

#4

TANNER CRAB DECISIONS

Bering Sea Only---

1. Expected Domestic Annual Harvest

* Plan (page 256): DAH = OY = 65,000,000 lbs. (29,500 MT)
(C. bairdi)

Decision: (a) Accept
(b) Reject and/or modify
(i) OY - dependent on size limit (go to 2)
(ii) DAH - should be fixed

* Plan (page 74): DAH = (?) OY = 3 - 5,000,000 lbs. incidental
(C. opilio)
15 -20,000,000 lbs. directed

Decision: (a) Accept
(b) Reject and/or modify
(i) DAH questionable
(ii) OY questionable (go to 2)
(iii) directed or incidental questions

Jim,

These appear to be where major decisions must be made in the plan --- or to adopt the plan infer adoption of the following.

Comments.

Mark

2. Optimum Yield

- * Plan (page 257): ABC = MSY for C. bairdi and C. opilio.
Decision: (a) Accept
(b) Reject or modify
(i) ABC (?)
(ii) MSY (?)

- * Plan (page 259): OY = 65,000,000 lbs. (29,484 MT) for C. bairdi
Decision: (a) Accept
(b) Reject or modify
(i) Relevant social and economic data

- * Plan (page 74): OY = 30,550,000 - 32,550,000 lbs. (13,860-14,728MT) C. opilio, north of 58° N.Lat. and west of 164° W.Longitude.
Decision: (a) Accept
(b) Reject or modify
(i) relevant social and economic data (see 3)
(ii) boundary definitions

- * Plan (page 74): OY = ? for C. opilio, south of 58° N. latitude
Decision: (a) Accept - no OY necessary where foreign fishing prohibited.
(b) Reject or modify
(i) Specify OY
(ii) South of 58° N. latitude.

3. Optimum Yield

* Plan (page 257) : ABC = MSY for C. paridi and C. opilio.

- Decision: (a) Accept
(b) Reject or modify
(i) ABC (?)
(ii) MSY (?)

* Plan (page 258) : OY = 65,000,000 lbs. (33,484 MT) for C. paridi

- Decision: (a) Accept
(b) Reject or modify
(i) Relevant social and economic data

* Plan (page 24) : OY = 30,550,000 - 32,550,000 lbs. (13,860-14,738 MT)
C. opilio, north of 58° N. Lat. and west of 154° W. Longitude.

- Decision: (a) Accept
(b) Reject or modify
(i) relevant social and economic data (see 3)
(ii) boundary definitions

* Plan (page 24) : OY = 0 for C. opilio, south of 58° N. Latitude

- Decision: (a) Accept - no OY necessary where foreign fishing prohibited.
(b) Reject or modify
(i) Specify OY
(ii) South of 58° N. Latitude.

3. Total Allowable Level of Foreign Fishing

* Plan (page 259): No intended (or directed) harvest of C. bairdi.

Decision: (a) Accept
(b) Reject or modify based on:
(i) OY, or
(ii) DAH, or
(iii) Boundary line

* Plan (page 260): OY = FAC, north of 58° N. latitude and west of 164° W. longitude.

= 27,550,000 lbs (12,500 MT) C. opilio

Decision: (a) Accept, or
(b) Reject or modify based on:
(i) ABC, MSY, OY, DAH
(ii) Boundary line.

4. Management Measures and Rationale

FOREIGN

* Plan (page 81-88): Adopts that portion of the "Preliminary Management Plan for King and Tanner Crab of the Eastern Bering Sea" which deals with the Tanner Crab fishery except

- (1) The area of legal FOREIGN fishing shall be north of 58^o N. latitude and west of 164^o W. longitude.
- (2) For the Bering Sea Management Area in Sections F.8.3.2. of this plan.

Decision: (a) Adopt
(b) Reject or modify by
(i) changing legal foreign fishing areas.
(ii) changing C. bairdi allocation

DOMESTIC

* Plan (page 88): Proposes to adopt indirect measures of management to assist government. These are:

...the landing law approach
...area landing laws
...area registration and inspection
...description and marking of tanner crab gear

Decision: (a) Adopt
(i) in part
(ii) all, or
(b) Reject or modify
(i) in part
(ii) all.

* Plan (page 95): Proposes a domestic catch reporting procedure

Decision (a) Adopt, or
(b) Reject or modify

* Plan (pages 96-98): Proposes a foreign fleet disposition reporting system, an observer program, a vessel reporting system, a vessel identification system, and an enforcement facilitation provision.

Decision: (a) Adopt
(b) Reject or modify.

4. Continued (2)

* Plan (page 278): Requires adoption of a legal minimum size limit for C. bairdi.

Decision: (a) Adopt plans recommendation of 5.5" (140m)
(b) Reject or modify
(i) less than 5.5"
(ii) gear restriction in lieu of size restriction.

state
area
op. is also
gear —

* Plan (page 274): Proposed the concept of Exclusive area registration (5AAC 25.020) (11.1 of MP) procedures.

Decision: (a) Adopt
(b) Reject.

* Plan (page 283): Proposes a 100 pot limit for tanner crab during red and blue king crab closed seasons in the following areas:

(1) Lituya Bay east of the longitude of Harbor Point;

(2) North and east of a line commencing at Icy Point and extending successively through Cape Spencer, Cape Cross, Klokachef Island, Cape Edgecumbe, North Cape, Cape Ommaney, Cape Bartolome, Cape Muzon, and south to its intersection with the International Boundary;

(3) North and east of a line from Point Manby to Ocean Cape.

Decision: (a) Adopt
(b) Reject or modify based on
(i) concept
(ii) actual 100 pot designation
(iii) geographic - areas of concern

211
* Plan: Proposes a system of emergency regulatory authority.

Decision: (a) Adopt
(b) Reject.

Plan (page 273): Revisions of a local minimum
also limit for G. bairdi.

Decision: (a) About plan recommendation of 5.2" (140m)
(b) Reject or modify
(i) less than 5.2"
(ii) less restriction in lieu of size
restriction.

Plan (page 274): Proposed the concept of Exclusive Area
restriction (SAC 271030) (II.1 of ME) procedures.

Decision: (a) About
(b) Reject.

Plan (page 283): Proposed a 100 foot limit for longer areas
during red and blue crab closed seasons in
the following areas:

(1) Little Bay east of the longitude of Harbor Point;

(2) North and east of a line commencing at Key Point
and extending successively through Cape Spencer,
Cape Cross, Rickard Island, Cape Hancock,
North Cape, Cape Gannery, Cape Bartlett, Cape
Wagon, and south to its intersection with the
International Boundary;

(3) North and east of a line from Point Muddy to
Ocean Cape.

Decision: (a) About
(b) Reject or modify based on
(i) concept
(ii) actual 100 foot restriction
(iii) geographic areas of concern.

Plan: Proposed a system of emergency respiratory apparatus.

Decision: (a) About
(b) Reject.

Handwritten notes in the left margin, including "5.2" and "140m".

4. Continued (1)

* Plan (page 99): Proposes foreign and domestic permit requirement procedures.

Decision: (a) Adopt, or
(b) Reject or modify.

* Plan (page 81): Proposes to adopt the management system presently employed by the State of Alaska (subject to review with FCMA) to the extent they are consistent with the Act and other applicable laws.

Decision: (a) Adopt, or
(b) Reject or modify
(i) incorporate by reference only
o regulations and/or
o yearly review and modification procedure.
(ii) incorporate as rewritten Plan-regulations and management scheme.
o regulations, and/or
o review process
(iii) do not incorporate--directly or indirectly.

The decision required on the "adoption of State tanner crab regulations" must take into account the following:

1. Presumably the ~~following~~ major headings and subheadings of the State's regulations would have to be adopted with reference to the subject matter contained in the headings and subheadings and not in the adoption. (Attachment A)

2. However, the following special areas have been identified as to their absolute requirement to be (a) a part of the plan and (b) decided on at this meeting.

- (a) legal minimum size for C. bairdi
- (b) use of ~~ex~~clusive registration areas
- (c) tanner crab pot limits
- (d) emergency regulatory authority.

