

Enforcement Committee Agenda

April 7, 2010

9am – 12pm

Hilton Hotel

Anchorage, Alaska

D-3(a) GOA Tanner Crab Bycatch

The purpose of this action is to provide additional protection to Gulf of Alaska (GOA) Tanner crab from the adverse effects of groundfish fisheries, in order to facilitate rebuilding of Tanner crab stocks. This would be achieved by closing areas around Kodiak Island that are important to the Tanner crab stocks. Areas would be closed to some or all groundfish fishing, depending on the vessel's gear type or gear configuration. An alternative in the analysis would allow a vessel to be exempt from the closures if the vessel carries 100% observer coverage. This would provide the Council with a high level of confidence in the assessment of any bycatch caught in the closed area, as a basis for future management action as necessary.

The Council formulated the following problem statement in October 2009, to initiate this analysis:

Tanner crab are a prohibited species bycatch in the Gulf of Alaska (GOA) groundfish fisheries. Directed fisheries for Tanner crab in the GOA are fully allocated under the current limited entry system. No specific conservation measures exist in the GOA to address significant, adverse interactions with Tanner crab by trawl and fixed gear sectors targeting groundfish. Tanner crab stocks have been rebuilding since peak fisheries occurred in the late 1970s. Specific protection measures should be advanced to facilitate stock rebuilding.

Alternatives

The alternatives evaluated in this analysis were adopted by the Council in October 2009.

Alternative 1: Status Quo – No action

Alternative 2: Close areas (see description of areas in Section **Error! Reference source not found.**) to all groundfish (trawl, pot, and longline) fisheries.

Option 1: Year round

Suboption 1: trawl gear

Suboption 2: pot gear

Suboption 3: longline gear

Suboption 4: Vessels using approved, modified gear would be exempt from closures (e.g., trawl sweep modifications or pot escape mechanisms).

Suboption 5: Vessels using pelagic trawl gear would be exempt from closures

Option 2: Seasonally (January 1 – July 31)

Suboption 1: trawl gear

Suboption 2: pot gear

Suboption 3: longline gear

Suboption 4: Vessels using approved, modified gear would be exempt from closures (e.g., trawl sweep modifications or pot escape mechanisms).

Suboption 5: Vessels using pelagic trawl gear would be exempt from closures

Alternative 3: In order to fish in these areas (see description of areas in Section **Error! Reference source not found.**), require 100% observer coverage on all groundfish (trawl, pot, and longline) vessels

Area closures around Kodiak Island considered in Alternatives 2 and 3

ADF&G Northeast Section

- Statistical Area 525807
- Chiniak Gully (Four corners at 152°19'34" W x 57°49'24" N by 57°29' N x 151°20' W by 57°20' N x 151°20' W by 57° x 152°9'20' W)

