now the only alternative. I would suggest we keep the pay-as-you-program as an alternative.

B Clasby: Explains that ADF&G wants to develop a program that provides us with the necessary information to manage the crab fisheries. The State also wants the flexibility to set and adjust observer coverage levels on an annual basis. That is a key part of our proposal.

K Fanning: Given the declining state of the industry, we are at the limit in terms of costs we can bear as vessel owners and still remain in business. Levying an additional 2% cost on the industry could be unbearable. If ADF&G plans to adjust observer coverage under the Cost Recovery program, could they provide us with a revised plan and the costs of the program?

Industry representatives then asked further questions about the need for the Alaska Legislature to approve of the increase in test fund authority.

B Clasby: ADF&G does need increased authority from the Legislature to move ahead with the program. If the Legislature does not approve it, then the program won't be adopted by the Board of Fisheries.

D Pengily: ADF&G needs flexibility to adjust observer coverage from year to year according to the dynamics of the fisheries and our management needs.

A Thomson: ADF&G presently has the authority through the Commissioner's Permit system to reduce the costly 100% observer coverage on catcher boats in two problem fisheries, the Korean horsehair crab fishery and the deep water tanner crab fishery. However, the agency has shown little interest in adjusting the coverage levels, despite widespread complaints from fishermen and processors about costs.

G Loncon: I think the PNCIAC now has a better understanding of the cost recovery proposal and the implications of this type of observer program. However, I feel the PNCIAC needs to digest the information for a while before making any recommendations. I would like the members to think about recommendations on this program and I will poll you sometime before the March Board of Fish meeting.

Meantime, I would like to request that ADF&G develop their best estimates for observer coverage, fishery by fishery, for 1998, under the assumption that we would be operating

under the cost recovery program.

P Probasco: Agreed that it would be a good idea and that ADF&G could do that for the industry.

B Clasby: ADF&G is willing to work with industry on the observer program. We too wish to make improvements in the program that will be beneficial to overall management.

PROPOSAL TO REDUCE THE SIZE LIMIT FOR BRISTOL BAY KING CRAB TO SIX INCHES:

S Mattulich: I have been contracted by ADF&G to conduct a brief economic analysis of Russian king crab production and the implications of Russian production on the market for Bristol Bay king crab. At the outset, it appears that the timing of this proposal is bad, in that it will have negative implications on the market. The Russians have harvested the cream of the stock, in terms of the larger crabs, and they are now producing a lot of smaller sizes, that are close to 6 inches.

I would estimate that most of the crab produced in the Bristol Bay derby with a 6 inch size limit will be 6 inches. Harvesting 6 inch crab, under a GHJ that is based on number of animals, will reduce the total poundage harvested. I would estimate the negative price impacts would be severe enough that a two fold increase in production would be needed to compensate for lost revenue.

ADF&G reports that they have biological and economic analyses underway and they expect to have them ready for distribution by February 24th.

B Clasby: If industry is not ready to make a recommendation on this important issue by March of this year, we could postpone action by the Board of Fisheries until some time in the future.

K Poulsen: It is obvious from what Mattulich is saying that reducing the size limit will leave more larger crabs on the grounds for breeding larger females and this will have a positive long term effect on the future rebuilding of stocks and the resulting increase in quotas and market value of the resource. I hope this is addressed in the biological analysis.

S Mattulich: I recognize the potential biological implications to stock rebuilding, however, as I understand it, there needs to be more definitive research done on whether larger males are more aggressive breeders.

K Poulsen: Mattulich is overly focused on the short term in his analysis, but he should refocus on the long term economic benefits to the resource and the industry for this analysis to have validity.

A Thomson: Since this is an ACC proposal, I would like to clarify for the record that ACC submitted it with the purpose encouraging stock rebuilding by leaving more larger animals on the grounds for breeding, and reducing discards through increased CPUE during the harvest. We wish to thank ADF&G for committing extensive staff time to this important issue that could accelerate stock rebuilding if adopted.

G Loncon: This will conclude discussion on this issue. I feel the PNCIAC is uncertain as to how to vote at this time, and there is going to be more information available to us soon.

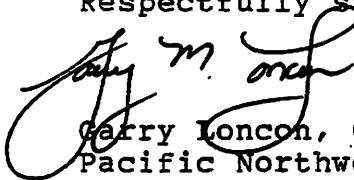
Therefore I am going to conduct a poll of the PNCIAC on this issue and other issues prior to the Board of Fisheries meeting on March 9th and then we will formulate our written comments.

Thank you all for coming and again we thank ADF&G for sending their representatives to Seattle as it has been very helpful and it has contributed a lot to our discussions.