I. STATISTICAL AREAS

Statistical areas established
Applications of regulations
Registration
Landing and inspection requirements
Closure of registration area

II. GENERAL SPECIFICATIONS AND RESTRICTIONS

Gear for tanner crab
Size limit for tanner crab
Female tanner crab
Tanner crab pots
Registration and inspection documents
Interim application of regulations

III. CONDITIONS FOR LICENSE

Agreements for use privilege

IV. PROHIBITIONS

Unlawful possession of tanner crab or tanner crab gear
Unlawful acts within an adjacent area
Violation of reporting requirements
Violation of landing requirements
Violation of regulations

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Applications of regulations
Registration
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Violation of landing requirements
Violation of regulations

V. STATISTICAL AREA A -- SEAlaska-Yakutat

Description of statistical area

Fishing seasons

Guideline harvest levels

Lawful gear

·Inspection points

Subsistence

VI. STATISTICAL AREA E -- Prince William Sound

Description of statistical area

Description of districts

Fishing seasons

Guideline harvest level

Size limits

Lawful gear

VII. STATISTICAL AREA H -- Cook Inlet

Description of statistical area

Description of districts

Fishing seasons

Guideline harvest levels

Lawful gear

Closed waters

Inspection points

V. STATISTICAL AREA A -- SVAIASHA-YAKHUTAT

Description of statistical area

Fishing seasons

Guideline harvest levels

Lawful gear

Inspection points

Subsistence

VI. STATISTICAL AREA B -- Prince William Sound

Description of statistical area

Description of districts

Fishing seasons

Guideline harvest level

Size limits

Lawful gear

VII. STATISTICAL AREA C -- Cook Inlet

Description of statistical area

Description of districts

Fishing seasons

Guideline harvest levels

Lawful gear

Closed waters

Inspection points

VIII. STATISTICAL AREA J -- Westward

Description of statistical area

Description of districts

Fishing season

Guideline harvest levels

Lawful gear

Inspection points

XI. STATISTICAL AREA M -- Westward

Description of statistical area)

Description of district)

Fishing season)

Guideline harvest levels)

Lawful gear)

Inspection point)

Repealed effective
February 6, 1976;
Register 57.

CHAPTER 39 GENERAL PROVISIONS

I. GENERAL

Types of legal gear

Commercial fishing licenses and registration

Licenses and registration of fishing vessels

Reports required of processors, buyers, and fishermen

Inspection of fishery establishments

Explosives, chemicals, and poisons unlawful

Announcement of emergency orders

Unlawful possession of fish

VIII. STATISTICAL AREA I -- Westward

Description of statistical area

Description of districts

Fishing season

Guideline harvest levels

Legal gear

Association points

IX. STATISTICAL AREA II -- Westward

Description of statistical area

Description of districts

Repealed effective

Fishing season

February 6, 1978;

Guideline harvest levels

Register 87.

Legal gear

Association point

CHAPTER 30. GENERAL PROVISIONS

ARTICLE 1

Types of legal gear

Commercial fishing licenses and registration

Licenses and registration of fishing vessels

Reports required of processors, buyers, and fishermen

Inspection of fishery establishments

Explosives, chemicals, and poisons unlawful

Announcement of emergency orders

Unlawful possession of fish

VIII. SUBSISTENCE FISHERY

Restrictions

4. Setting DAH for C. opilio in the Bering Sea south of 58° north. MSY is approximately 76,000 metric tons in the area closed to foreign fishing. It may not be necessary to set any OY since the fishery can be restricted to the U.S. only to keep the foreigners off C. bairdi. On that basis, any American catch up to ABC would be acceptable. Currently the plan estimates the catch between 3.25 and 6.5 million pounds, that amount taken incidentally to the bairdi fishery without a directed opilio fishery by the U.S.

5. Optimum yield for C. opilio north and west of 58° N., 164°W
The plan proposes setting the OY equal to 13,860-14,728 metric tons (mt) and the foreign catch at the same level as 1977, 12,500 mt.

There is a high probability that new information and analysis will show an increase, over management plan estimates, in the biomass of harvestable male opilio available in the Bering Sea. The OY (and subsequently the somewhat lower FAC) however, may change in light of evaluation of 1975 OCSEAPS population surveys and estimates, 1976 NMFS surveys, and 1977 NMFS observer information. The 1975 OCSEAP survey information with the 1977 observer reports of size frequency in the Japanese catch could strongly influence the determination of MSY and ABC.

September 19, 1977

COUNCIL ACTION ON DRAFT TANNER CRAB PLAN

The Council made tentative decisions on two major areas of the Tanner Crab Plan at the August meeting.

1. Closed area for foreign fishing in the Bering Sea - Council approved the closure to foreign fishing south of 58° north latitude and east of 164° west longitude, protecting all but approximately 2 percent of the C. bairdi population in the eastern Bering Sea.
2. Council tentatively approved an Alaska wide size limit for C. bairdi of 135 mm (5.3 inches). Current State regulations put it at 140 mm (5.5 inches) except in Prince William Sound where it is 135 mm (5.3 inches).
3. Expected DAH in the Bering Sea - currently set in the plan at 65 million pounds for C. bairdi, appears to be well within reason to be taken by U.S. fishermen in 1978. However, if the size limit is reduced to 135 mm the OY will be changed and the relationship of OY and DAH for bairdi must be reconsidered. Information on the expected OY change if the size is dropped from 5.5 to 5.3 inches in the Bering Sea (and throughout the rest of Alaska) will be available from the drafting team at this meeting.

4. Setting DAH for C. opilio in the Bering Sea south of 58° north. MSY is approximately 76,000 metric tons in the area closed to foreign fishing. It may not be necessary to set any OY since the fishery can be restricted to the U.S. only to keep the foreigners off C. bairdi. On that basis, any American catch up to ABC would be acceptable. Currently the plan estimates the catch between 3.²⁵ and 6.⁵ million pounds, that amount taken incidentally to the bairdi fishery without a directed opilio fishery by the U.S.
5. Optimum yield for C. opilio north and west of 58° north, 164° west. Current data indicates there are approximately 76,000 metric tons of harvestable males (all over 90 mm) in this area. The plan proposes setting the foreign catch at the same level as 1977, 12,500 metric tons. Reconciliation of that amount with the amount available, 12,500 tons as opposed to 76,000 tons, requires some thinking.

The Japanese apparently do not take many crabs below 120 mm carapace width in their fishery. The MSY, if the size limit was set at 120 mm, would be in the neighborhood of 13,860 tons to 14,728 tons for the area in question. That approach offers one solution to the OY problem.

6. Adopt State Regulations - The Council must decide whether or not to adopt all of the State regulations now applying to the Tanner crab fishery as part of the Council's management plan. They include such things as:
- a. Exclusive registration areas in Prince William Sound and Cook Inlet,
 - b. pot limits in S.E. Alaska, Yakutat and Lituya Bay (100 pots),
 - c. seasonal closures based on attaining a catch in a given harvest range, or in the case of the eastern Bering Sea, on the condition of the crabs. If a season based on crab condition and deadloss is imposed on Americans in the eastern Bering Sea, is it necessary or equitable to impose a season on the Japanese fishery?
 - d. Adopt the State system of emergency closures and openings based on field announcement. This authority must be given to the Regional Director, NMFS, if it is to be successful.

