

M E M O R A N D U M

TO: Council, SSC, and AP members

FROM: Jim H. Branson
Executive Director

DATE: March 19, 1981

SUBJECT: Tanner Crab Fishery Management Plan

ACTION REQUIRED

The Council and Board need to check inconsistencies between the FMP and current state regulations. These inconsistencies are considered minor and do not warrant a new amendment at this time. The Council should also discuss with the Board the possibility that the State change its season closure date to one established by the field order process.

BACKGROUND

A report from the PDT on inconsistencies between State and Federal regulations was distributed to the Council family in the last Council mailing. An oral summary of the report will be presented.

The inconsistencies that currently exist between the FMP and State regulations are minor and do not require a new amendment to the FMP. However, the Board is scheduled to act on new regulation proposals at their March meeting, which may produce additional inconsistencies between the FMP and State regulations. Depending on the results of their meeting, a new amendment to the FMP may then be necessary.

Amendment #6, which makes several minor technical changes in the FMP, is currently being held by President Reagan's temporary freeze on final rule-making. The freeze is scheduled to end on March 30, 1981.

Amendment #7, which established new C. bairdi OY's and set the C. opilio OY equal to DAH (i.e. TALFF=0), was approved by the Secretary of Commerce on March 5. Notice of proposed rule-making had been scheduled for March 20 but was delayed due to the President's temporary freeze on proposed rule-making scheduled to end on March 30, 1981. In the mean time, the Central office of NMFS will be sending a letter to the State Department requesting that they withhold all TALFF for Tanner crab.

It has been suggested by a crab processor ^{1/} that the Tanner crab C. opilio fishery remain open for as long as fishing can continue under OY. The Tanner Crab FMP currently provides for the season closure by Field Order. The State of Alaska Regulations set August 15 as the closing date for Tanner crab fishing. Seawest recommends that the State also use the field order process to close the crab fishery. Seawest says that full, marketable crab can be caught all year.

^{1/} Letter of February 9, 1981, Seawest Industries (E-4(a))

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Mr. James Branson
February 23, 1981

Contrary to the commonly held (or at least commonly expressed) opinion of most of the Japanese companies, we found a generally improving crab quality as the season progressed. In fact, we believe the highest quality crab we processed was in the last two weeks of our production. No evidence of deteriorating quality or increase in dead loss was noted.

It has become obvious to us, however, that good quality and poor quality *C. opilio* are present somewhere in the Bering Sea at any given time of the year. By maintaining close working relationships with our fishing fleet they were quite easily able to locate large stocks of prime crab throughout the entire fishing period.

Our specific recommendation is to provide for the closure of *C. opilio* by field announcement only, rather than assigning a purely arbitrary date with no biological significance.

This approach will easily accommodate state and federal concerns regarding quality, gear conflicts, enforcement difficulties, etc.

In summary, I expect the U.S. Fishery to fully develop the *C. opilio* resource in the very near future, and I see no basis for establishing arbitrary closure dates, or any other regulations that would tend to discourage or inhibit development of this resource.

Sincerely,



Darryl K. Pedersen
President

MEMORANDUM

DATE: February 13, 1981

TO: Jim H. Branson, Executive Director

FROM: Tanner Crab PMT (Gaffney, Reeves, Baglin, Povolny)

SUBJECT: Tanner Crab FMP and Regulations

This memorandum is to inform the Council on the status of the Tanner crab FMP and implementing regulations. Enclosed for the use of the Council are:

- 1) the history of major Tanner crab regulations;
- 2) inconsistencies between State and Federal Tanner crab regulations;
- 3) Tanner crab proposals to the March 1981 meeting of the Board of Fisheries; and
- 4) a proposed analysis of the biological data base used for the management of the Tanner crab fishery.