If there are no further issues to discuss, we will adjourn.

The PNCIAC adjourned at 1:15 PM.

Respectfully submitted,



Gerry Loncon, Chair
Pacific Northwest Crab Industry Advisory Committee
206 283 6605 and Fax: 206 282 4572

SEC. 106. NATIONAL STANDARDS.

(a) Section 301(a)(5) (16 U.S.C. 1851(a)(5)) is amended by striking "promote" and inserting "consider".

(b) Section 301(a) (16 U.S.C. 1851(a)) is amended by adding at the end thereof the following:

"(8) Conservation and management measures shall, consistent with the conservation requirements of this Act (including the prevention of overfishing and rebuilding of overfished stocks), take into account the importance of fishery resources to fishing communities in order to (A) provide for the sustained participation of such communities, and (B) to the extent practicable, minimize adverse economic impacts on such communities.

"(9) 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.

"(10) Conservation and management measures shall, to the extent practicable, promote the safety of human life at sea."

SEC. 107. REGIONAL FISHERY MANAGEMENT COUNCILS.

(a) Section 302(a) (16 U.S.C. 1852(a)) is amended—

(1) by inserting "(1)" after the subsection heading;

(2) by redesignating paragraphs (1) through (8) as subparagraphs (A) through (H), respectively;

(3) by striking "section 304(f)(3)" wherever it appears and inserting "paragraph (3)";

(4) in paragraph (1)(B), as amended—

(A) by striking "and Virginia" and inserting "Virginia, and North Carolina";

(B) by inserting "North Carolina, and" after "except";

(C) by striking "19" and inserting "21"; and

(D) by striking "12" and inserting "13";

(5) by striking paragraph (1)(F), as redesignated, and inserting the following:

"(F) PACIFIC COUNCIL.—The Pacific Fishery Management Council shall consist of the States of California, Oregon, Washington, and Idaho and shall have authority over the fisheries in the Pacific Ocean seaward of such States. The Pacific Council shall have 14 voting members, including 8 appointed by the Secretary in accordance with subsection (b)(2) (at least one of whom shall be appointed from each such State), and including one appointed from an Indian tribe with Federally recognized fishing rights from California, Oregon, Washington, or Idaho in accordance with subsection (b)(5).";

(6) by indenting the sentence at the end thereof and inserting "(2)" before "Each Council"; and

(7) by adding at the end the following:

"(3) The Secretary shall have authority over any highly migratory species fishery that is within the geographical area of authority of more than one of the following Councils: New England Council, Mid-Atlantic Council, South Atlantic Council, Gulf Council, and Caribbean Council."

(b) Section 302(b) (16 U.S.C. 1852(b)) is amended—

**Public Law 104-297
104th Congress**

An Act

To amend the Magnuson Fishery Conservation and Management Act to authorize appropriations, to provide for sustainable fisheries, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the "Sustainable Fisheries Act".

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

- sec. 1. Short title; table of contents.
- sec. 2. Amendment of Magnuson Fishery Conservation and Management Act.

TITLE I—CONSERVATION AND MANAGEMENT

- sec. 101. Findings; purposes; policy.
- sec. 102. Definitions.
- sec. 103. Authorization of appropriations.
- sec. 104. Highly migratory species.
- sec. 105. Foreign fishing and international fishery agreements.
- sec. 106. National standards.
- sec. 107. Regional fishery management councils.
- sec. 108. Fishery management plans.
- sec. 109. Action by the Secretary.
- sec. 110. Other requirements and authority.
- sec. 111. Pacific community fisheries.
- sec. 112. State jurisdiction.
- sec. 113. Prohibited acts.
- sec. 114. Civil penalties and permit sanctions; rebuttable presumptions.
- sec. 115. Enforcement.
- sec. 116. Transition to sustainable fisheries.
- sec. 117. North Pacific and northwest Atlantic Ocean fisheries.

TITLE II—FISHERY MONITORING AND RESEARCH

- sec. 201. Change of title.
- sec. 202. Registration and information management.
- sec. 203. Information collection.
- sec. 204. Observers.
- sec. 205. Fisheries research.
- sec. 206. Incidental harvest research.
- sec. 207. Miscellaneous research.
- sec. 208. Study of contribution of bycatch to charitable organizations.
- sec. 209. Study of identification methods for harvest stocks.
- sec. 210. Review of Northeast fishery stock assessments.
- sec. 211. Clerical amendments.

TITLE III—FISHERIES FINANCING

- sec. 301. Short title.
- sec. 302. Individual fishing quota loans.
- sec. 303. Fisheries financing and capacity reduction.

