


M E M O R A N D U M

TO: Council, AP and SSC Members

FROM: Clarence G. Pautzke 
Executive Director

DATE: April 4, 1988

SUBJECT: King and Tanner Crab Fishery Management Plan

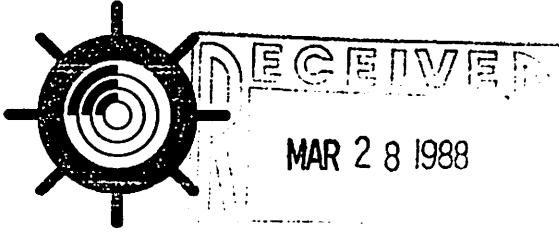
ACTION REQUIRED

- (a) Receive report and recommendations from the Crab Management Committee.
- (b) Council action on draft FMP package and schedule.
- (c) Receive report on joint Council/Board crab hearing in Seattle.

BACKGROUND

The Crab Management Committee met with the Crab Plan Team on March 24-25 to review the latest draft of the Bering Sea and Aleutian Islands King and Tanner Crab FMP and its accompanying analysis and regulations. If acceptable, the plan was to be submitted to the Council for approval for public review. However, during the meeting Committee member Ted Smits requested that the Council delay releasing the FMP to allow the crab industry time to resolve their differences on the plan's provisions [Item D-2(a)]. He also presented a rewritten plan for the committee to study. After lengthy discussion, the Committee decided there was a good possibility that the draft FMP could be revised and gain widespread support from industry. They concluded that initial Council review of the FMP should be delayed until June to allow for revising the plan and supporting analysis. The original and revised schedules for processing the FMP are compared in Item D-2(b). If delayed one meeting, the plan could be implemented by March or April 1989. Larry Cotter, Chairman of the Crab Management Committee, will report fully on the Committee's recommendations. He has been working closely with crab industry representatives to gain consensus on a draft FMP.

A joint Council-Alaska Board of Fisheries meeting on shellfish management, normally scheduled for this time of year, was not possible because of conflicts in scheduling. However, the annual joint public hearing was held in Seattle on March 25 to receive comments on Board shellfish proposals. Testimony and discussion are summarized in Item D-2(c). Council staff has reviewed the 1988 shellfish proposal package and identified only six that might require amendments to the Council's draft FMP. They are listed in Item D-2(d). Larry Cotter and members of the Crab Plan Team will meet with the Board on April 20 to report on the draft FMP and the Seattle crab hearing.



**North Pacific
Fishing Vessel
Owners' Association**

March 24, 1988

Mr. Larry Cotter
Chairman, Crab Management Committee
North Pacific Fishery Management Council
P.O. Box 103136
Anchorage, Alaska 99510

Dear Larry:

As you know, I was appointed Executive Director of the North Pacific Fishing Vessel Owners' Association in December of 1987 after a three-year absence from active involvement in the fishing industry.

Our Association Counsel/Director of Governmental Affairs, Mr. Ken Larson, joined the Association in February of 1988 after several years of professional involvement in the Western Pacific Island regions and Africa.

On February 23, 1988, we were finally able to conclude a preliminary review of the November/December Crab FMP and the pertinent comments prepared by my predecessor, and to transmit our evaluation to Mr. Ray Baglin of the National Marine Fisheries Service.

Subsequent draft FMP's arrived at our office in the interim, the latest one as recently as Monday of this week.

Initially in order to clarify to ourselves and our membership what the NPFVOA-preferred FMP approach should look like, in mid-March we developed our "Industry FMP", since requested to be renamed the "NPFVOA Crab FMP", and attempted to coordinate that document internally for membership acceptance and later externally for industry understanding.

Because we felt that our document answered many of the concerns expressed by those participating in the crab fishery, we offered it this morning to your committee for review and comparison with the Council FMP draft dated March 14, 1988, realizing that we had had insufficient time to properly coordinate our proposal with Committee members.

We sincerely apologize for "dumping" such a surprise package on you and the Crab Management Committee, and concur with your observation that, had the NPFVOA been able to commit itself to this type of an approach at a much earlier date, your and the Committee's work would have been much easier.