Highlights of the Attachments

- The Tanner crab FMP was approved by the SOC May 16, 1978. Final regulations implementing the plan were published on December 6, 1978. The plan and regulations have been amended five times. Amendment #6 is pending due to President Reagan's 60 day moratorium on promulgating regulations. Amendment #7 is undergoing SOC review until February 20, 1981.
- There are numerous inconsistencies between State and Federal Tanner crab regulations. Of major concern to the Council are:
 - 1) Different closing dates in the Bering Sea C. Opilio fishery.
 - 2) Establishment or changes in State pot limits regulations in the Prince William Sound, Cook Inlet, and Kodiak areas.
- Twenty-seven public and staff proposals to change State Tanner crab regulations have been received by the Board. These proposals will be addressed during the March 25 joint Board/Council meeting. Of significant interest to the Council are proposals to:
 - 1) Make Southeastern, Chignik, and Alaska Peninsula exclusive registration areas.
 - 2) Change size limits in Southeastern.
 - 3) Prohibit side loading king and Tanner crab pots in the Yakutat area.
 - 4) Prohibit vessel or gear registered for Cook Inlet to fish Tanner or king crab in any other area.

- 5) Establish pot limits in Cook Inlet and Chignik.
- 6) Redefine the pot storage area in the Bering Sea to conform with the description in the king crab fishery.
- 7) Allow the inspection of Tanner crab processor's freezers.
- 8) Several proposals to delay the season opening in most Tanner crab fishing areas.

A subgroup of Tanner crab specialists, headed by Jerry Reeves, is beginning a review of the biological data base. Their report should be available to the Council by November 1981.

Recommendations

The status of Federal regulations managing the Tanner crab fishery is quite confusing. A booklet describing the regulations was printed December 1978. Since then there have been no revisions of the regulation booklet although the regulations have been amended many times in the Federal Register. Since much of the industry does not have easy access to the Federal Register, it is difficult for them to stay abreast of changes. The team would recommend the Council request the Regional Director to publish updated Tanner crab regulation booklets after each amendment. *

The team will prepare an amendment package which will include the aforementioned inconsistencies between State and Federal Tanner crab regulations. The team will also incorporate the regulations which are passed by the Board during their March 1981 meeting. This amendment package will be available for the Council at their April meeting.

* Having talked with NMFS in regard to the booklet of Tanner crab regulations, a new booklet will be printed after amendment #7 has received final approval by the Secretary of Commerce (estimated July 1, 1981).

ATTACHMENT 1

Major Tanner Crab Regulations

February 16, 1977 - Preliminary Fishery Management Plan (PFMP) for Eastern Bering Sea King and Tanner Crab.

March 10, 1978 - Amendment to PFMP.

Substance of Amendment:

- . Increase Tanner crab OY to 70,381 mt
(C. bairdi 40,381 mt, C. Opilio 30,000 mt)
- . Increase DAC to 55,381 mt
- . TALFF increased to 15,000 mt
- . Reduce foreign fishing area to West of 164°W long. and North of 58°N. lat.
- . Eliminates all directed foreign fishing on C. bairdi stocks.

May 16, 1978 SOC approval of FMP for Tanner crab off Alaska.

Substance of plan:

- . One year plan
- . Statewide application
- . Adoption of State management regime for domestic Tanner crab fishery
- . TALFF set at 15,000 mt

December 6, 1978 - Final regulations implementing Tanner crab FMP.

January 4, 1979 - FMP Amendment #1 and final regulations to extend effective dates of plan from October 31, 1978 to October 31, 1979.

March 14, 1979 - FMP Amendments (#2&3) and final regulations.

Substance of Amendment:

- . Increase Kodiak area OY to 35 million lbs.
- . Extend foreign fishing area to permit fishing between 54° & 58°N. lat, west of 173 W. long. retaining only C. opilio up to 2,500 mt out of a total TALFF of 15,000 mt.

January 3, 1980 - FMP Amendment (#4) and final regulations to extend effective date of plan to October 31, 1980.

November 3, 1980 - FMP Amendment (#5) and final regulations.