TITLE IV—MARINE FISHERY STATUTE REAUTHORIZATIONS

- sec. 401. Marine fish program authorization of appropriations.

Oct. 11, 1996

[S. 39]

Sustainable
Fisheries Act.
16 USC 1801
note.



Red King Crab

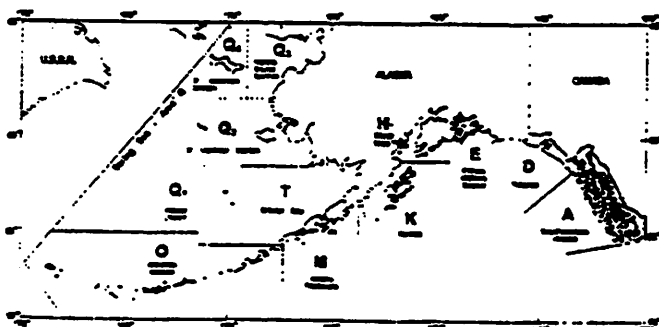
Biology: Red king crab (*Paralithodes camtschaticus*) is widely distributed throughout the Bering Sea and Aleutian Islands, Gulf of Alaska, Sea of Okhotsk, and along the Kamchatka shelf. King crab molt multiple times per year through age 3 after which molting is annual. At larger sizes, king crab may skip molt as growth slows. Females grow slower and do not get as large as males. In Bristol Bay, fifty percent maturity is attained by males at 120 mm CL and 90 mm CL by females (about 7 years). Red king crab in the Norton Sound area mature at smaller sizes and do not attain maximum sizes found in other areas. In Bristol Bay, red king crab mate when they enter shallower waters (<50 m), generally beginning in January and continuing through June. Males grasp females just prior to female molting, after which the eggs (43,000 to 500,000 eggs) are fertilized and extruded on the female's abdomen. The female red king crab carries the eggs for 11 months before they hatch, generally in April. Red king crab spend 3 to 4.5 months in larval stages before settling to the benthic life stage. Young-of-the-year crab occur at depths of 50 m or less. They are solitary and need high relief habitat or coarse substrate such as boulders, cobble, shell hash, and living substrates such as bryozoans and stalked ascidians. Between the ages of two and four years, there is a decreasing reliance on habitat and a tendency for the crab to form pods consisting of thousands of crabs. Podding generally continues until four years of age (about 65 mm), when the crab move to deeper water and join adults in the spring migration to shallow water for spawning and deep water for the remainder of the year. Mean age at recruitment is 8-9 years. Natural mortality of adult red king crab is estimated at about 25% per year ($M=0.3$), due to old age, disease, and predation.

Management: King crab stocks in the Bering Sea are managed by the State of Alaska through a federal BSAI king and Tanner crab fishery management plan (FMP). Under the FMP, management measures fall into three categories: (1) those that are fixed in the FMP under Council control, (2) those that are frameworked so the State can change them following criteria outlined in the FMP, and (3) those measures under complete discretion of the State. During the 1970s and 1980s, preseason guideline harvest levels were set at 20-60% of legal male abundance based on several indicators of stock condition. Between 1989 and 1995, the State set guideline harvest levels for red king crab based on a mature male harvest rate of 20%, with a harvest cap of 60% of legal male abundance. In 1996, the harvest rate for Bristol Bay red king crabs was reduced to 10% of the mature males to allow stock rebuilding. A threshold of 8.4 million mature females, equating to an effective spawning biomass of 14.5 million pounds, has been established as a minimum benchmark for harvesting this stock. Maximum allowable fishing mortality for the mature male red king crab stock in Bristol Bay, as established by the FMP, is $F_{opt} = F_{MSY} = F_{a1}$ (=0.35). Current minimum legal size for Bristol Bay, Aleutian Islands, and Pribilof Islands red king crab is 165 mm, or 6.5 inches in carapace width. Minimum legal size for Norton Sound, St. Matthew, and St. Lawrence Island red king crab is 4.75" carapace width.

Management measures implemented for the BSAI king and Tanner crab fisheries, as defined by the federal crab FMP, by category.		
Category 1 <u>(Fixed in FMP)</u>	Category 2 <u>(Frameworked in FMP)</u>	Category 3 <u>(Discretion of State)</u>
<ul style="list-style-type: none"> * Legal Gear * Permit Requirements * Federal Observer Requirements * Limited Access * Norton Sound Superexclusive Registration Area 	<ul style="list-style-type: none"> * Minimum Size Limits * Guideline Harvest Levels * Inseason Adjustments * Districts, Subdistricts and Sections * Fishing Seasons * Sex Restrictions * Closed Waters * Pot Limits * Registration Areas 	<ul style="list-style-type: none"> * Reporting Requirements * Gear Placement and Removal * Gear Storage * Gear Modifications * Vessel Tank Inspections * State Observer Requirements * Bycatch Limits (in crab fisheries) * Other

In addition to minimum size and sex restrictions, the State has instituted numerous other regulations for the Eastern Bering Sea crab fisheries. The State requires vessels to register with the state by obtaining licenses and permits, and register for each fishery and each area.