However, we feel that our current, more flexible, position will permit us to develop certain consensus approaches with the State, NMFS, NOAA, and involved industry participants, if we only were able to continue our coordination efforts for a limited additional time.

Mr. Larry Cotter
March 24, 1988
Page 2

We therefore respectfully request that you allow us to continue such coordinative efforts for the next several weeks and prepare whatever agreements may be reached among all mentioned parties before the next CMC meeting in May, with the full understanding that these efforts must not delay FMP submittal to the NPFMC beyond the June, 1988, Council meeting.

Granted this request, we pledge our most sincere efforts to fulfill our part of the agreement by vigorously pursuing all possible avenues for acceptable compromise, both within our own membership, other industry segments, and appropriate government agencies.

With warm personal regards.

Very truly yours,


Ted A. Smits
Executive Director

cc: Don Collinsworth
Commissioner, ADF&G

John Pollard
NOAA Counsel

Robert McVey
Director, Alaska Region NMFS

Jim Campbell
Chairman, NPFMC

Board of Directors
NPFVOA

SCHEDULE FOR THE
BERING SEA/ALEUTIAN ISLANDS
KING AND TANNER CRAB
FISHERY MANAGEMENT PLAN

<u>Current Date</u>	<u>Proposed Date</u>	
April 1988	June 1988	Council reviews draft FMP and EA/RIR and approves for public review
May 1988	August 1988	Public comment period ends and plan team revises draft FMP and EA/RIR in preparation for June meeting
June 1988	September 1988	Council approves FMP and EA/RIR for Secretarial review and implementation
July 1988	October 1988	Secretarial review begins
November- December 1988	March-April 1989	FMP approved and implemented

SUMMARY

Joint North Pacific Fishery Management Council/
Alaska Board of Fisheries
Hearing on King and Tanner Crab Management

Northwest & Alaska Fisheries Center
Seattle, Washington
March 25, 1988

In accordance with the provisions of the Joint Statement of Principles between the North Pacific Fishery Management Council and the Alaska Board of Fisheries for management of domestic king crab fisheries in the Bering Sea and Aleutians, the Council and Board conducted their fifth joint public hearing outside Alaska on Friday, March 25, 1988, in Seattle. The hearing was chaired by John Peterson, with Council members Rudy Petersen, Larry Cotter, Bob McVey, Mark Pedersen representing Council member Joe Blum, and Fred Gaffney representing Board member Don Collinsworth and the Alaska Department of Fish and Game, in attendance. Support staff present were Steve Davis, NPFMC; Ray Baglin and Jerry Reeves, NMFS; and Jon Pollard, NOAA-GC. The hearing convened at 9:00 a.m. with an overview of the agenda and the hearing objectives by Steve Davis. Mr. Davis also presented his review of the 1988 shellfish proposals being submitted to the Board. Six members of the public attended the hearing and a synopsis of individual testimony is given below.

Ted Smits and Ken Larson, North Pacific Fishing Vessel Owners' Association, Seattle, presented their association's support for several of the proposals before the Board. They support delaying the opening of the Bristol Bay king crab fishery to January 15 (from September 25 in 1987) to allow retention of both red king crab and C. bairdi Tanner crab at the same time (Board proposal #44). This proposal will reduce handling mortality of Tanner crab incidentally taken in a fall king crab fishery and vice versa. In recognition of C. bairdi stocks still at or near historically low levels, this proposal includes closing the C. bairdi fishery simultaneously with the king crab fishery.

The NPFVOA also supports the request for a five-day bait-up period (proposal #55). Intense economic pressure is leading to an increasing number of injuries at the outset of Bering Sea crab fisheries. With the short season and small quota, fishermen are risking lives and vessels when participating in this fishery. Authorization to place gear on the grounds five days prior to the season opening will slow down the initial placement of gear. Vessels will likely make several trips to the grounds with pots instead of trying to carry all the gear at one time. Allowing the gear to be baited eliminates the need for enforcement officials to pull gear to check for violations, while at the same time reducing fishermen's costs of pulling and baiting pots that are already out on the grounds. Enforcement problems will be reduced by the realization that: 1) all gear, regardless whether it's baited or not, that are found on the grounds more than five days ahead of the season are clearly in violation; and 2) illegal fishing (i.e., retention of crab) is already prevented by the tank inspection requirement. The NPFVOA added that should

the "baited pot" issue become an obstacle to approval, they support several other proposals (#100, 103) which would allow the placement of gear, in a non-baited condition, five days prior to the season.