In-season Adjustment of Time and Area
(to be included in Section 8.3.1(p.81))

Management of shellfish fisheries by the State of Alaska in recent years compares very favorably with management of most other fisheries in the United States and elsewhere. The shellfish resources are in a good biological condition and the dependent user groups are in an economically viable condition. The success of this management program may be largely attributed to the deliberate flexibility built into the governing system by State law and the resultant ability of the Board of Fisheries and the Department of Fish and Game to undertake timely changes in the regulations to meet changing needs and conditions. This flexibility, which is realized through annual revision of the regulations by the Board together with emergency orders and regulations issued in-season by the Department, results in many benefits:

- (a) New information and data relating to resource management can be immediately incorporated into the management program, even when the fishery is in progress.
- (b) The management approach adopted by the Board before the season can be adjusted and refined during the season on the basis of assessments of actual resource conditions.
- (c) Unanticipated resource conditions can be reacted to immediately to prevent both underfishing and wasteful underutilization.
- (d) The dangers posed by high effort levels and efficient harvesting units (such as where fleet tank capacity equals or exceeds an OY) can be closely controlled.
- (e) Unexpected developments with respect to economic and social factors (natural disaster, changes in marketing, conditions, cannery fires, etc.) can be accommodated so the shellfish resources are distributed and allocated in a manner which maximizes overall public benefits.

(f) Management philosophies and policies formulated through legislative and administrative processes may be carried out in the field by biologists familiar with local conditions.

(g) Management approaches which are proving unworkable or which are imposing undue hardships on users may be changed at once.

(h) Necessary in-season refinements in management programs can be accomplished primarily in the field with the advice and assistance of the users most directly affected.

Similar management flexibility should be an integral part of the Federal Regulatory System which will be applicable to the tanner crab fishery pursuant to this plan.

NPFMC FINDING ON THE SPECIFICATION OF THE OPTIMUM YIELD AND THE ISSUANCE OF FIELD ORDERS

The Council finds that the Optimum Yields in this plan, which are based upon projections of the status of the stocks, economic and other conditions several months in advance of the actual conduct of the fishery, may be found to be mis-specified in light of unpredicted and unanticipated adverse or favorable stock conditions which are revealed in-season. Under such circumstances, the Council further finds it appropriate, for conservation purposes only, the Regional Director of the National Marine Fisheries Service, Alaska Region, in close coordination with the Commissioner of the Alaska Department of Fish and Game, take immediate action by issuing field orders adjusting time and/or area restrictions; therefore, this plan provides that seasons and areas shall be subject to in-season adjustment by the Regional Director of the National Marine Fisheries Service. The Regional Director or his designee may adjust season opening and closing dates based upon the following considerations:

1. the effect of overall fishing effort within the registration area;

2. catch per unit effort and rate of harvest;
3. relative abundance of tanner crab within the area in comparison with pre-season expectation;
4. the proportion of immature or soft shell tanner crab being handled;
5. general information on the condition of tanner crab within the area;
6. information pertaining to the optimum yield for tanner crab within the registration area; or
7. Any other factors necessary for the conservation and management of the tanner crab resource.

In order to assume effective management of the tanner crab resource as a unit throughout its range, in-season adjustments made by the Regional Director must be coordinated with similar actions taken by the State regarding waters under state jurisdiction. It is necessary that the Regional Director, to the extent possible, act in conjunction with the Alaska Department of Fish and Game in order to effect uniformity of management in State waters and the Fishery Conservation Zone. As a result, any changes proposed by the Regional Director will be accompanied by advance notice to the State to allow for opportunity to maintain such uniformity. In most cases, the Regional Director will exercise his authority on the basis of recommendations received from the Department, and will rely on the Department for season data, reports and assessments necessary to make a determination as to the advisability of any action contemplated. In all cases, continuous consultation between ADF&G and the Regional Director will be maintained.

It is expected that the actual opening and/or closing dates for the seasons prescribed in this plan will be adjusted by the Regional Director pursuant to the authority described in this section. Such action is not considered emergency action that would require amendment of the plan, or regulations implementing the plan; adjusting the season opening and closing dates is meant to be an inherent part of the seasons themselves. For this reason, any adjustments made by the Regional Director or his designee will be effected by the issuance of a field order and announcement in the manner currently utilized by the State of Alaska. Any in-season amendment of the Plan's season or area or other implementing regulations beyond the scope of the above described authority will be accomplished by emergency regulation, as provided by section 305(e) of the Act, in accordance with the recommendation of the Regional Director and the Commissioner of the Department of Fish and Game. It is understood that time will often be of the essence in making effective the aforementioned adjustments and changes.

TITLE 50 Wildlife and Fisheries

Chapter VI - Fishery Conservation and
Management, National Oceanic and
Atmospheric Administration,
Department of Commerce

Part 611 Foreign Fishing Regulations

Proposed Amendments

AGENCY: National Oceanic and Atmospheric Administration, Commerce.

ACTION: Proposed Amendments.

SUMMARY: This document sets forth proposed amendments to the foreign fishing regulations currently in effect for the Gulf of Alaska Trawl Fishery and the Sablefish (Blackcod) Fishery (50 CFR Part 611). The amendments are to implement a Fishery Management Plan for the Groundfish of the Gulf of Alaska, prepared by the North Pacific Fishery Management Council under the Fishery Conservation and Management Act of 1976 (16 USC 1801 et seq.).

EFFECTIVE DATE: 12:01 a.m. on _____, 1978 and shall remain in effect for one year. Comments: on or before _____, 1977.

ADDRESS: Comments should be addressed to: Director, National Marine Fisheries Service, Washington, D.C. 20235.

FOR FURTHER INFORMATION CONTACT: Harry Rietze, Alaska Regional Director, National Marine Fisheries Service, Box 1668, Juneau, Alaska 99802.

SUPPLEMENTARY INFORMATION:

Background

The Fishery Conservation and Management Act of 1976, Pub. L. 94-265, 16 USC 1801 et seq. (hereinafter, the "Act"), authorizes the Secretary of Commerce (the "Secretary") to promulgate regulations implementing fishery management plans prepared by the Regional Fishery Management Councils for their areas of jurisdiction within the 3-200 mile Fishery Conservation Zone

established by the Act.

Pursuant to Title III of the Act, the North Pacific Fishery Management Council prepared and submitted to the Secretary a fishery management plan (FMP) for selected groundfish of the Gulf of Alaska. A Draft Environmental Impact Statement (DEIS) on the plan was published on July 1, 1977 by the National Marine Fisheries Service (____FR____). The plan was approved by the Secretary on _____, 1977. The plan and Final EIS were published on _____, 1977.

The FMP for Groundfish of the Gulf of Alaska supersedes the Preliminary Management Plan (PMP) for the Gulf of Alaska Trawl Fishery (____FR____) and for that portion of the PMP for Sablefish of the Bering Sea and Northeastern Pacific Ocean (____FR____) applicable to the Gulf of Alaska. It covers pollock, cod, flounders, Pacific Ocean perch, other rockfish, sablefish, Atka mackerel and all other stocks of squid and finfish (except salmon, steelhead trout, Pacific halibut, herring and tuna) that are distributed or exploited predominantly in the Gulf of Alaska. The taking of halibut by U.S. and foreign vessels in a directed fishery is regulated ^d_{under} the auspices of the International Pacific Halibut Commission and is not affected by this FMP or its implementing regulations.

Purpose

Four major objectives control the philosophy of management of the groundfish fisheries in the Gulf of Alaska:

- (A) Rational and optimal use, in both the biological and socio-economic sense, of the region's fishery resources as a whole;
- (B) Protection of the Pacific halibut resource, currently in a state of decline;
- (C) Orderly development by the U.S. of domestic groundfisheries, consistent with (A) and (B) above; and

(D) Foreign participation in the fishery consistent with (A), (B), and (C) above, to take that portion of the optimum yield not utilized by domestic fishermen.

To achieve these objectives the proposed regulations, set forth immediately below, provide for season, gear, area, and catch restrictions for foreign fisheries within the FCZ. (Corresponding regulations for domestic fisheries within the FCZ under this FMP have been proposed as a new Part 672.)

Public Comment

A distinction must be noted regarding the subject matter for which public comment is being sought at this time. Comments to the plan itself were solicited, received, and responded to at an earlier date. The revised plan reflects these comments to every extent consistent with the Act. However, interested parties, Councils and government agencies are now earnestly encouraged to submit written comments, views or data concerning these proposed regulations, which implement the revised plan, to the Director, National Marine Fisheries Service, Washington, D.C. 20235. All such submissions received before _____, 1977 will be considered before final action is taken on these regulations.