ALASKA KING CRAB MANAGEMENT AREAS



Areas established for king crab are shown in the adjacent figure. Norton Sound has been designated a superexclusive area, meaning that vessels fishing this fishery are not allowed in other fisheries, and vice-versa. A 10-mile area around King Islands has been closed to commercial crabbing for local subsistence reasons. Observers are required on all vessels processing crab in the Bering Sea and Aleutian Islands area. Season opening dates are set to maximize meat yield and minimize handling of softshell crabs. The season opening date for Bristol Bay red king crab fisheries is November 1. Beginning in 1996, the Aleutian Islands area (Adak and Dutch Harbor) opens September 1. The Norton Sound summer season opens on July 1, and a though-the-ice fishery occurs from November 15 to May 15. Pot limits have been established based on vessel size; the current pot

Pacific Northwest Crab Industry Advisory Committee

13 December, 1996

Larry Engel, Chairman
Alaska Board of Fisheries
P.O. Box 669
Cordova, Alaska 99574-0669

RE: Bristol Bay Red King Crab Fishery

Dear Mr. Chairman:

On December 9, 1996, I received Alaska Department of Fish and Game's (ADF&G) petition to the Alaska Board of Fisheries (BOF) regarding regulatory options to reduce the red king crab catch rate in the Bristol Bay fishery. ADF&G's proposal to establish a tiered pot limit based on the guideline harvest level is the result of the 1996's fishery performance and concerns for future fishery management. ADF&G's submission to BOF is under the umbrella of a conservation issue.

PNCLAC, via telephone interview vote, passed a measure to oppose ADF&G's proposal and requests the BOF not to consider this as an agenda item for the March 1997 meetings.

In the past, PNCLAC has demonstrated its' support for the efforts of ADF&G and BOF in establishing a conservative approach to rebuilding the red king stock in Bristol Bay. While we are certain that Bob Clasby and the entire ADF&G staff are sincere in maintaining the long-term health of the crab resource, PNCLAC differs on the effectiveness of pot limits as a "conservation tool."

Members of PNCLAC, during a telephone poll, voiced considerable concern regarding the expeditiously drawn proposal and petition to BOF. There exists an established framework for the submission of proposals to BOF, which allow for proper industry scrutiny and public comment. Several PNCLAC members, had difficulty in determining what emergency exists to prompt such a controversial proposal.

Pacific Northwest Crab Industry Advisory Committee

13 December, 1996

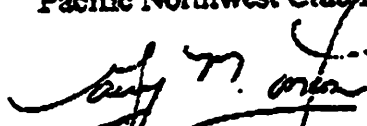
The proposal is allocative in nature and its implementation will result in a reduction of gear soak times. It is necessary for gear to soak to allow sorting on the ocean floor, which is the intent of regulatory modifications that have been made to gear in recent years. Failure to allow the gear to soak, results in an increase in pot lifts and handling mortality. A greater retention of the targeted species, in this case legal red king crab, and less handling of juveniles and females is truly a conservation method. The adoption of a pot limit is counter-productive to the reduction of sorting and handling mortality.

PNCIAC recommends to BOF to reject ADF&G's proposal to implement a pot limit for the Bristol Bay red king crab fishery. In no way does this recommendation suggest a change in PNCIAC's commitment to conservation measures.

Thank you for your consideration.

Sincerely,

Pacific Northwest Crab Industry Advisory Committee


Garry M. Loncon
Chairman

cc: ADF&G: Bob Clasby



ALASKA CRAB COALITION

3901 Leary Way (Bldg.) N.W., Suite #6 • Seattle, WA 98107 • (206)

December 12, 1996

VIA FAX (907-424-5762) & MAIL

Mr. Larry Engel, Chairman
Alaska Board of Fisheries
P.O. Box 669
Cordova, Alaska 99574-0669

Re: Bristol Bay Red King Crab Fishery
Our File No.: 2363-8472

Dear Mr. Chairman:

The Alaska Crab Coalition recently received a petition from the Alaska Department of Fish and Game related to the Bristol Bay red king crab fishery. The Department's proposal would establish a multi-tiered pot limit in which pot limits are established for more than two ranges of guideline harvest levels, rather than the two-tiered approach suggested in 5 AAC 34.825. The Department characterizes its proposal as a "conservation" proposal and asks the Board to accept its petition and schedule review of the proposal for the March 1997 Board of Fisheries' meeting.