The NPFVOA also supports the proposal requiring 100% observer coverage on catcher/processor vessels by the fall of 1988 (#60).

Mr. Cotter asked Mr. Smits how many catcher/processor vessels were in his association and in support of this proposal. Mr. Smits answered zero. Mr. Cotter then asked the same question of Mr. Thomson (Alaska Crab Coalition) and he answered six of the approximately 28 catcher/processors fishing crab are members of the Alaska Crab Coalition and all are in support of this proposal.

Arni Thomson, Alaska Crab Coalition, Seattle, recommended that the Board adopt their association's proposal of a five-day bait-up period (proposal #45). Mr. Thomson described the results of his investigation on fisherman safety conducted following reports of numerous accidents in the 1987 Bristol Bay crab fishery. He noted that with vessel/fisherman safety a national concern, this proposal is offered to help reduce accidents caused by rapid deployment of gear in a very short, intense fishery. He added that a similar proposal has also been submitted for the Tanner crab fishery (proposal #55). The Coalition supports the proposal requiring 100% observer coverage on catcher/processor vessels, and supports negotiating with management a level of industry-wide financial support for a State observer program.

John Peterson pointed out that funding of the observer program is a fundamental problem that must be addressed. He mentioned that it is unlikely that the State or Federal government will have the funds to support this program. The industry must conduct an assessment of the potential financial support that could be directed toward a crab observer program. Mr. Peterson continued by saying that changes in the MFCMA might also be required to allow a portion of the resource to be used to fund observer and management programs.

Fred Gaffney summarized the problems with relying on the resource for a funding source (he cited a test fishery this past January that didn't catch many crab; ADF&G lost \$200,000 on the project).

Steve Davis and Fred Gaffney discussed the costs of an observer program using the Council's pilot groundfish observer program and the State's observer program as examples. Current costs are about \$6,000 per observer per month. To field 30 observers on that many catcher/processor or floating processing vessels for a month would cost about \$180,000.

Fred Gaffney reviewed the Alaska State Legislature's mandatory observer program and ADF&G's proposal to allow placement of observers on vessels for data gathering and not just enforcement. Current State law requires mandatory observers on vessels where violations are suspect (i.e., they serve an enforcement function). ADF&G believes this law is too restrictive and would like to place observers for purposes of obtaining scientific information.

Arni Thomson continued by passing out a petition that the Coalition has submitted to ADF&G to close the C. bairdi Tanner crab fishery (Attachment 1). The petition addressed a small area in the southeastern Bering Sea, east of 165°W. On March 29, ADF&G closed the Bering Sea to C. opilio fishing after reaching the quota. This small area was left open to allow for continued fishing on C. bairdi stocks. The Coalition reported that there are only few legal-sized males in this region and that there will likely be significant handling of sublegal crab. Also, serious icing conditions exist at this time and the fishery does not appear to be worth the safety risk given low CPUEs. By February 1, only 255,000 pounds of C. bairdi Tanner crab had been landed by approximately 30 vessels. He again pointed out that this resource is not large enough to justify leaving the area open. This stock needs to be rebuilt.

Larry Cotter asked Ted Smits of NPFVOA and Jeff Stephan, United Fishermen's Marketing Association, their opinion of ACC's petition. Mr. Smits personally supports the idea although he hasn't met with his Board on it yet. He agrees there is a safety risk. Likewise, Jeff Stephan said that he doesn't have an association position at this time but admitted to being surprised that the C. bairdi fishery was left open.

Fred Gaffney summarized the State petition process. He mentioned that the Commissioner is required to make a decision on the petition within two weeks of its submission.

The hearing was adjourned at 11:45 a.m.

[Due to an error in one of the hearing announcements, the following individual was allowed to testify during the afternoon's session of the Council's Crab Management Committee.]

Rich White, Dutch Harbor Seafoods, is opposed to the reduction of the king crab size limit from 6½" to 5-¾" (proposal #44). He believes a large crab is essential for the market. Similarly, with Tanner crab he believes it is best for the industry to market the largest crab possible. However, he opposes a Tanner crab proposal to increase the C. opilio size limit from 3.1" to 4" (proposal #50) because of the difficulty in sorting crab that are that small. He pointed out that the "industry size limit" is already 4".