Issued _____, 1977

Director, National Marine Fisheries Service

In consideration of the above, and pursuant to the authority contained in Sections 303(c) and 305(a) of the Act (16 USC 1853 & 1855), the following amendments to 50 CFR Part 611 are proposed: revise Sections 611.20, 611.92, and 611.94 to read as follows:

[611.20 -- changes not included here.]

Subpart G - North Pacific Ocean and Bering Sea

611.92 Gulf of Alaska Groundfish Fishery

(a) Purpose.

(1) Regulations in this Part implement the FMP for the Gulf of Alaska Groundfish Fishery adopted by the North Pacific Management Council on _____, 1977, and approved by the Secretary of Commerce on _____, 1977.

(2) Fishing by foreign fishermen for the following stocks, distributed or exploited predominantly in the Gulf of Alaska, must be conducted in accordance with these regulations: pollock, cod, flounders, Pacific Ocean perch, other rockfish, sablefish, Atka mackerel and all other stocks of squid and finfish (except salmon, steelhead trout, Pacific halibut, herring and tuna--which are subject to other regulatory authority or international agreement).

(b) Definitions.

(1) Gulf of Alaska means that portion of the FCZ in the North Pacific Ocean, exclusive of the Bering Sea, encompassed by 170° West longitude on the west and 132°40'W longitude on the east.

(2) Isobath means an imaginary line or a line on a map or chart that connects all points having the same depth below the water surface.

(3) Longline means a stationary, buoyed and anchored line (setline) or a floating free-drifting line, with lures or baited hooks attached.

(4) Major statistical area means areas seaward of the State of Alaska established under the International North Pacific Fishery Commission for the general purposes of research, reporting and/or regulation.

Statistical areas under jurisdiction of this FMP include:

Shumagin	170-159°W
Chirikof	159-154°W
Kodiak	154-147°W
Yakutat	147-137°W
Southeastern	137-132°40'W

(5) Mesh size means any part of the net, the average of the measurements of any consecutive meshes in any row located at least 10 meshes from lacings measured when wet after use.

(6) Net sonde means an echo sounder mounted on or near the trawl which gives information regarding net depth, net opening height, fish distribution in and below the net.

(7) Off-bottom trawl means a trawl in which the otter boards are in contact with the bottom but the ground rope of the net remains slightly above the bottom.

(8) Pelagic trawl means a trawl in which neither the net nor the otter boards operate in contact with the bottom.

(9) Regional Director means the Regional Director, Alaska Region, National Marine Fisheries Service, Box 1668, Juneau, Alaska 99802.

(10) Time area unit means a geographic area prescribed by the FMP within which specified time, and sometimes gear, restrictions are imposed.

(11) Trawl net means any large bag net dragged in the sea by a vessel or vessels for the purpose of fishing.

(c) Catch quotas.

(1) Totals. The 1978 maximum catch quotas for foreign fishermen in the Gulf of Alaska are as follows, of which no more than 25% may be taken during the periods January 1--May 31 and December 1--30 combined:

Species	Catch quota (metric tons)	
Pollock	151,000	100,500*
Pacific ocean perch	23,900	16,400
Other rockfishes	5,600	3,300
Flounders	24,300	14,300
Sablefish		
Atka mackerel	24,800	17,400
Pacific cod	25,200	12,900
Others (combination)	14,000	9,700

* [This column and the figures below under (2) Apportionments are based on 70% of OY.]

(2) Apportionments. In addition, the catch quotas are apportioned to individual major statistical areas as follows:

Species	<u>Shumagin/Chirikof/Kodiak/Yakutat/Southeast</u>					
Pollock	33.9	32.3	24.3	7.4	2.4	(mt. in 1,000's)
Pacific ocean Perch	1.8	1.8	3.4	5.2	4.2	
Other rockfishes	.1	.1	.3	1.5	1.4	
Flounders	4.4	1.1	5.1	2.7	.9	
Sablefish						
Atka mackerel	3.1	2.5	11.1	.7	0	
Pacific cod	3.6	1.5	5.7	1.6	.5	
Others	2.6	2.1	3.0	1.3	.7	

(3) Closures. Once a nation's allocation of any species or species group covered by these regulations is exceeded, that statistical area shall be closed to all fishermen of that nation for the remainder of the calendar year. This provision applies separately to setline fleets and trawl fleets. (For example, an overage in trawl catch will result in a closure to all trawlers of that nation but not to that nation's setliners.) Provisions of Sec. 611.12 apply.

(d) Prohibited species. Foreign vessels operating in this fishery must reduce to the minimum their incidental catch of, and may not retain any of the following species or species groups: salmonids, Pacific halibut, shrimp, herring, "Creatures of the Continental Shelf", or scallops.

(e) Open area. The open area for foreign fishing, which includes support operations, in the western Gulf of Alaska beyond twelve nautical miles from the baseline used to measure the Territorial Sea, is between 169°W. longitude and 170°W. longitude.

(f) Time area closures.

(1) The following areas shall be closed to all foreign fishing for the periods specified:

(i) Within the following four protected areas year-round:

(A) Cape Edgecumbe: between 56°53' N. latitude and 57°04' N. latitude east of 136°33' longitude.

(B) Salisbury Sound: between 57°14' N. latitude and 57°28' N. latitude east of 173°00' W. longitude.

(C) Cross Sound Gully: between 57°50' N. latitude and 58°12' N. latitude east of 137°25' W. longitude.

(D) Fairweather Gully: the area bounded by straight lines connecting the following coordinates in the order listed:

<u>North Latitude</u>	<u>West Longitude</u>
58°28'	140°00'
58°48'	138°50'
58°10'	139°11'
58°28'	140°00'

(ii) "Davidson Bank": between 163°04' and 166°00'W north of 53°00'N, ^{year-round,}

(iii) 140°W - 147°W longitude from January 1--February 15, and November 1--December 31.

(iv) 147°W - 157°W longitude from February 16--May 15.

(2) The following areas shall be closed to foreign fishing with nets for the periods specified:

(i) Six "Kodiak Gear Areas", bounded respectively by straight lines connecting each of the following coordinates, in the order listed--

from January 1--May 31 and August 10--December 31:

(A)	<u>North Latitude</u>	<u>West Longitude</u>
	57°15'	154°51'
	56°57'	154°34'
	56°21'	155°40'
	56°26'	155°55'
	57°15'	154°51'
(B)	<u>North Latitude</u>	<u>West Longitude</u>
	56°27'	154°06'
	55°46'	155°27'
	55°40'	155°17'
	55°48'	155°00'
	55°54'	154°55'
	56°03'	154°36'
	56°03'	153°45'
	56°30'	153°45'
	56°30'	153°49'
	56°27'	154°06'
(C)	<u>North Latitude</u>	<u>West Longitude</u>
	56°30'	153°49'
	56°30'	153°00'
	56°44'	153°00'
	56°57'	153°15'
	56°45'	153°45'
	56°30'	153°49'
(D)	<u>North Latitude</u>	<u>West Longitude</u>
	57°05'	152°52'
	56°54'	152°52'
	56°46'	152°37'
	56°46'	152°20'
	57°19'	152°20'
	57°05'	152°52'
(E)	<u>North Latitude</u>	<u>West Longitude</u>
	57°35'	152°03'
	57°11'	151°14'
	57°19'	150°57'
	57°48'	152°00'
	57°35'	152°03'
(F)	<u>North Latitude</u>	<u>West Longitude</u>
	58°00'	152°00'
	58°00'	150°00'
	58°12'	150°30'
	58°19'	151°29'
	58°00'	152°00'

(ii) Three "Kodiak Halibut" areas. In the event that the 1978 U.S. halibut setline fishing season opens after May 10, 1978, the following areas bounded respectively by straight lines connecting in each of the following groups the coordinates in the order listed are closed from 5 days prior to 5 days after the opening of the U.S. halibut setline fishery:

(A) 58°30'N to 59°30'N, between 147°40'W and 150°20'W

(B) 57°40'N to 58°05'N, between 148°50'W and 150°30'W

(C) 55°30'N to 56°25'N, between 155°45'W and 156°30'W

(3) The area landward of the 500 m isobath shall be closed year-round to foreign fishing with setlines.