The Alaska Crab Coalition requests the Board not to consider this proposal. In essence, the Department's proposal would restructure the Bristol Bay pot limit and is an unnecessary action. The Department can manage the existing Bristol Bay red king crab fishery with the tools that it already has such as season closures, continued partial area closures, and improved inseason catch reporting. The pot limit proposal suggested by the Department is neither an emergency conservation measure nor necessary. Instead, it is an allocation proposal and the result of implementing the proposal would be to increase crab mortality of red king crab in Bristol Bay.

While the Bristol Bay harvest came in about 70% above the mid point of the preseason guideline harvest level, this has not necessarily created an overharvest situation. A reduction in pot limits will result in a decrease in soak time. This decrease in soak time will not allow the gear to sort on the bottom and therefore, the handling and discard of crab will increase. The increase in discarding and handling will result in an increase in mortality, and will create conservation problems. Crab handling and discard mortality has been identified as a problem in the revised harvest strategy for Bristol Bay king crab adopted by the Board in 1995.

Mr. Larry Engel, Chairman
Alaska Board of Fisheries
December 12, 1996
Page 2

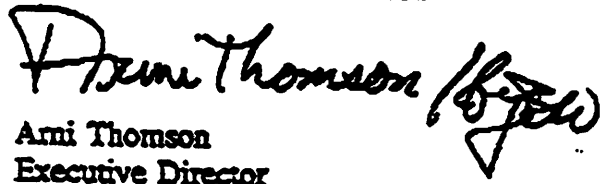
The unexpected abundance of Bristol Bay king crab is very likely due to the implementation of conservation measures that have been in place for almost 3 years. An expanded no trawl protection area has been in place for 2 years, and a prohibition on a directed king crab fishery in place for almost 3 years. The high catch per unit effort that has recently been recorded by the Department indicates that the conservation efforts implemented by the NPFMC, the Department, and the crab fleet are paying off. There was a higher abundance of mature crab available in 1996 than was unexpected by either industry or the Department. Again, better inseason catch reporting of crab landings will improve conservation concerns instead of the proposed pot limit. Now is not the time to completely restructure the pot limit program in Bristol Bay when existing measures will continue, we believe, to result in higher and healthier crab populations in Bristol Bay.

Again, we strongly recommend that the Board not implement or adopt or consider the Department's recent proposal on implementing pot limits for the Bristol Bay red king crab fishery. And, we strongly urge the Board to reject the Department's proposal and not schedule the Department's proposal for the March 1997 Board meeting.

Please call if you have any questions.

Very truly yours,

ALASKA CRAB COALITION


Arni Thomson
Executive Director

c via fax: Laird Jones
Bob Clasby
Pete Probasco

STATE OF ALASKA

TONY KNOWLES, GOVERNOR

DEPARTMENT OF FISH AND GAME

COMMERCIAL FISHERIES MANAGEMENT AND DEVELOPMENT DIVISION

P.O. BOX 25526
JUNEAU, ALASKA 99802-5526
PHONE: (907) 465-4210

December 18, 1996

Mr. Garry Loncon
Pacific Northwest Crab Industry
Advisory Committee
% Royal Aleutian Seafoods
Seattle, WA 98109

Dear Mr. ^{Garry}Loncon:

I have received a copy of your letter to the Alaska Board of Fisheries regarding the division's petition to reduce the catch rate of red king crab in the Bristol Bay fishery. The board accepted the petition and scheduled consideration at their March meeting in Anchorage.

The staff and I are extremely concerned about rebuilding the Bristol Bay red king crab stock. I am sure you and others in the industry are as concerned as well. If we are going to rebuild this fishery, while still conducting harvests at the current low guideline harvest levels, we need to be extremely cautious. The trawl survey is just as likely to over estimate abundance as it is to under estimate. Likewise, because of patchiness, CPUE from the first couple of days of the fishery is not a good second estimate of abundance. We need to either constrain the fishery to a set opening that assures the harvest will not exceed the GHL or reduce effort to a level that will allow some inseason assessment of abundance.

We are not wedded to pot limits as a solution. We are aware that there are allocative aspects to such limits, and that reduced limits are likely to change pot soak times, which in turn can effect CPUE. We are willing to work with industry to achieve a solution that does not place the resource in harm and makes economic sense. Towards that end, the Westward Region staff is planning an industry meeting sometime in February to address this issue.