Substance of Amendment:

- . Reduce Bering Sea C. bairdi OY to a range of 10-15,000 mt.
- . Increase Bering Sea C. opilio OY North and South of 58°N. lat to 58,984 mt.
- . Increase estimate of DAH for C. opilio to 51,484 mt.
- . Decrease estimate of DAH for C. bairdi to 10-15,000 mt.
- . Reduce TALFF for C. opilio to 7,500 mt.
- . Restrict foreign fishing to the area North of 58°N. lat. and West of 164°W. long.
- . Implement provisions of the Joint Venture Amendment.

Pending - FMP Amendment (#6) and final regulations.

Substance of Amendment:

- . Delete preseason tank inspection requirements for registration area A, E, and H.
- . Require preseason tank inspections for Area J registration area.
- . Allow the recovery and sale, after the season closure, of crabs that are harvested in pots deployed by a vessel lost through sinking.
- . Require reporting of deadloss.
- . Divide South Peninsula district into separate South Peninsula and Chignik districts.
- . Establish eight management sections within the Kodiak district.
- . Change season opening dates for Kodiak (Jan 22), Bering Sea (Jan 22), South Peninsula (Dec. 1), Eastern and Western District (Jan 15).
- . Require vessels and gear fishing a district of area J to be registered for that district.

Amendment #6 is currently awaiting publication in the Federal Register due to the President's freeze on all final regulations. Anticipated publication is April 1, 1981.

- . Require vessel registration in areas E and H take place prior to the season opening.
- . Definition of a Tanner crab pot.
- . Require floating processors to report their intended processing location to the ADF&G office within the area of intended operation.

Pending -

FMP Amendment (#7) - SOC review period ends February 20, 1981.

Substance of Amendment:

- . Establish C. bairdi OY's for Chignik, 6 million pounds, South Peninsula, 5 million pounds; and Bering Sea, 28-36 million pounds.
- . Specify the C. opilio OY for the Bering Sea area as equal to the DAH range of 39,570,668 to 91,000,000 pounds (i.e. TALFF=0).

ATTACHMENT 2

The following are inconsistencies between State and Federal Tanner crab regulations. (This list assumes Amendment #6 final regulations becomes effective as soon as the President Regan's restrictions expire and Amendment #7 becomes final before the start of the 1981-82 fishery).

- 1. There are differences between State guideline harvest and Federal OY values for some areas and districts.

<u>Area</u>	<u>District</u>	<u>State Guideline in millions of pounds</u>	<u>Federal OY in millions of pounds</u>
A	Cape Spencer - Cape Suckling	.5 - 3.0	5.5 (for both districts)
	East of Cape Spencer	.75 - 2.5	
E		1.3 - 5.3	7.0
H		11.0	5.3
J	Kodiak	9.0 - 15.0	35.0
	Aleutian	No guideline	2.0
	Bering Sea Opilio	No guideline	OY=DAH Not to exceed ABC

- 2. State and Federal fishing seasons

There is a major discrepancy between State and Federal regulations which closed the Bering Sea C. opilio fishery. State regulations close no later than August 15. Federal regulations do not provide for a closing date rather the season is closed by Field Order.

- 3. Some minor differences in descriptions of State statistical areas and corresponding Federal registration area.

<u>Area</u>	<u>State Statistical Area</u>	<u>Federal Registration Area</u>
A	5 AAC 35.100. Statistical area A has as its western boundary the longitude of Cape Suckling (143°53'W. long.), its southern boundary the International Boundary at Dixon Entrance and its seaward boundary the 400 fathom (732 m) depth contour.	671.2 REGISTRATION AREA A (South-eastern Alaska-Yakutat) is that portion of the FCZ in the Gulf of Alaska east of 143°53'36" W. longitude (Cape Suckling).
E	5 AAC 35.300. Statistical area E has as its western boundary the longitude of Cape Fairfield (148°50'W. long.) its eastern boundary the longitude of Cape Suckling (143°53'W. long.) and its seaward boundary the 400 fathom (732 m) depth contour.	671.2 REGISTRATION AREA E (Prince William Sound) is that portion of the FCZ between 143°53'36" W. long. (Cape Suckling) and 148°53'W. long (Cape Fairfield).