Mr. White supports the bait-up/early gear placement proposals. He also supports the proposals that would allow fishermen, following a season closure, the necessary time to reach port and deliver their catch (proposals #55, 59). He believes it was unfair that in 1987 several fishermen who steamed to Dutch Harbor following a closure were cited for illegal delivery because they landed their catch after the 24-hour grace period.

Mr. White concluded his remarks by voicing his support of 100% observer coverage on catcher/processor vessels. He said that he believes the industry is willing to be an economic participant in the support of an observer program.

Alaska Crab Coalition (A.C.C.)

(206) 547-7560
3901 Leary Way (Bldg.) N.W.,
Suite #6
Seattle, WA 98107
FAX (206) 547-0130



DATE: MARCH 23, 1988
TO: DON W. COLLINSWORTH, COMMISSIONER
ALASKA DEPARTMENT OF FISH & GAME
RE: PETITION FOR EMERGENCY CLOSURE OF EAST BERING
SEA BAIRDI CRAB FISHERY, MARCH 29, 1988

*IMP
REFERENCES*

The Alaska Crab Coalition hereby petitions the State of Alaska for closure of the bairdi crab fishery for conservation. The March 14th announcement of the temporary closure of the East Bering Sea opilio crab fishery until May first, will result in a high incidental catch of sublegal bairdi and king crab, and potential "recruitment overfishing." The closure, as stated, leaves bairdi fishing open in the area East of 165° W. longitude. The announcement will result in the convergence of 60-90 vessels into a very limited area North of Pt. Moller, where there are known concentrations of bairdi.

*↓
4-5
REPORT
8-22
PUE*

For the past two years, 1986 and 1987, the ACC has supported no season for bairdi in the East Bering Sea to encourage rebuilding of the stocks, and we maintain this priority concern. The 1987 NMFS summer trawl survey has resulted in estimations of a three fold bairdi population increase and a harvest guideline of 5.6 million pounds. The ACC feels that this one sample is an inadequate data base upon which to project a harvest forecast of this magnitude after two consecutive seasons of no fishing.

*8-20
184
justment
8-22
PUE*

This request is based upon the experience of a number of

8-22
INSEASON
IATA
INSEASON
light-
nubs
8-14

8-21
PORT
TAL-
TY

our members and their colleagues who have targeted on bairdi in this area for one or more weeks since the opening of the season on January 15th. ACC fishermen reporting to Board members by high seas radio are electing not to enter the bairdi fishery as a result of dismal reports from those giving up the fishery. As recent as March 21st, one of our boats reported that 6 boats, after conducting operations for 5 days, experienced a CPUE of 5-6 crabs per pot. These same fishermen reported large numbers of pre-recruit bairdi and a considerable number of red king crab in the pots. Another vessel that recently quit the fishery, reported a high incidental catch of king crab in the slime bank area and a high percentage of unsaleable barnacled and/or brownish discolored bairdi.

With the recent conclusion of the yellowfin sole fishery in Zone 1, there has been enough gear mortality to recruits for the year. The minimal short term economic gains do not justify the potential long term economic and social impacts to the industry.

Expressed within the context of prudent fisheries management objectives, the ACC views this management decision to be in contradiction with the Biological Conservation Objective, as defined in the most recent Draft BS/AI Crab FMP, dated March 14, 1988, p. 7-2 (enclosure). " To ensure the continued reproductive viability of each king and Tanner crab population through protection of reproductive potential, management must prevent recruitment overfishing." And "the maintenance of adequate reproductive potential in each crab stock will take

precedence over economic and social considerations."

In further reference to the Draft FMP, p. 4-2, the ACC feels that the bairdi stock is at "threshold" level, "the minimum size of a stock that allows sufficient recruitment so that the stock can eventually reach a level that produces MSY."

The ACC also cites management's obligation to industry, to prevent "recruitment overfishing, the condition that occurs when the spawning stock is reduced by fishing to too low a level to ensure adequate production of young crabs--the recruits to the future fishery. (Modified from Gulland, 1983)."