(g) Gear restrictions.

(1) Net type. During the periods January 1--May 31 and December 1--31 only pelagic trawls, with recording net-sonde devices functioning properly during each two, may be used through the Gulf of Alaska during the time area units not otherwise closed to trawling.

(2) Mesh size. Minimum mesh size in any trawl shall be no smaller than 80 mm (3.15 inches), stretched measure, inside of knots.

(3) Gear type. See paragraph (f), subparagraphs (2) and (3) ^{above,} which specify type of gear for certain areas and time periods.

(h) Reports. The catch and effort statistics required by Section 611.90(d) shall be reported as follows:

(1) Annual. Each nation whose fishermen operate in the Gulf of Alaska shall report by May 30 of the following year annual catch and effort statistics as follows:

(i) Effort in hours trawled, by vessel class, by gear type, by month, by 1/2° (lat.) x 1° (long.) statistical area;

(ii) Catch in metric tons, by vessel class, by gear type, by month, by $1/2^{\circ}$ (lat.) x 1° (long.) statistical area, by the following species groupings: Rock sole; Flathead sole; Arrowtooth flounder; Other flounders; Pacific ocean perch; Other rockfish; Pacific cod; Sablefish (blackcod); Walleye (Alaska) pollock; Atka mackerel; any other species taken in excess of 1,000 metric tons; and other fishes.

(2) Monthly. In addition to the annual statistical report in (1) above, each nation will report by the end of the following month, provisional fishery information for each month as follows:

(i) Effort in vessel days on the grounds by vessel class and gear type;

(ii) Catch in metric tons by species for flounders, rockfishes, Pacific cod, pollock, sablefish (blackcod), Atka mackerel, and others, for each of the major statistical areas.

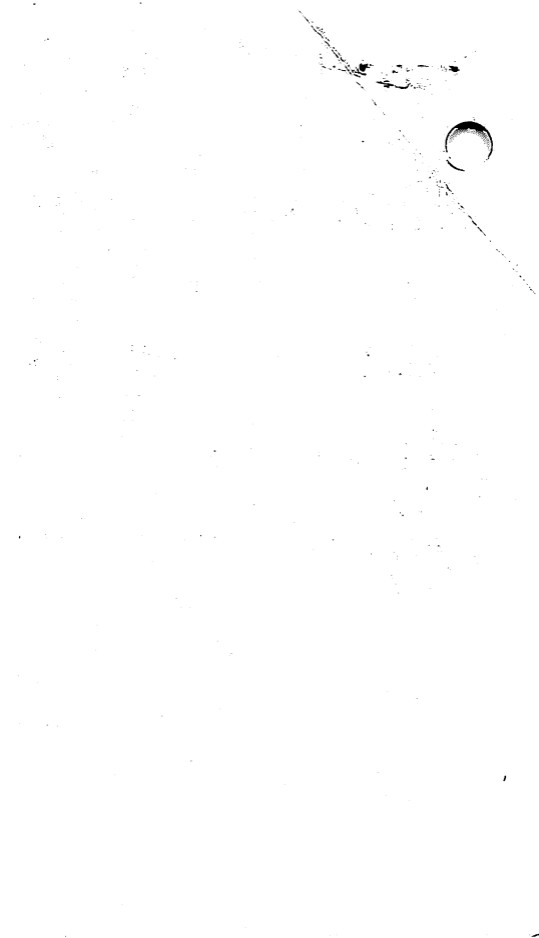
(3) Fleet disposition. The operator of each foreign vessel shall report by radio, at least 24 hours in advance, the date, time and position at which fishing activities will begin in the Gulf of Alaska. Similar reports will be made when ceasing fishing activities. Reports will also be required when vessels shift operations to different statistical areas within the Gulf of Alaska.

(i) Cooperative research requirements. Foreign fishery research in which fishing gear is used that is capable of taking commercial quantities of any fishery resource must either be conducted in cooperation with a Federal or State fishery agency or with an appropriate domestic university, or must be covered by a permit issued by the Secretary for a foreign commercial operation.

8/30/77

Mark-

use as an
appendix to
August minutes.





U.S. DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Northwest & Alaska Fisheries Center, Division of
Resource Assessment & Conservation Engineering
2725 Montlake Blvd. E.
Seattle, Washington 98112

August 22, 1977

TO: Dayton L. Alverson, Center Director, NWAFC, F11

FROM: Jerry E. Reeves, Survey Strategy and Data Management/Analysis Task
Leader, RACE, F111 *for*

SUBJECT: Estimates of ABC for C. opilio by 5 mm size groups

Attached are estimates of ABC for C. opilio by 5 mm carapace width groups. Table 1 gives the original estimate of ABC for mature male crabs broken down by size. This table merely shows the size distribution of the estimate of 333 million pounds, which was derived using an exploitation rate of .15, the historical value associated with mature-sized red king crab males. King crab data are not at hand to provide exploitation rates by 5 mm size groups needed to estimate ABC for various minimum size limits. Moreover, since growth information has become available for C. opilio, yield-per-recruit theory can be applied to the problem.

Table 2 shows ABC estimates corresponding to varying minimum size limits. These estimates are based on optimum exploitation rates determined from the yield per recruit analysis of Somerton and Low, using isopleth values for $M=2$. Also shown in Table 2 is an estimate of the exploitation of newly matured males for each size limit. Since Somerton and Low's analysis dealt with only the southern half (to 58° N) of the C. opilio stock, it is necessary to assume that their estimates of growth and maturity schedules apply to the larger stock (to 62° N) examined here.

Table 1.--ABC for *C. opilio* males in the eastern Bering Sea, based on history of exploitation of the red king crab fishery.

Carapace width group (mm)	Numbers of crabs (millions)	Crab biomass		Total ABC broken down by carapace width group		
		(mt)	(million lbs)	million crabs	mt	lbs.
75-79	260	48,373	106.7	39	7,256	16.0
80-84	214	47,767	105.3	32	7,165	15.8
85-89	203	55,027	121.3	30	8,254	18.2
90-94	202	63,499	140.0	30	9,524	21.0
95-99	195	72,860	160.7	29	10,929	24.1
100-104	253	110,953	244.7	38	16,643	36.7
105-109	234	119,420	263.3	35	17,913	39.5
110-114	236	138,773	306.0	35	20,816	45.9
115-119	190	127,587	281.3	29	19,138	42.2
120-124	147	113,073	249.3	22	16,961	37.4
125-129	77	67,420	148.7	12	10,113	22.3
130-134	29	28,720	63.3	4	4,308	9.5
135-139	8	9,073	20.0	1	1,361	3.0
140-144	2	2,113	4.7	0.3	317	0.7
145-149	1	1,207	2.7	0.2	181	0.4
150-154	1	907	2.0	0.2	136	0.3
TOTAL	2,252	1,006,772	2,220.0	336.7	151,015	333.0

Table 2.--ABC for *C. opilio* males in the eastern Bering Sea, based on yield-per-recruit analysis.