Sincerely,



Robert C. Clasby
Director

cc: Paul Larson
Ken Griffin
Pete Probasco

Electronic Reporting

The Council approved a regulatory amendment to require groundfish processors in the Bering Sea, Aleutian Islands, and Gulf of Alaska to utilize an electronic record keeping and reporting system for NMFS-required documents. The proposed changes would replace conventional logbooks and associated NMFS reports with electronic versions. At-sea processors would be required to transmit in-season NMFS reports using Inmarsat satellite equipment and shore-based processors would be required to use modems and phone systems. The electronic reporting system would be implemented in two stages. Phase 1 would consist of electronic versions of the daily production, weekly production, and check-in/check-out reports and would be distributed to the groundfish processing industry for voluntary use in early 1997. Legal implementation of Phase 1 would take place in 1998. Phase 2 would consist of electronic logbooks, vessel activity reports, and product transfer reports. These will be developed in 1997 and 1998 with full legal implementation in 1999.

The Council appointed a committee composed of industry representatives and agency staff to work out the remaining software and hardware requirements of the program. That committee will meet in early February 1997 at the Alaska Fisheries Science Center in Seattle. Contact Nick Hindman at the NMFS Regional Office (907-586-7228) for more information.

DRAFT BOARD OF FISHERIES MOTION REGARDING 100% OBSERVER
COVERAGE ON CRAB CATCHER BOATS IN THE ADAK BROWN CRAB
FISHERY; AREA J TANNERI/COUSEI FISHERY; AND BERING SEA HAIR
CRAB FISHERY

MOTION: 100% OBSERVER COVERAGE FOR CATCHER BOATS IN THE
ABOVE DEFINED FISHERIES WILL CHANGE TO A STATISTICAL DATA
GATHERING PROGRAM EFFECTIVE JANUARY 1, 1997, UNLESS ADF&G
PROVIDES JUSTIFICATION FOR CONTINUATION OF THE EXISTING
COVERAGE LEVEL IN THE ABOVE FISHERIES BY OCTOBER 28, 1996.

PROGRAM DESCRIPTION:

Proposed biological data gathering onboard observer program
for the above named fisheries, commencing January 1, 1997.

Statistical sampling would be set up on a fishery by fishery
basis and the per cent of coverage would be fleet-based, not
vessel by vessel, this gives flexibility to both fishermen
and managers in meeting the general guidelines of the
program.

The ADF&G Regional Office would make observer assignments.

The percentage of coverage could be expressed in a range,
i.e. 20-30%, to give fishermen and managers flexibility to
deal with the uncertainties of seasons, GHs, weather,
mechanical breakdowns, etc. The major objective is
biological data gathering, not enforcement, thus flexible
parameters will take stress off managers and vessel
operators to meet basic program regulations. This will also
contribute to a cooperative attitude from vessel operators.

The basic unit of the sample would be "the normal length of
a fishing trip" and observers would rotate from vessel to
vessel between trips. For the longer fisheries, brown crab
and tanneri, the number of vessels could be adjusted every
30 days, depending on the number of vessels participating in
the fishery. This again allows flexibility. Some stability
in fleet size can be anticipated due to high costs of
equipping vessels for deep water fisheries and the
developing moratorium on new entrants into hair crab.

Registration in fishery would require participation in
the observer program.

Observer coverage to be based on vessel size:

0 to 60 feet LOA	10%
60 to 125 feet LOA	20%
More than 125 LOA	30%

Payment for observers:

ADF&G would initiate industry bid process to identify "prime contractor" for each fishery for catcher boat program. Prime contractor would be required to set up escrow fund for pre-payment deposits, etc. "Observer Fund Pool."


Registration in fishery would require participation in "Observer Fund Pool." Prepayment for thirty day minimum participation could be required for tanneri, Adak brown crab.

Prepayment for "Observer Fund Pool" for the hair crab fishery could also be required determined based on GHF and estimated season length, etc.

**MEMORANDUM
STATE OF ALASKA, DEPT. OF FISH & GAME**

**3 Jan. 1997
(97-1)**

TO: Pete Probasco
Regional Supervisor
Region IV, CFMDD, ADF&G
Kodiak

FROM: Doug Pengilly 
Shellfish Research
Region IV, CFMDD, ADF&G
Kodiak

cc: Paul Larson, Al Spalinger

SUBJECT: Summary of Board discussion on Shellfish Observer Program development

Pete, you have asked for a written summary of the results of Westward Region staff discussion with the Board of Fisheries (BOF) on Shellfish Observer Program proposal that occurred during the BOF's October 1996 Work Session. Following staff presentation of the proposal outlined in the October 17 1996 memo distributed to the BOF and Industry, the BOF agreed that:

1) The Mandatory Shellfish Observer Program for Westward Region crab fisheries will continue under the status quo until at least the Spring 1999 Board of Fisheries meeting on statewide king and Tanner crab (disregarding, of course, any unforeseen agenda change requests or petitions to the BOF). Specifically with regard to the issues raised at the March 1996 king and Tanner crab meeting, "continuing with the status quo" means:

- The observer program will continue under the present third-party contractor, pay-as-you-go system.
- 100% coverage in the Aleutians brown king crab fishery will continue by regulation.
- Observer coverage may continue to be included as a condition for participation in the Westward Region special-permit fisheries, including those for Bering Sea Korean hair crab and deep-water king and Tanner crab. Recognizing that coverage in these fisheries may be only 0% or 100% under the pay-as-you go system, mandatory observer coverage may continue at 100% for these fisheries.

Also, as is presently occurring under regulation, observers will remain on all vessels processing king or Tanner crab and on all vessels participating in the Aleutians red king crab fishery.

2) Between now and the Spring 1999 Board of Fisheries meeting on statewide king and Tanner crab, ADF&G will work to develop a program to fund the observer deployments on fishing and processing vessels participating in Bering Sea/Aleutian Islands king and Tanner fisheries and in the Westward Region special-permit crab fisheries. The avenue that ADF&G is pursuing to provide those funds is a cost-recovery fishing program directed on Bering Sea/Aleutian Islands king and Tanner crab stocks. ADF&G sees the establishment of a special dedicated fund to deposit the cost-recovery receipts as a necessary component of the cost-recovery fishing program.

3) Between now and the Spring 1999 Board of Fisheries meeting on statewide king and Tanner crab, ADF&G will also work to develop the administration of a state-funded observer program for crab fisheries in the Westward Region. The goal here is to develop a program that best meets ADF&G's objectives for observer coverage and addresses concerns voiced by the Board of Fisheries at past meetings. As well as developing the means for assigning, deploying, and tracking observers, ADF&G will work to develop the means for obtaining and paying observers. In that regard, ADF&G will consider alternatives that

include: ADF&G obtaining and paying for observers through third-party contractors; ADF&G obtaining and paying for observers through a "prime contractor"; or. ADF&G directly hiring observers as seasonal employees. Regardless of the means for obtaining and paying observers. ADF&G will consider the establishment of minimum salaries and other payroll compensations for observers and will explore means to assure that Alaska residents receive priority in hiring as observers.

4) It is the goal of ADF&G to develop the state-funded Westward Region crab fisheries observer program for implementation beginning with the 1999/2000 seasons on 1 September 1999.

5) ADF&G will report to the Board of Fisheries on an annual basis to apprise them on progress towards development of a state-funded observer program for Westward Region crab fisheries. At a minimum, we will report on this subject at the 1997 and 1998 October Work Sessions. If developments warrant, we would also report to the Board of Fisheries outside of the October Work Sessions, for example at a regular meeting on Miscellaneous Shellfish Fisheries. It will be the responsibility of ADF&G to report to the Board of Fisheries in a timely manner on any shortfalls in progress towards the goal of a 1 September 1999 program implementation.

6) Finally, at the Spring 1999 Board of Fisheries King and Tanner meeting, the Board will review regulations addressing observer coverage levels in Westward Region crab fisheries. If sufficient progress is made by ADF&G on development of a state-funded observer program, the Board of Fisheries will also consider proposals on the administration of the Mandatory Shellfish Observer Program in Westward Region crab fisheries and on the deployment of state-funded observers on fishing and processing vessels in all Bering Sea/Aleutian Islands king and Tanner fisheries and in all Westward Region special-permit crab fisheries.

Crab Plan Team Report

Joint Meeting of the North Pacific Fishery Management Council and the Alaska Board of Fisheries

February 4, 1997 Anchorage, Alaska

I. Purpose and Members.

The purpose of the crab plan team is to provide the North Pacific Fishery Management Council with the best available information, including scientifically based recommendations, related to conservation and management of the seventeen stocks of king and Tanner crabs in the Bering Sea and Aleutian Islands.

The crab plan team is comprised of the following members:

- Joshua Greenberg, Associate Professor, University of Alaska, Department of Resources Management, Fairbanks.
- Ken Griffin, Crab Fishery Management Plan Coordinator, ADF&G, Juneau.
- Rance Morrison, Bering Sea/Aleutian Islands Area Management Biologist, ADF&G, Dutch Harbor.
- Peggy Murphy (Chair), Statewide Shellfish Biometrician, ADF&G, Juneau.
- Bob Otto, Director, Kodiak Laboratory, NMFS, Kodiak.
- Doug Pengilly, Westward Region Shellfish Research Coordinator, ADF&G, Kodiak.
- Jerry Reeves, Research Fisheries Biologist, NMFS, Seattle.
- Kim Rivera, Fisheries Management Division, NMFS, Alaska Regional Office, Juneau.
- Tom Shirley, Associate Professor, University of Alaska Fairbanks, School of Fisheries and Ocean Sciences, Juneau.
- Dave Witherell, Fishery Biologist, NPFMC, Anchorage.