The combined experience of a large segment of the ACC membership, along with a number of industry processors, have concluded from this winter's fishery, that the mature bairdi population remains at "threshold" level and warrants no further harvest this year, but needs maximum protection that can be afforded through time and area closure.

Sincerely,



Arni Thomson,
Executive Director

cc: Robert W. McVey, RD/AR/NMFS
Bill Evans, AA/NMFS
Jim Branson, ED/NPFMC
Larry Cotter, NPFMC
Larry Nicholson, WRD/ADF&G
Ted Smits, NPFVOA
Jeff Stephan, UFMA
Paul Gronholt, PMA
Barry Collier, PSPA
Ted Kronmiller, PB&B

COUNCIL STAFF REVIEW OF 1988 SHELLFISH PROPOSALS

The Alaska Board of Fisheries received 108 management proposals for consideration at its April 1988 meeting. The following proposals have been identified as possibly requiring a change to the proposed Bering Sea and Aleutian Islands King and Tanner Crab FMP should they be approved by the Board. This review was made difficult given that the FMP is still undergoing revision.

Proposal
Number

Description/Staff Review

- #32 Vessel length restrictions - proposal is to limit the vessels participating in part of the Bristol Bay, Dutch Harbor and Aleutian Island districts to 70'. Vessel length restrictions are not identified as a management measure in the draft FMP. A plan amendment would be required to implement this proposal in the EEZ.
- #33 Pot Limits - a limit of 150 pots would be put into effect in the Aleutian Islands Tanner crab districts. This proposal would require a plan amendment to implement.
- #44, 55 Five-day bait-up period - proposal would allow pots to be baited and placed on the grounds 5 days prior to the season opening. FMP defers this measure to State. However, the rationale in the plan only discusses unbaited gear placement (out of season) and gear storage. A plan amendment might be necessary.
- Proposal #100 proposes allowing a 5-day preseason gear placement without bait-up.
- #62 Prohibit processing of king and Tanner crab on catcher/processor vessels until catch is inspected by ADF&G. There are no existing management measures in the draft FMP that this proposal would fall under other than the "other measures" category. There is some question as to whether this type of proposal would qualify.
- #69 Allow catcher vessels to deliver up to 50% undersize crab (supposedly to make them equal with catcher/processors). This proposal would require a FMP amendment.

DRAFT

AGENDA D-2
APRIL 1988
SUPPLEMENTAL

Summary Report of the
NORTH PACIFIC FISHERY MANAGEMENT COUNCIL
CRAB MANAGEMENT COMMITTEE

March 24, 1988
Seattle, Washington

The Crab Management Committee (CMC or Committee) of the North Pacific Fishery Management Council met at the Northwest & Alaska Fisheries Center in Seattle during March 24-25, 1988. The objective of the meeting was to review the latest drafts of the Bering Sea/Aleutian Islands King and Tanner Crab Fishery Management Plan (FMP) and the Environmental Assessment/Regulatory Impact Review (EA/RIR).

Committee members in attendance were: Larry Cotter (Chairman), Arni Thomson, Bob McVey, Bill Woods, Rudy Peterson, Jeff Stephan, Ted Smits, and Fred Gaffney (for Don Collinsworth). Supporting the Committee were plan team members Ray Baglin, Steve Davis and Jerry Reeves, Joe Terry (NWAFC), and Jon Pollard (NOAA-GC). Public in attendance included Council members John Peterson and Mark Pedersen (for Joe Blum), and Clark Miller, Rich White and Ken Larson.

Chairman Larry Cotter introduced Ted Smits, NPFVOA, who is replacing Thorn Smith on the Committee.

Agenda

The NPFVOA draft FMP and the topic of the Committee as an interim advisory

group to the Alaska Board of Fisheries were added to the agenda which was adopted as amended.

Minutes of Previous Meeting

The minutes of the previous meeting were read and approved without change.

Crab Management Committee as an Interim Advisory Group to ABOF

John Peterson questioned whether it is still necessary to have annual public hearings in Seattle if a non-resident advisory committee is formed with representation from that area. The consensus of the Committee was that a non-resident advisory committee is desirable with advisory committee/ADF&G work sessions held in Seattle. It was also pointed out the CMC Draft FMP contains a provision to continue the Joint Council/Board of Fisheries Annual Seattle hearing. Cotter said he thought the continuation of the Annual meeting was important in terms of public access to the Council process.