Minimum size limit (mm)	Abundance (Million crabs)	Optimum exploitation rate	Estimated ABC			Percent newly matured males harvested
			million crabs	mt	million lbs.	
≥ 40	4,688	.03	141	21,263	46.9	3
45	4,335	.05	217	36,488	80.5	5
50	4,050	.06	243	45,545	100.4	6
55	3,847	.08	308	64,446	142.1	8
60	3,581	.11	394	92,361	203.7	10
65	3,164	.13	411	108,180	238.5	11
70	2,645	.16	423	125,095	275.8	11
75	2,251	.19	428	141,047	311.0	10
80	1,991	.25	498	181,746	400.8	10
85	1,776	.31	551	221,175	487.7	7
90	1,574	.38	598	263,967	582.1	6
95	1,372	.51	700	340,668	751.2	6
100	1,177	.69	812	435,272	959.8	6
105	924	.86	794	470,339	1,037.1	5
110	690	.98	676	441,963	974.6	3
115	454	.98	445	321,399	708.7	2
120	264	.98	259	207,658	457.9	1
125	117	.98	115	103,312	227.8	0
130	41	.98	40	40,487	89.3	0
≥ 135	12	.98	12	13,756	30.3	0
140	4	.98	4	5,116	11.3	0
145	2	.98	2	2,769	6.1	0
150	1	.98	1	1,485	3.3	0

MEMORANDUM

DATE: September 26, 1977
TO: Record, Tanner Crab File
FROM: Executive Director
SUBJECT: TANNER CRAB

During the public testimony on Thursday September 22nd, Mr. Namiki Hayashi testified with an interpreter and later with Hugh Takagi saying that Japan imported approximately 6,000 metric tons of finish product from Alaska in 1977. When questioned on the value of opilio as compared to bairdi, they said that production costs on opilio were much the same as for bairdi but it was only worth about 60 percent as much on the market place.

cc: Mark Hutton

JHB:in

JHB:ju

cc: Mark Hudson

as much on the market place
was much the same as for butter but it was only worth about 60 percent
as compared to butter, they said that production costs on opfite
product from Alaska in 1977. When questioned on the value of opfite
saying that Japan imported approximately 6,000 metric tons of fish
Hagashi testified with an interpreter and later with Hugh Takagi
during the public testimony on Thursday September 22nd, Mr. Haimki

SUBJECT: TAMMER CRAB

FROM: Executive Director

TO: Record Tammer Crab File

DATE: September 26, 1977

MEMORANDUM

- m. Frank Roshevaref, (?) crab fisherman
 - n. B. Hart, Soldovia crab fisherman
 - o. Arnold Sanders, Soldovia crab fisherman
 - p. Dexter Ozle, Soldovia crab fisherman
 - q. Sam McSallings, (?) crab fisherman
3. The SSC could not come to a consensus view regarding the potential degree of risk or the loss associated with the two methods of setting size limits. Although no consensus could be reached as regards a specific size limit, the group did feel that the size limit for the 1978 season should not be set below 5 inches (127 mm), and all concerned agreed that a reduction to 5.3 inches (135 mm) was unlikely to harm the reproductive capacity of the stocks.

C. Exclusive Registration Areas

- 1. Propose retention of the Lower Cook Inlet registration area.
 - a. Michael Miller, Soldovia crab fisherman
 - b. Frank Roshevaref, (?) crab fisherman
 - c. B. Hart, Soldovia crab fisherman
 - d. Arnold Sanders, Soldovia crab fisherman
 - e. Dexter Ozle, Soldovia crab fisherman
 - f. Sam McSallings, (?) crab fisherman

D. Pot Limits

- 1. Believe all Tanner crab pot limits are an undesirable concept.
 - a. Michael Miller, Soldovia crab fisherman
 - b. Frank Roshevaref, (?) crab fisherman
 - c. B. Hart, Soldovia crab fisherman
 - d. Arnold Sanders, Soldovia crab fisherman
 - e. Dexter Ozle, Soldovia crab fisherman
 - f. Sam McSallings, (?) crab fisherman

8.3 Management Measures and Rationale

*Passed by
Council 9/24 #3'*

8.3.1 Domestic

8.3.1.1 Season, Gear, Area, and Catch Restrictives

(A) Areal division of DAH

The DAH for all species will be apportioned to individual major statistical areas, as shown in Table 63.

(B) Seasonal division of DAH

None

(C) Prohibited Species

In accordance with existing state and federal statutes

(D) Time-area Closures

(1) June 1 - November 30

None

(2) January 1 - May 31 and December 1 - 31

When the total incidental trawl catch of halibut (~~or crabs?~~) in any statistical area exceeds that amount listed below, that statistical area shall be closed to domestic trawling for

the remainder of this period.

Shumagin - 29 mt
Cherikof - 18 mt
Kodiak - 34 mt
Yakutat - 17 mt
Southeast - 14 mt

(i.e. 1 percent of 25 percent of DAH)

or

Chosen

(2) January 1 - May 31 and December 1 - 31
When the total incidental trawl catch of halibut (~~or crabs?~~) in any statistical area exceeds 1 percent of the trawl landings in any calendar month (as estimated by observer data), that statistical area shall be closed to domestic trawling for the remainder of this period.

(E) Gear restrictions

(1) June 1 - November 30

None

(2) January 1 - May 31 and December 1 - 31

(a) Only off-bottom trawls may be used

(b) Duration of individual tows shall not exceed one hour.

(F) Notification and observer

(1) All groundfish trawlers must, when so requested, take aboard an ^{official} ~~Alaska Department of Fish and Game~~ ^{or NMFS} observer.

(2) January 1 - May 31 and December 1 - 31

At least 7 days prior to leaving port the master of any groundfish trawler must notify in writing, in person, or by telephone, the nearest office of the Alaska Department of Fish and Game of his expected area of operation and target species.

(G) Emergency closures

(As stated in draft)

September 22, 1977

SSC REPORT ON TANNER CRAB MANAGEMENT PLAN

The SSC reviewed the items relative to the Tanner Crab Management Plan listed under Agenda Item 4 requiring Council action at this meeting. The purpose of the review was to determine if the SSC wished to comment further on these items to assist the Council in its deliberations.

Items Considered

Item 1 - "Closed area for foreign fishing in the Bering Sea -

The SSC as early as last December, stated that data presented to it indicated that a line closing the area of the Bering Sea south of 58° north latitude would effectively preserve all significant harvest of C. bairdi for the domestic fishery. In light of the 1977 domestic harvest there seems little reason to doubt that the U.S. fishery has the capacity and desire to take the stated OY of this species or any other OY within the range discussed with us. The SSC has not had an opportunity to see the final NMFS 1977 Bering Sea shellfish survey results, but preliminary reports suggest a reduction of the 1977 MSY of 108 million pounds by as much as 25 percent (using 1977 size limit and exploitation rate). Unless the final survey results differ dramatically from the preliminary data we believe that the domestic fleet will have the capacity to harvest the MSY, and therefore any likely departures for OY considerations. The final estimate

of the 1978 MSY for bairdi in the Bering Sea will be a function of the population estimate, the size limit and the exploitation rate.

The committee notes that the OY and DAH for this species should be altered by any change in legal size if one is adopted by the Council. The committee further notes that no information has been presented to it on demand and product value relative to densities of crab that can be economically harvested by the U.S. fishery. An increased OY and DAH may be necessitated by such a re-analysis but will probably not change the presently recommended FAC of 0 for this species.

Item 2 - "Council tentatively approved an Alaska wide size limit for C. bairdi of 135 mm (5.3 inches). Current State regulations put it at 140 mm (5.5 inches) except in Prince William Sound where it is 135 mm (5.3 inches)."

The SSC in its earlier plan review stated that "Although no consensus could be reached as regards a specific size limit, the group did feel that the size limit for the 1978 season should not be set below 5 inches (127 mm), and all concerned agreed that a reduction to 5.3 inches (135 mm) was unlikely to harm the reproductive capacity of the stocks." It has come to our attention that the biological data on protection of newly matured crab relative to the size limit was based on research measurements, not the legal commercial measurement.

The difference is that legal measurement is from the outside of the spines while the research measurement is to the inside of the spines. The difference is about 5 mm on 140 mm legal-sized crab. In other words, a legal 140 mm crab would measure 135 mm by research standards. When the SSC reached a consensus view that a drop from 140 to 135 mm in the size limit would not damage the stocks biologically, we did not realize that the drop in terms of the research data presented us would actually be to 130 mm. Therefore, our original statement should be translated to "Although no consensus could be reached as regards a specific size limit, the group did feel that the commercial outside the spine measurement size limit for the 1978 season should not be set below 5.2 inches (132 mm), and all concerned agreed that a retention of the present 5.5 inch size limit (140 mm) was unlikely to harm the reproductive capacity of the stocks." We further recommend that the present 135 mm legal size in effect for Prince William Sound area be retained and the effects monitored as a basis for further discussion of the desirability of size limit modification.