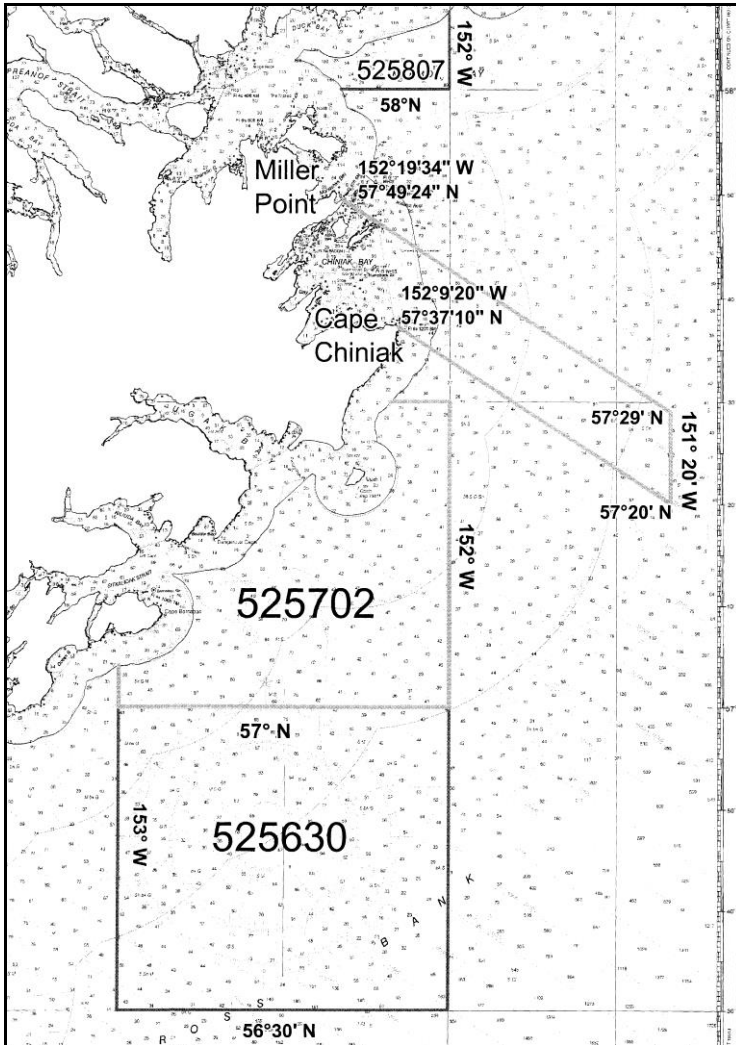
ADF&G Eastside Section

- Statistical Area 525702

ADF&G Southeast Section

- Statistical Area 525630

Area closures around Kodiak Island considered in Alternatives 2 and 3



Management and Enforcement Considerations

The boundaries of the proposed closed areas under Alternatives 2 and 3 are defined by existing ADF&G statistical areas and by polygons defined by latitude and longitude coordinates. Closed areas defined in this manner are easier for both the regulated industry to understand and comply with, as well as enforcement entities to patrol and enforce. The proposed closure areas present no noteworthy enforcement challenges. The proposed closed areas would be principally enforced by using information from VMS units aboard vessels required to carry VMS. NMFS recommends that all vessels with FFPs that are allowed to fish in these closure areas be required to carry VMS at all times while directed fishing for groundfish in these areas. With respect to Options 1 and 2, enforcement of year round versus seasonal closures presents no additional monitoring challenges.

Proposed modified gear requirements under Suboption 4, such as trawl sweep modifications or pot escapement mechanisms, would likely be enforced in the same manner as the existing requirements for tunnel eyes on pot gear and trawl sweeps in the flatfish fisheries of the Bering Sea.

Under Suboption 5, regulations would specifically prohibit operation of nonpelagic trawl (NPT) gear in the closed areas, but would allow pelagic trawl gear. Currently, the only method of enforcing unlawful “bottom trawling” (for pollock only) in areas closed to NPT gear is by using a “trawl gear performance standard” (50 CFR 679.7(a)(14)). Under this standard, it is unlawful to possess aboard a vessel, at any point in time, 20 or more crab of any species, with a carapace width of more than 1.5 inches. Enforcement of this standard on any vessel (observed or unobserved) is difficult, and it is virtually impossible to monitor and enforce on unobserved vessels.

For Alternative 3, NMFS has identified three areas of concern about increasing observer coverage for vessels currently not required to carry 100 percent coverage requirement in the proposed closure areas. The first relates to potential shifts in areas and fisheries observed: observer coverage taken to comply with the 100 percent coverage requirement within these areas would accrue towards the vessel’s overall 30 percent coverage requirement for the quarter, management area, and fishery category. This could result in decreased coverage from existing levels in areas and fisheries outside the closure areas. The second concern relates to extrapolation of observer samples inside the closure areas. If disproportionate estimates of incidental catch of Tanner crab from small areas of high crab abundance were extrapolated to unobserved vessels fishing in areas of lower crab abundance, the result could be a higher estimate of incidental catch of Tanner crab for the larger federal reporting area as a whole. Finally, the proposed 100 percent observer coverage requirement being considered by this area closure action is inconsistent with the sample design proposed in the Observer Restructuring action.