Crab Plan Development

Steve Davis reviewed progress on the plan development and the schedule for Council/Secretary review and implementation.

Ray Baglin reviewed the March 14 draft FMP, chapter by chapter. There was considerable discussion of the role of the advisory group and who might serve on such a group. It was clear that further discussion of this topic is necessary.

NPFVOA Draft FMP

Ken Larson reviewed the NPFVOA draft FMP. The plan lays out three categories of measures: (1) Fixed in FMP; (2) subject to annual review process by Council; and (3) State emergency order closures, with ultimate approval by the Council/Regional Director. Registration areas in this plan are less rigid than in the CMC draft. Larry asked Ted Smits if NPFVOA would be willing to accept a delay in the FMP schedule to allow some rewrite which would meld the two drafts together. Ken Larson said he thought a delay of one meeting wouldn't be objectionable.

NPFVOA is willing to agree to grandfathering all current State rules in the BS/AI and GOA so that there is federal oversight in all crab fisheries off Alaska in the EEZ, i.e., they will accept status quo (subject to a Federal review and determination that all existing state regulations are consistent with Federal law and the Act) in return for federal oversight.

Discussion turned to the idea of including the Gulf of Alaska in the plan. Bob McVey mentioned that the CMC has added a statement to the FMP that states when the BS/AI is completed a GOA plan will be developed. Jeff Stephan said he isn't willing to consider the GOA at this time. Even with the adoption of status quo regulations, the "federal oversight" system is not something his association wants.

Arni Thomson highlighted the size of the BS/AI management unit and pointed out that several FMPs for a region is common and that it isn't essential to include the GOA at this time.

Ted Smits stressed that they are willing to make the system work and are making concessions to the state in order to do so.

Fred Gaffney stressed his concerns on several points:

- permitting and collection of fees - differences between drafts
- state judicial and legal review perogatives
- sees the state serving only a staffing function; not included in the decision making.

Ted Smits said he would like more time to review and work with the CMC draft, their draft, the Alaska Crab Coalition, and the State. Larry Cotter stressed that an effort be made to provide a consensus package (i.e., meld the CMC and NPFVOA drafts) if possible.

The Committee discussed NPFVOA's request to delay action to allow the melding of the two drafts. Ted Smits said they realize that such action will ultimately delay the implementation of a plan.

It was the consensus of the Committee to recommend to the Council that they postpone putting the plan out for public review until at least the June Council meeting.

In further discussion, Jeff Stephan said that UFMA reserves the right to submit their own FMP as well. Stephan pointed out the current CMC Draft is the result of considerable compromise. If the Committee is going to start over, he said, he must reserve the right to submit his own FMP. Larry Cotter stressed that they are not starting all over by considering NPFVOA's request. The NPFVOA draft contains some positive features which are improvements over similar sections of the CMC's draft and that the delay is to allow the positive features of both drafts to be combined if possible. Cotter also said he understood Stephan's concern and, of course, he (like everyone else) had the right to submit their own draft. However, he cautioned again, that this Committee is not going to start over. The intent is to amalgamate NPFVOA's desires without violating the integrity of the work already done by the CMC. If that is not possible, we'll return to our original agenda at the next meeting. It was pointed out that NPFVOA has objected to previous drafts and considering their attempts at compromises, melding the positive points of both plans is a step forward.

Future Schedule

Cotter outlined the following schedule:

- (1) Ted Smits, Ken Larson, and Ray Baglin will meet in Juneau next week to develop a chart which outlines the differences between the CMC and NPFVOA drafts.
- (2) The chart will be mailed to all CMC members.

- (3) A meeting of the CMC will be held at 10:30 a.m., Tuesday, April 12 in Anchorage. The Agenda will consist of a review of the differences between the two FMP's.
- (4) A conference call will be scheduled with all members of the CMC participating. The purpose of the conference call will be to determine the extent to which the members of the committee feel they can compromise on the two drafts.
- (5) A meeting of the CMC will be scheduled. The agenda of the meeting shall be to finalize a compromise of the the two drafts if the results of the conference indicate compromise is possible; otherwise, the agenda will consist of moving the existing CMC FMP forward.