≈ = approximately the same ; very little difference

H 5 AAC 35.400. Statistical area H has as its eastern boundary the longitude of Cape Fairfield (148°50'W. long.) and its southern boundary the latitude of Cape Douglas (58°52' N. lat.).

671.2 REGISTRATION AREA H (Cook Inlet) is that portion of the FCZ lying west of 148°53'W. long. (Cape Fairfield) and north of 58°52'N. lat. (Cape Douglas).

J 5 AAC 35.500. Statistical area J includes all Pacific Ocean waters south of the latitude of Cape Douglas (58°52'N. lat.), west of the longitude of Cape Fairfield (148°50' W. long.), east of 172°E. long. and shoreward of the 400 fathom (732 m) depth contour and all Bering Sea waters east of 172°E. long.

671.2 REGISTRATION AREA J (Westward) includes the FCZ in the Bering Sea, and that part of the FCZ in the Gulf of Alaska between 148°53'W. long. (Cape Fairfield) and 172°E. long. south of 58°52'N. lat. (Cape Douglas).

There are other inconsistencies in area district - section descriptions.

For the Bering Sea district both the State and Federal regulations recognize a northern subdistrict and a general section. The State has another section called the Norton Sound section (5 AAC 35.505 (e)(3)(A)). This section includes all waters east of 168°W. long. and north of the latitude of Cape Romanzof. Federal regulations refer to a Nome section 671.26 (f)(iv)(c)(1). This section includes all waters of Norton Sound between Penny River and the longitude of Tophak Head.

State regulations refer to an eastern Aleutian district 5 AAC 35.505(c) including all waters of statistical area J between the longitude of Scotch Cap light and 172°W. long. and south of 54°36'N. lat. and a western Aleutian district 5 AAC 35.505(d) all waters of statistical area J west of 172°W. long. and south of 54°36'N lat.

Federal regulations refer to a single Aleutian district 671.26(f) (iii) between the longitude of Scotch Cap light (164°44'6"W. long.) and 172°E. long., and south of 54°36'N. lat.

State regulation 5 AAC 35.115 divides area A into two parts for designating guideline harvest levels. One lies between the longitude of Cape Spencer and the longitude of Cape Suckling. The other lies east of the longitude of Cape Spencer.

Federal regulations provide an optimum yield value for the entire registration area 671.21(a).

Two different locations are given in State Regulations for Cape-Kumlik;

5 AAC 35.505. DESCRIPTION OF DISTRICTS. (a) Kodiak district: all waters south of the latitude of Cape Douglas (58°51'N. lat.), west of the longitude of Cape Fairfield (148°50'W. long.) and east of the longitude of Cape Kumlik (157°27'W. long.).

5AAC 35.510. FISHING SEASONS. Tanner crab may be taken only as follows:

(1) in the Kodiak district, from January 22 through April 30 unless closed earlier by emergency order, except in that portion of the Kodiak district from the longitude of Kilokak Rocks (156°20'13"W. long.) to the longitude of Cape Kumlik (156°27'W. long.) Tanner crab may be taken only from January 22 through May 15.

Also two different locations are given in Federal regulations for Cape Kumlik:

671.26(f)(1)(i) - KODIAK DISTRICT. South of 58°52'N. latitude, west of 150° longitude and east of the longitude of Cape Kumlik (157°27'W. long.).

671.26(f)(2)(i) - In the Kodiak district from January 5 through April 30 only, except that in that portion of the Kodiak district between 156°20'13"W. longitude (Kilokak Rocks) to 157°27'W. longitude (Cape Kumlik) Tanner crab may be taken from January 5 through May 15 only.

4. There are differences in State and Federal regulations regarding pot limits. The following State pot limits are not included in corresponding Federal regulations.

AREA E

5 AAC 35.325. LEGAL GEAR.

(e) During any Tanner crab season an aggregate of no more than 175 king and Tanner crab pots may be fished from any registered Tanner crab vessel, except that in that portion of the Northern district east of 146°40' W. long. no more than 100 king and Tanner crab pots in the aggregate may be fished from any registered Tanner crab vessel.

