

M E M O R A N D U M

TO: Council, SSC, and AP members

FROM: Jim H. Branson *CBP*  
Executive Director

DATE: May 21, 1981

SUBJECT: Tanner Crab Fishery Management Plan

*ACTION REQUIRED*

*Determine if the current FMP is adequate or needs to be amended.*

BACKGROUND

In March, the PDT reported to the Council on inconsistencies between state and federal Tanner crab regulations. New regulations adopted by the Alaska Board of Fisheries created additional inconsistencies in OY's, area definitions, seasons, pot storage, and pot limits. These are summarized below with possible solutions.

1. OY. In three registration areas the FMP OY is higher than the state's harvest guideline; in Cook Inlet the FMP OY is lower than the state's guideline. These inconsistencies are minor because the total harvest in these areas during the past four seasons has been below the FMP OY.
2. Area Definitions. Coordinates defining areas differ slightly between the state and FMP. These differences are minor and should not impair management.
3. Fishing Seasons. In March, the Board made substantial changes in the Tanner crab season. Opening dates for all registration areas and the closing for Bering Sea opilio were changed. The ability of the Regional Director in consultation with ADF&G, to adjust the opening and closing dates using field orders should eliminate differences between the state and federal regulations.
4. Pot Storage. Federal regulations allow on-the-grounds pot storage 72 hours before and after the season. The state had a similar provision, but now requires all gear off the grounds prior to season opening. This inconsistency between federal and state regulations has created an enforcement problem in some areas such as Kodiak.

5. Pot Limits. State and federal regulations differ on pot limits. The FMP only limits pots in Cook Inlet. The state no longer limits pots for this area, but does have limits in the Southeastern and Kodiak areas. Because NMFS does not enforce the Cook Inlet pot limit, it poses no immediate management problem.

Inconsistencies between FMP and State regulations are shown in Item E-4(a). An SSC report on the adequacy of the Tanner crab FMP should be available. If the Council concludes that the above inconsistencies are minor, we will wait to change them until a new major amendment to the FMP is proposed. Otherwise, we can proceed immediately with a special amendment that aligns the federal and state regulations.

Amendment #6 which makes several minor changes in the FMP is currently being held from publication as a final rule due to the Reagan Administration's order that all rules be approved by the Office of Management and Budget. OMB requires a cost analysis (i.e., all money spent by NPFMC, NMFS, etc. in preparing the rule) for all proposed and final rules. This analysis is being prepared.

Amendment #7 which established new C. bairdi OY's and set C. opilio OY equal to DAH (i.e., TALFF = 0) was approved by the Secretary of Commerce on March 10th. A cost analysis for OMB is being prepared. In the meantime, NMFS has requested that the State Department withhold all TALFF for Tanner crab.

SD

INCONSISTENCIES BETWEEN TANNER CRAB FISHERY  
MANAGEMENT PLAN AND STATE REGULATIONS

1. Harvest Guidelines/OY need to be updated.

	<u>AREA</u>	<u>DISTRICT</u>	<u>STATE</u>	<u>FMP</u> (millions of pounds)
S.E.	A	Northern District (Cape Spencer - C. Suckling)	.5 - 3.0	5.5 (for both districts)
		Southern (East of Cape Spencer)	.75 - 2.5	
PWS	E		1.3 - 5.3	7.0
Cook Inlet	H		11.0	5.3
Westward	J	Chignik	5.0 - 10.0	6.0
		Kodiak	9.0 - 15.0	35.0
		Aleutian	no guideline	2.0
		Bering Sea <u>opilio</u>	no guideline	OY = DAH not to exceed ABC

2. Minor differences in statistical area descriptions

3. Fishing Seasons

	<u>AREA</u>	<u>DISTRICT</u>		<u>STATE</u>		<u>FMP</u>	
				<u>*Opening</u>	<u>Closing</u>	<u>Opening</u>	<u>Closing</u>
S.E.	A	Northern District	was Sept. 15	Dec. 1	May 1	Sept. 1	May 15
		Southern District	was Sept. 15	Feb. 1	May 15	(for both districts)	

\*denotes changes made by Board of Fisheries, March 1981

3. Fishing Seasons (continued)

	<u>AREA</u>	<u>DISTRICT</u>		<u>STATE</u>		<u>FMP</u>	
				<u>*Opening</u>	<u>Closing</u>	<u>Opening</u>	<u>Closing</u>
Westward	J	Kodiak	was Jan. 22	Feb. 10	April 30	Jan. 22	April 30
		Chignik	was Nov. 1	Dec. 10	May 15	Nov. 1	May 15
		South Peninsula	was Dec. 1	Dec. 10	May 15	Dec. 1	May 15
		E. Aleutian	was Jan. 15	Feb. 15	June 15	Jan. 15	June 15
		Bering Sea	was Jan. 15	Feb. 15	June 15	Jan. 22	June 15
			was Jan. 15	Feb. 15	*Aug. 1 (opilio only) was Aug. 15		opilio closed by FO

4. Pot Limits

	<u>AREA</u>	<u>DISTRICT</u>	<u>STATE</u>	<u>FMP</u>
Westward	J	Kodiak	250 pot limit	no pot limit
Cook Inlet	H		no pot limit	75 pot limit
S.E.	A		100 pot limit	no pot limit

5. Pot Storage

72 hour period prior to opening of season to allow storage of pots on grounds. It is in the FMP but not in State Regulations. This was an enforcement problem last season.

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