Jeff Stephan offered to work with Arni Thomson and Ted Smits to develop a "modus operandi" for the Committee when serving as an interim Council shellfish advisory committee. This will be presented to the Committee at their April 12 meeting in Anchorage.

EA/RIR for Crab FMP

The March 1988 draft EA/RIR was reviewed. Larry Cotter questioned the validity of certain statements. The document seems to contain statements and conclusions that say Alt. 2 will lead to discriminatory acts. This should be referenced and discussed in a single chapter and not "sprinkled" throughout. He also expressed concern with repeated references to the possibility of the

State ceasing crab management funding if there is too much Federal oversight. He felt this issue as well should be addressed in a single chapter. Bob McVey concurred and their comments were passed along to the team.

The Committee would like a section in the document that raises the issue of discrimination and evaluates all the alternatives:

Alternative 1 - Courts as the only course if discrimination is a concern.

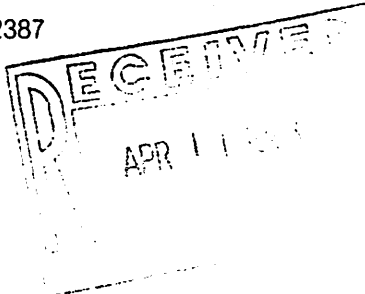
Alternative 2 - A step-type appeals and review procedure, and use of a non-resident advisory committee. This approach has been designed to minimize the discrimination issue. The advisory committee also serves to address the equal access to the Board of Fisheries issue.

Alternative 3 - A federal review procedure (Secretarial) and ultimately federal courts should the Council take what is perceived as discriminatory action.

Following the discussion the meeting adjourned.



PACIFIC SEAFOOD PROCESSORS ASSOCIATION
 4019 - 21st Ave. West, Suite 201
 Seattle, WA 98199
 (206) 281-1667
 FAX (206) 283-2387



April 5, 1988

ACTION	ROUTE TO	INITIAL
	Exec. Dir.	
	Deputy Dir.	
	Admin. Off.	
	Exec. Sec.	
	Staff Asst. 1	
	Staff Asst. 2	
	Staff Asst. 3	
	Economist	
	Sec./Sktr.	
	Sec./Typist	

Mr. Donald W. Collinsworth, Commissioner
 Alaska Department of Fish and Game
 P.O. Box 3-2000
 Juneau, AK 99802-2000

Dear Don:

Members of this Association respectfully petition the State of Alaska to consider granting of Experimental Use Permits in the Bering Sea for the taking of Chionecetes tanneri, Chionecetes angulatus, and Lithodes cousei with pots. It is our understanding that current regulations prevent the retention of these crab.

We would welcome an ADF&G Observer Program with this controlled experimental effort so that biological data could be obtained upon which a profitable fishery might be developed. These species are presently not well known in the domestic marketplace. It is our view, however, that should the experimental endeavor prove positive, a valuable market could be developed.

The Chionecetes tanneri, Chionecetes angulatus and Lithodes cousei are taken in deep water areas of the Bering Sea, similar to the present brown crab fishery. With the closure of the Bering Sea Tanner crab fishery west of 165 degrees W. Longitude on March 29, much of the proposed experimental fishery area was also closed. The same area, however, is open for brown crab. Management of an experimental fishery might well be accomplished in conjunction with the present effort on the latter specie. We would suggest that any experimental permits be issued on a boat-by-boat basis.

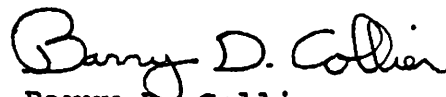
Mr. Donald W. Collinsworth

April 5, 1988

Page 2

Your early consideration of this petition would be greatly appreciated. If possible, should the permits be granted, we would hope that the decision could be a timely one allowing for a spring and summer test fishery. A meeting with you during the NPFMC meetings next week would be appreciated, depending upon your schedule. Thank you for your consideration.

Sincerely,



Barry D. Collier
President

cc: Dr. William Aron, Director, NWAFC
Mr. James O. Campbell, Chairman, NPFMC
Mr. Robert W. McVey, NMFS Regional Director AK