AREA H

5 AAC 35.125. LAWFUL GEAR. (a) Tanner crab may be taken by pots and ring nets.

(c) During the open Tanner crab season not more than 100 king and Tanner crab pots in the aggregate may be fished from any registered Tanner crab vessel in the following waters:

- (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) northeast of a line from the southernmost tip of Cape Sitkagi to the westernmost tip of Ocean Cape.

(d) Repealed 6//80

AREA J

5 AAC 35.525. LAWFUL GEAR. (a) Repealed 6/ /80

(b) In the Kodiak district, no more than 250 Tanner crab pots may be fished from any registered Tanner crab fishing vessel during the open Tanner crab season.

The following Federal pot limit for Area H (Cook Inlet) is not included in State regulations.

671.26(e)(3) GEAR. During any king crab season established by the State of Alaska an aggregate of not more than 75 king and Tanner crab pots (including Tanner crab pots used in State waters) may be fished in Registration Area H from any registered Tanner crab vessel.

This pot limit is no longer necessary since the State of Alaska has repealed the pot limit restriction for king crab in Area H.

SOUTHEASTERN
DUNGENESS, KING AND TANNER CRAB

⑨

5 AAC 32.050(d), 5 AAC 34.125(f) and 5 AAC 35.050 (c)(4). (Regulation pages 37, 58 and 77) Allow storage of dungeness, king and tanner crab pots in waters 15 fathoms or less in depth.

The proposed regulations read as follows:

5 AAC 32.050(d), 5 AAC 34.125(f) and 5 AAC 35.050(c)(4) are amended to allow the storage of crab pots in statistical area A in waters 15 fathoms or less in depth.

Justification: Until this becomes a statewide regulation it should not be forced on Southeastern fishermen. It takes many fuel costly, unnecessary trips to bring all the gear in.

Proposed by: Petersburg Crab Fishermen (42)(39)

SOUTHEASTERN
TANNER CRAB

⑩

5 AAC 35.020. REGISTRATION. (b) (Regulation page 74) Make area A an exclusive registration area.

The proposed regulation reads as follows:

5 AAC 35.020. REGISTRATION.

(b) The registration area[S] in statistical area[S A AND] J is a [ARE] nonexclusive registration area[S]. A vessel or gear may be registered for any or all of the nonexclusive registration areas during any registration year.

Justification: The Southeastern fleet is presently able to harvest the allowable catch.

Proposed by: Petersburg Crab Fishermen (41)

⑪

5 AAC 35.110. FISHING SEASONS. (Regulation page 81) Change the season for the tanner crab fishery.

The proposed regulation reads as follows:

5 AAC 35.110. FISHING SEASONS. Tanner crab may be taken only from November 1 or December 1 [SEPTEMBER 15] through May 1 unless the registration area is closed earlier by emergency order.

Justification: (November 1) The present season starts too early. Gear conflicts with summer traffic. The crab don't have enough meat in them yet and recovery is poor and many thousands of crab have been killed due to fresh water in the early fall.

Proposed by: Gastineau Channel Adv. Cmte. (65)(94)

Justification: (December 1) The quality of the crab improves later into the season and peaks in January and February. An opening date of December 1 is warranted based upon recovery rates.

Proposed by: David Ohmer (67)(46)(92)

(21)

5 AAC 35.110. FISHING SEASONS. (Regulation page 8) Change the season.

The proposed regulation reads as follows:

5 AAC 35.110. FISHING SEASONS. Tanner crab may be taken only from October 1 [SEPTEMBER 15] through May 15 unless the registration area is closed by Emergency Order.

Justification: To harvest when the crab are in better condition and recovery of meat is higher.

Proposed by: Petersburg Crab Fishermen (40)

(22)

5 AAC 35.110. FISHING SEASONS. (Regulation page 81) Change the season for taking tanner crab.

The proposed regulation reads as follows:

5 AAC 35.110. FISHING SEASONS. Male tanner crab may be taken or possessed only from January 1 [SEPTEMBER 15] through May 1 unless closed earlier by emergency order.