The SSC will continue to re-examine the size limit based on new information as it becomes available for further iterations of this plan.

Item 3 - "Expected DAH in the Bering Sea - currently set in the plan at 65 million pounds for C. bairdi, appears to be well within reason to be taken by U.S. fishermen in 1978. However, if the size limit is reduced to 135 mm the OY will be changed and the relationship of OY and DAH for bairdi must be reconsidered. Information on the expected OY change if the size is dropped from 5.5 to 5.3 inches in the Bering Sea (and throughout the rest of Alaska) will be available from the drafting team at this meeting."

As indicated under the Item 1 discussion, it appeared to the SSC that the U.S. fishery was capable of taking the present calculated OY or any permutation of OY discussed with us based on preliminary information of the NMFS 1977 trawl survey, possible size limit changes or price changes affecting densities of crab that can be economically fished by the U.S. Exact numbers were not available to us and obviously final determination will have to await data for recalculation of MSY, ABC and OY. Nevertheless, it seems unlikely that an FAC of 0 for C. bairdi in the eastern Bering Sea will change based on this data.

Item 4 - The SSC had no comment.

Item 5 - "Optimum yield for C. opilio north and west of 58° N., 164° W. - The plan proposes setting the OY equal to 13,860-14,728 metric tons (mt) and the foreign catch at the same level as 1977, 12,500 mt.

The committee reviewed the University of Alaska document entitled "Discussion Paper - Optimum Yield for C. opilio North of 58° N in the Bering Sea." It was noted that the paper developed some possible scenarios of the impact of alternative Japanese harvest levels on U.S. markets and the development of a U.S. fishery for this species. The paper indicates that Japanese harvests of less than 17,000 m.t.* are unlikely to surpass the present market in Japan resulting in an increase in imports to the U.S. It was noted that the estimate may be conservative since total harvests by the Japanese in some past years have been considerably higher than the totals upon which this analysis was based. We have no information to determine if 30,000 m.t. is a reasonable estimate for the market for C. opilio in Japan next year.

New information on ABC for C. opilio north of 58° N was received from Dr. Balsiger which was based upon population estimates from the 1975 NMFS survey and size composition data obtained by U.S. observers from the Japanese independent vessel and factory ship fisheries of 1977. Based upon an exploitation rate of 0.58 for a minimum exploitable size of 155 mm, the ABC was estimated to be about 203,000 mt for the total C. opilio population, one half or 101,000 mt of which pertains to waters north of 58° N.

*Based upon a market of 30,000 m.t. in Japan, a harvest of 12,000 m.t. in the Japan Sea and 1,000 m.t. U.S. harvest with export to Japan.

The SSC felt that no sufficient new information had been presented upon which to base any modification in its earlier comments relative to opilio N of 58° N in the Bering Sea which stated "In the absence of specific instructions from the Council regarding goals and/or objectives of an OY-nature concerned with C. opilio stocks in the Bering Sea and supporting justification in the plan, the SSC was not in a position to evaluate or recommend a specific departure from the ABC for socioeconomic or ecological purposes."

The SSC did not discuss the other items on Agenda Item 4 but understand presentations on pot limits, registration areas, emergency order implementation, etc., will be made by appropriate agencies/individuals.

Comments on the draft tanner crab management plan by Japanese fisheries interest were discussed. Most centered around the objection to the 58° N closing line in the Bering Sea reserving nearly all of the C. bairdi OY for the U.S. fishery. Based on considerations of domestic capacity and desire to harvest C. bairdi stated earlier, an FAC of 0 for this species S of 58° N still seems appropriate.

There were also in-house meetings and individuals such as Kim White, Don Collinsworth spent considerable time reviewing pertinent material and developing concepts and draft language.

E. Findings and Recommendations

I. Conformity of Pot Limit and exclusive registration areas with National Standards.

Findings: These regulations, as drafted in the State regulatory system, are in conformance with the National Standards and may be included in the Council's proposed regulatory system.

II. 'Permanent' Regulatory System which the Council may decide to propose to the Secretary of Commerce with the Management Plan:

1. Draft Plan (Sec. 11.7 on

- Option 1 as in draft
- Option 2 modified pp. 310-313
- Option 3 Fed. Regs.

proposed a system of adoption of State Regulations by reference.

The working group reviewed this concept and agreed that it would not be in conformity with the intent and provisions of P.L. 94-265 (Sec. 306 (a)).

OPTION II.

If the Council agrees with this finding, it follows that little would be gained by a system of adoption by reference of appropriate State regulations and rewritten Federal regulations of those State regulations which could not be adopted by reference.

OPTION III.

Therefore, the working group recommends that the State regulatory system should, to the greatest extent possible, be redrafted and proposed by the Council as Federal regulations.

III. In-season Management Flexibility

The Working Group recommends that the present State flexible in-season management system (as carried out by the Commissioner's direct statutory field order authority) should be continued in the Council's Management Plan and proposed regulatory system.

With this in mind, the Working Group has drafted for Council consideration a proposed addition to the Management Plan which will allow this concept to be carried out.

Crucial to the operation of this system would be the delegation of authority to the NMFS Regional Director by the Secretary of Commerce to open and close seasons and areas based on in-season research and management findings.

Our recommendation to the Council is that this in-season flexibility should be operational for the entire range of circumstances relating to crab populations.

IV. Management

In order for the recommendations contained in III to be workable, it is evident that the shellfish research and management expertise of the ADF&G must be fully utilized.

The Working Group, with the assistance of NOAA General Counsel Bill Brewer, has identified a method by which this can be accomplished. Sec. 311 of P.L. 94-265, relates to Enforcement Provisions. Taken in the broad context, enforcement also can include in-season management applications.

Thus, under the authority of Sec. 311 (a), the Working Group proposes that a formal Memorandum of Agreement be executed between the Department of Commerce and the Alaska Department of Fish & Game which would authorize the Department of Fish & Game to continue its full range of applied research and management activities. Under the terms of the Agreement, the staff would report its findings and recommendations for in-season management to the Commissioner of Fish & Game and the Regional Director of NMFS. The Regional Director would have the final responsibility for executing in-season management decisions.

While the Working Group requests Council review and approval of this concept so that work can proceed on the drafting of an appropriate Agreement.

Submitted by: Ed Huizer
Deputy Commissioner, ADF&G
September 24, 1977

North Pacific Fishery Management Council

Elmer Rasmuson, Chairman
Jim H. Branson, Executive Director

Suite 32, 333 West 4th Avenue
Post Office Mall Building



Mailing Address: P.O. Box 3136DT
Anchorage, Alaska 99510

Telephone: (907) 274-4563
FTS 265-5435

September 20, 1977

MEMORANDUM

To: Council Members

From: Executive Director

Subject: Public Comments on Tanner Crab Fishery Off
Alaska Management Plan

The following summary comments were prepared after an extensive review of all:

- a. Written material sent the Council and Management Plan Drafting Team
- b. All five public hearings: Petersburg, Seattle, Anchorage, Sand Point, and Kodiak.
- c. All pertinent Council, SSC, and AP discussions and comments.

As you will see, they have been reduced to 'favor' or 'oppose' most issues. The complete transcripts are available for your inspection should you have any questions.