II. Technical Reviews and Recommendations.

- Crab plan team meeting April 3, 1996, Anchorage, Alaska.
 1. Completed review of the draft revised FMP and NOAA General Council comments on the draft revisions.
 2. Adopted Terms of Reference.
 3. Reviewed March 28, 1996 draft EA/RIR on Crab Bycatch Management.
 - a. Recommended year-round closure of the Bristol Bay red king crab saving area. Additionally the team recommended crab distribution be monitored annually to assess geographic bounds of the closure area.

- b. Crab PSC limits that fluctuate with crab abundance would be less problematic if they were based on the survey abundance of large crabs.
 - c. Bycatch numbers should be negotiated by industry representatives as scientists can only provide some the information required for allocative evaluations.
- Crab plan team met with members of the groundfish plan team in the Crab Rebuilding Committee chaired by Dr. Fluharty, April 4-5, 1996, Anchorage, Alaska.
- Crab plan team meeting May 17 & 20, teleconference.
 1. Reviewed May, 10, 1996 draft EA/RIR on Crab Bycatch Management.
 - a. Recommended year-round closure of the Bristol Bay red king crab saving area.
 - b. Recommended adoption of a stairstep based PSC limit for red king crab in Zone 1, modified from the EA/RIR to reflect the state harvest strategy based on threshold and a rebuilding schedule for effective spawning biomass.
 - c. Recommended adoption of a stairstep based PSC limit for Tanner crab modified from the EA/RIR by adding a lower step to reflect the level of abundance when a directed crab fishery was unlikely to be prosecuted.
 - d. Recommended a PSC limit of 11,000,000 snow crab in Zone 2.
 - e. Recommended prohibition of all trawling in the Nearshore Bristol Bay Closure Area (area east of 162°W), on a year-round basis, modified from the EA/RIR with the exception of an area bounded by 159° to 160°W and 58° to 58°43'N that would remain open to trawling during the period April 1 to June 15 each year.
- Crab plan team meeting September 5, 1996, teleconference.
 1. Reviewed 1996 status of stocks and guideline harvest levels for St. Matthew Island blue king crab, Pribilof Islands blue king crab, Bristol Bay red king crab, and Bering Sea Tanner and snow crabs.
 2. Reviewed and supported PSC limits for Tanner crab negotiated by the Industry Negotiation Team and supported future negotiation of snow crab PSC limits by industry.
 3. Embarked on detailed discussion of crab PSC currency and accounting and noted concerns with assessing crab PSC. The intent of the team was not to criticize rather to provide guidance on potential enhancement of the program that collects data concerning crab PSC.
 4. Recommended a proposal to implement red king and Tanner crab PSC limits for the Bering Sea Pacific cod pot fishery be given a high priority for analysis.
- Crab plan team meeting November 12, 1996, teleconference.
 1. Discussed with the NMFS, North Pacific Groundfish Observer Program estimation and sampling issues with a bycatch management system based on numbers and alternative management systems for crab bycatch.
 2. Discussed with the NMFS, Inseason Management Office estimation and extrapolation of PSC in trawl fisheries.

3. Reviewed information on crab bycatch in the BSAI Pacific cod pot fishery and recommended analysis of the proposal and should the proposal be approved, analysis should include season closures, gear modifications, closure areas, and PSC limits.
4. Reviewed and supported the Industry Negotiation Team agreement for snow crab bycatch limits in the Bering Sea in that it addresses the team's conservation concerns for *C. opilio*.

III. FMP Considerations for 1997.

1. Magnuson-Stevens Fisheries Conservation and Management Act (MSFCMA) specifies fishery management plans shall — (7) describe and identify essential fish habitat for the fishery, minimize to the extent practicable adverse effects on such habitat caused by fishing, and identify other actions to encourage the conservation and enhancement of such habitat.
2. MSFCMA established 3 new national standards:
 - (8) Conservation and management measures shall take into account the importance of fishery resources to fishing communities in order to (A) provide for the sustained participation of such communities, and (B) to the extent practicable, minimize adverse economic impacts on such communities.
 - (9) 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.
 - (10) Conservation and management measures shall, to the extent practicable, promote the safety of human life at sea.