Justification: (1) The quality of tanner crab in the period prior to January 1st has always been very poor. Processors even have a difficult time just selling the product because of its poor quality and meat percentage. Poor quality is reflected in prices that can be as much as 50% lower than post January 1st prices. (2) Historically, about 90% of a season's tanner crab production is landed after January 1st. With the season open before January 1st, fishermen are forced to fish for poor quality crab at lower prices and cannot cover their operating expenses, processors have to keep a plant operating with expensive overhead for less than marginal production, and ADF&G biologists are forced to manage a fishery when they would prefer to put their effort into a smaller concentrated fishery on a time basis. The effort versus the return in the September 15th to January 1st period makes the fishery less than desirable on all points; quality, production, and profit. (3) Traditionally all processors and fishermen curtail their efforts during the Christmas period and a January 1st opening would be acceptable and beneficial to most parties on this point. (4) Serious fresh water problems caused a lot of unnecessary dead loss in the period prior to November 1st and is an unjustified waste of a resource.

Proposed by: Pelican A.C. (24)

(23)

5 AAC 35.120. SIZE LIMITS. (New section) (Regulation page 82) Set a size limit.

The proposed regulation reads as follows:

5 AAC 35.120. SIZE LIMITS. No male tanner crab of the species bairdi may be taken or possessed that is less than 5 3/8 inches in the greatest width of shell.

Justification: In some areas of Southeastern tanner crab are plentiful but very few of them reach the 5 1/2 inch present size limit. The crab are mature, as in Prince William Sound, so should be harvested at the 5 3/8 inch size.

Proposed by: Petersburg Crab Fishermen (34)

YAKUTAT
KING AND TANNER CRAB

(24)

5 AAC 34.125(c) and 5 AAC 35.125(d). LAWFUL GEAR. (New subsections) (Regulation pages 57 and 82) Prohibit the use of sideloading king and tanner crab pots in the Yakutat area.

The proposed regulation reads as follows:

5 AAC 34.125. LAWFUL GEAR.

(c) In those districts described in 5 AAC 30.200 king crab may not be taken with pots which have tunnel eye openings located on the vertical plane of the pot.

5 AAC 35.125. LAWFUL GEAR.

(d) In those districts described in 5 AAC 30.200 tanner crab may not be taken with pots which have tunnel eye openings located on the vertical plane of the pot.

Justification: The proposed regulations should help reduce the incidental catch of halibut by crab pots.

Proposed by: Yakutat Adv. Cmte., resubmitted by request of the Board of Fisheries.

SOUTHEASTERN
TANNER CRAB

(25)

5 AAC 35.150. CLOSED WATERS. (Regulation page 82) Close waters of Auke Bay and Fritz Cove to commercial tanner crab fishing.

The proposed regulation reads as follows:

5 AAC 35.150. CLOSED WATERS. That portion of Section 11-A north of a line from Marmion Island light to the easternmost tip of Point Salisbury and east of a line extending from the northernmost tip of Outer Point to the southernmost tip of Portland Island to the northernmost tip of Portland Island to the southernmost tip of Point Louisa is [ALL WATERS OF GASTINEAU CHANNEL NORTH OF A LINE FROM MARMION ISLAND LIGHT TO POINT SALISBURY ARE] closed to commercial fishing for tanner crab.

Justification:

(1) This proposal would provide for consistency with king crab and dungeness crab closed waters, which were closed for subsistence purposes.

Proposed by: Staff (I)

PRINCE WILLIAM SOUND
TANNER CRAB

(31)

5 AAC 35.345. INSPECTION REQUIREMENTS. (new section) Provides for hold inspections for Tanner crab vessels in area E, Prince William Sound.

The proposed regulation reads as follows:

5 AAC 35.345. INSPECTION REQUIREMENTS. Within 24 hours before a season opening or at any time during the open season, any vessel registered for statistical area E must have its hold or live tanks inspected by a local representative of the Department at inspection points designated in Section 340 of this chapter. Tanner crab may not be onboard at the time of inspection. The requirements of this section do not apply to any registered Tanner crab vessel which does not have any salt water circulation system in its fish hold or crab tanks.