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OF THE CONTRACT

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PUBLIC COMMENTS ON COUNCIL'S
MANAGEMENT PLAN FOR THE
TANNER CRAB FISHERY OFF ALASKA

A. Optimum Yield for C. bairdi and C. opilio

1. Comments on C. bairdi and OY.
 - a. Favor OY and TAC C. bairdi calculations presented in plan.
 1. John Hall, Kodiak fisherman
 2. John Harris, Kodiak fisherman
 3. Calista Corp. and Nunam Kitlusista Native Corp.
 - b. Favor updating OY and TAC figures contained in plan.
 1. Sig Jaeger, North Pacific Fishing Vessel Owners Association
 2. SSC
 - c. Opposed determination of OY and TAC for C. bairdi.
 1. Japan Fisheries Association
 2. Japan Tanner Crab Industry
2. Comments on C. opilio, OY, north 58⁰ North latitude.
 - a. Favor no foreign allocation after 1979.
 1. Thomas A. Casey, UFMA
 2. John Hall, Kodiak fisherman
3. Comments on C. opilio, OY, south of 58⁰ North latitude.
 - a. Favor: project expanding C. opilio U.S. harvest.
 1. Bill Deshler, Pacific Pearl Seafoods, Kodiak
 2. John Hall, Kodiak fisherman
 3. Advisory panel, NPFMC

STATE BOARD OF HEALTH
PERMITS FOR THE
TAKE-OUT OF ALASKA

Section 1. Title of Permit and Location

1. Permit for the take-out of
 - a. Permit for the take-out of
 1. John Hall, Medical Dispenser
 2. John Hall, Medical Dispenser
 3. Calista Corp., and James K. Kistner, Kistner Corp.
 - b. Permit for the take-out of
 1. John Hall, Medical Dispenser
 2. John Hall, Medical Dispenser
2. Permit for the take-out of
 - a. Permit for the take-out of
 1. John Hall, Medical Dispenser
 2. John Hall, Medical Dispenser
3. Permit for the take-out of
 - a. Permit for the take-out of
 1. John Hall, Medical Dispenser
 2. John Hall, Medical Dispenser

4. Comments on establishment of the 58° North latitude, southern foreign boundary line.
 - a. Favor and support legal foreign Tanner crab fishing area north of 58° North latitude and west of 164° West longitude.
 1. Calista Corporation
 2. Nunam Kitlusista
 3. John Harris, Kodiak
 4. Daryl Peterson, Vita Seafoods
 5. Advisory panel (favored 58°, 39')
 6. North Pacific Council
 7. Thomas A. Casey, UFMA
 - b. Disagree and oppose 58° line.
 1. Japan Fisheries Association
 2. Japan Tanner Crab Industry
 3. Jay Hastings, Nichiro Fisheries

B. Tanner crab Size Limits

1. Those favoring 5.5" (140mm) minimum legal size limit for Tanner crab, C. bairdi.
 - a. Kaare Ness, fisherman - Seattle
 - ~~b. SSO~~
 - c. Peter Pan Seafoods
 - d. Harold Jones, Kodiak fisherman
 - e. Chuck Jensen, Pacific Pearl
2. Oppose 5.5" minimum limit and favor smaller legal size limit.
 - a. Sig Jaeger: 127-140mm (5-5.5")
 - b. Japan Fisheries Association: 129mm (5.08")
 - c. Washington, Department of Fish & Game: 127mm (5")
 - d. Mr. Miller, Soldovia fisherman: 133.4mm (5¼")
 - e. Arnie Einmo, Pacific Pearl: 127mm (5")
 - f. Magne Ness: 127-140mm (5½-5")
 - g. North Pacific Council: 127-140mm (5-5½")
 - h. North Pacific Council, August: 135mm (5.3")
 - i. Joe Kurtz, Lower Cook Inlet and Prince William Sound only: 133-135mm (5.25-5.3")
 - j. Eric Tasker: 133-135mm (5.25-5.3")
 - k. Mr. Hohenburg, Sand Point fisherman: less than 140mm (5.5")
 - l. John Harris, Kodiak fisherman: 127-140mm (5-5.5")

4. Complete an establishment of the 58° North latitude
southern boundary line.

5. Favor and support local foreign firms and plants
area north of 58° North latitude and west of 124°
West longitude.

1. British Corporation
2. British Corporation
3. John Lewis, Boston
4. G. W. Johnson, New York
5. American Iron (New York, 1901)
6. North Atlantic Coast
7. Thomas A. Edison, N.Y.

6. Distance and degree 20° East.

1. John Lewis, Boston
2. John Lewis, Boston
3. John Lewis, Boston

7. Favor and support

1. Favor and support 58° North latitude and 124° West longitude
area north of 58° North latitude and west of 124°
West longitude.

- a. Favor and support
- b. Favor and support
- c. Favor and support
- d. Favor and support
- e. Favor and support

2. Favor and support 58° North latitude and 124° West longitude
area north of 58° North latitude and west of 124°
West longitude.

1. Favor and support 58° North latitude and 124° West longitude
area north of 58° North latitude and west of 124°
West longitude.
2. Favor and support 58° North latitude and 124° West longitude
area north of 58° North latitude and west of 124°
West longitude.
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West longitude.
4. Favor and support 58° North latitude and 124° West longitude
area north of 58° North latitude and west of 124°
West longitude.
5. Favor and support 58° North latitude and 124° West longitude
area north of 58° North latitude and west of 124°
West longitude.
6. Favor and support 58° North latitude and 124° West longitude
area north of 58° North latitude and west of 124°
West longitude.
7. Favor and support 58° North latitude and 124° West longitude
area north of 58° North latitude and west of 124°
West longitude.
8. Favor and support 58° North latitude and 124° West longitude
area north of 58° North latitude and west of 124°
West longitude.
9. Favor and support 58° North latitude and 124° West longitude
area north of 58° North latitude and west of 124°
West longitude.
10. Favor and support 58° North latitude and 124° West longitude
area north of 58° North latitude and west of 124°
West longitude.

- m. Frank Roshevaref, (?) crab fisherman
- n. B. Hart, Soldovia crab fisherman
- o. Arnold Sanders, Soldovia crab fisherman
- p. Dexter Ozle, Soldovia crab fisherman
- q. Sam McSallings, (?) crab fisherman

C. Exclusive Registration Areas

- 1. Propose retention of the Lower Cook Inlet registration area.
 - a. Michael Miller, Soldovia crab fisherman
 - b. Frank Roshevaref, (?) crab fisherman
 - c. B. Hart, Soldovia crab fisherman
 - d. Arnold Sanders, Soldovia crab fisherman
 - e. Dexter Ozle, Soldovia crab fisherman
 - f. Sam McSallings, (?) crab fisherman

D. Pot Limits

- 1. Believe all Tanner crab pot limits are an undesirable concept.
 - a. Michael Miller, Soldovia crab fisherman
 - b. Frank Roshevaref, (?) crab fisherman
 - c. B. Hart, Soldovia crab fisherman
 - d. Arnold Sanders, Soldovia crab fisherman
 - e. Dexter Ozle, Soldovia crab fisherman
 - f. Sam McSallings, (?) crab fisherman

PUBLIC COMMENTS ON COUNCIL'S
MANAGEMENT PLAN FOR THE
TANNER CRAB FISHERY OFF ALASKA

- A. Optimum Yield for C. bairdi and C. opilio
1. Comments on C. bairdi and OY.
 - a. Favor OY and TAC C. bairdi calculations presented in plan.
 1. John Hall, Kodiak fisherman
 2. John Harris, Kodiak fisherman
 3. Calista Corp. and Nunam Kitlusista Native Corp.
 - b. Favor updating OY and TAC figures contained in plan.
 1. Sig Jaeger, North Pacific Fishing Vessel Owners Association
 2. SSC
 - c. Opposed determination of OY and TAC for C. bairdi.
 1. Japan Fisheries Association
 2. Japan Tanner Crab Industry
 2. Comments on C. opilio, OY, north 58^o North latitude.
 - a. Favor no foreign allocation after 1979.
 1. Thomas A. Casey, UFMA
 2. John Hall, Kodiak fisherman
 3. Comments on C. opilio, OY, south of 58^o North latitude.
 - a. Favor: project expanding C. opilio U.S. harvest.
 1. Bill Deshler, Pacific Pearl Seafoods, Kodiak
 2. John Hall, Kodiak fisherman
 3. Advisory panel, NPFMC

4. Comments on establishment of the 58° North latitude, southern foreign boundary line.
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a. Mr. Miller, Soldovia crab fisherman

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a. Mr. Miller, Soldovia crab fisherman