Justification:

The inspection requirement was inadvertently eliminated from area E two years ago. A problem exists with potential violation of the Tanner crab season opening because a king crab district is open; therefore gear may be ostensibly fishing for king crab when in reality it has been set for Tanners. To eliminate this problem an inspection requirement was reinstated via the Commissioner's Announcement this season; however, this regulation should be put back into the regulation book in order to provide adequate notice to the fishermen.

Proposed by: Staff II - 1

(32)

5 AAC 35.340. INSPECTION POINTS. (Regulation page 83) Change the inspection points.

The proposed regulation reads as follows:

5 AAC 35.340. INSPECTION POINTS. Initial inspection points are located at Cordova, Valdez, Seward or at other locations specified by the department.

Justification: Seward is currently listed as a reinspection point in 5 AAC 35.340. The addition of Seward as an initial inspection point would provide considerable savings in fuel costs for Seward based crab vessels fishing the western parts of Area E with negligible increase in administrative costs. Normally, 2 to 4 Seward vessels fish the western portion of Area E.

Proposed by: Seward A.C. (14)

COOK INLET
TANNER CRAB

(44)

5 AAC 35.020. REGISTRATION. (a) (Regulation page 74) Tie registrations for king and tanner crab to each other in area H.

The proposed regulation reads as follows:

5 AAC 35.020. REGISTRATION. (a) All registration areas except those areas specified in subsection (b) of this section are exclusive registration areas. No vessel or gear registered for an exclusive registration area may be registered for any other registration area during a registration year. No vessel or gear registered for area H may fish tanner or king crab in any other area.

Justification: Cook Inlet Area H has sufficient fishing vessels to harvest the allowable Guideline Levels. An influx of the larger fishing vessels from nonexclusive areas would be in direct opposition to the theory behind area licensing, and would create an additional economic hardship on the smaller boats fishing Cook Inlet Area H which are not able to participate in the fishing of the nonexclusive areas with the much larger quotas and/or Guideline Harvest Levels. This also creates a direct economic hardship on the communities in the Cook Inlet area as crab are taken out of the area for processing.

Proposed by: Jere Murray (representing Seldovia Advisory Cmt.) (72)

(45)

5 AAC 35.030. LANDING AND INSPECTION REQUIREMENTS. (g) (new subsection) (Regulation page 75) Allow more time to move gear from storage to fishing grounds in Cook Inlet.

The proposed regulation reads as follows:

5 AAC 35.030. LANDING AND INSPECTION REQUIREMENTS.

After 96 hours following the opening of statistical area H, a registered tanner crab vessel must have its holds and live tanks inspected by a local representative of the department at inspection points specified in this chapter. There shall be no tanner crab on board before and at the time of inspection. Successful completion of the inspection validates the registration for the area.

Justification: Limited dock facilities in Cook Inlet have made it necessary for the Cook Inlet fleet to move their gear from the beach to the shallow storage (under 15 fathoms) and finally to the grounds on opening in order to ease congestion on the docks. Due to rising fuel costs, it has become unreasonably expensive to continue this practice. In addition, due to the limited storage under 15 fathoms, congestion has caused unnecessary gear loss and physically dangerous situations when attempting to untangle pots. Since the same type of opening was approved and has been used in the Bering Sea successfully for the past two years, this regulation should not pose any new enforcement problems.

Proposed by: Seldovia Advisory Committee (77, 78)

(46)

5 AAC 35.410. FISHING SEASONS. (1) and (2) (Regulation page 84. Change the tanner crab season in Cook Inlet.

The proposed regulation reads as follows:

5 AAC 35.410. FISHING SEASONS. Tanner crab may be taken:

(1) in the Southern district from November 26 [DECEMBER 1] through April 30 unless closed earlier by emergency order;

(2) in the Central, Kamishak Bay, Barren Islands, Outer and Eastern districts from November 26 [DECEMBER 1] through May 31 unless closed earlier by emergency order.

Justification: To conform with Proposal (74) on 5 AAC 35.030. Season must be open when gear is fishing.

Proposed by: Seldovia Advisory Committee (79)

(47)

5 AAC 35.425. LAWFUL GEAR. (b) (New subsection) (Regulation page 84) Reinstate a pot limit in Cook Inlet Area H.

The proposed regulation reads as follows:

5 AAC 35.425. LAWFUL GEAR.

(b) In the Southern district of Area H, during any king crab season, an aggregate of not more than 75 king and tanner crab pots may be fished from any registered tanner crab vessel.

Justification: Traditionally Kachemak Bay has had a pot limit and has been a small boat fishery. Since the limit was lifted large boats with a great number of pots have come in. The concentration of gear has become tremendously worse. Tangled pots have caused dangerous situations for the men on deck especially on smaller boats and the gear loss has been much heavier and the season shorter. After two years experience with no pot limit the Seldovia Advisory Committee realizes its mistake in recommending removal of the pot limit in this area.

Proposed by: Jere Murray (representing Seldovia Advisory Committee)
(70)

(48)

5 AAC 35.445. INSPECTION REQUIREMENTS. (New section) Provide for hold inspections for tanner crab vessels in area H.

The proposed regulation reads as follows:

5 AAC 35.445. INSPECTION REQUIREMENTS. Within 24 hours before a season opening or at any time during the open season, any vessel registered for statistical area H must have its hold or live tanks inspected by a local representative of the department at inspection points designated in section 440 of this chapter. Tanner crab may not be on board at the time of inspection. The requirements of this section do not apply to any registered tanner crab vessel which does not have any saltwater circulation system in its fish hold or crab tanks.

Justification: The inspection requirement was eliminated two years ago and problems resulted the first year with vessels delivering full loads of crab on opening day. An open king crab season allowed gear to be fishing legally and with no inspection requirement, there was no control on early fishing for tanner crab.

The inspection requirement was reinstated through commissioner's announcement this year, but should be put back in the regulation book to provide adequate notice of the requirement to fishermen.

Proposed by: Staff

WESTWARD
TANNER CRAB

(87)

5 AAC 35.005. STATISTICAL AREAS ESTABLISHED. (a) (Regulation page 74) Establish the Chignik district as an exclusive registration area.

The proposed regulation reads as follows:

5 AAC 35.005. STATISTICAL AREAS ESTABLISHED. (a) add

I - Chignik area, comprised of those waters specified in sec. 600 of this chapter.

Editors Note: Adoption of this regulation will automatically make Chignik an exclusive registration area. Modifications to other regulations will have to be made if this proposal is adopted.

Justification: With the decreased quota of tanner crab in the Chignik district and the capability of the local fleet and processors to catch and process all of the crab available, it is necessary to create an exclusive registration area to protect initial efforts being made by Chignik fishermen to diversify and reduce dependence on red salmon.

Proposed by: Chignik Adv. Cmte. (62)

(88)

5 AAC 35.005. STATISTICAL AREAS(a) and 35.020. REGISTRATION(b).
Regulation pages 73, 74) Establish a statistical area for the Alaska
Peninsula and make it an exclusive registration area.

The proposed regulation reads as follows:

5 AAC 35.005. STATISTICAL AREAS ESTABLISHED. (a)

M - those waters east of the longitude of Cape Kumlik (157°27' W.
long.) and west of Scotch Cap (164°44'30" W. long.).

5 AAC 35.020. REGISTRATION.

(b) Statistical Area M is an exclusive registration area.

Editors Note: Adoption of this proposal will require adoption of a
season for the area.

Proposed by: Sand Point A.C. (16)

(89)

5 AAC 35.510. FISHING SEASONS. (1) (Regulation page 86). Provide for
a February 22nd opening for the Kodiak district.

The proposed regulation reads as follows:

5 AAC 35.510. FISHING SEASONS. Tanner crab may be taken only as
follows:

(1) in the Kodiak district, from February [JANUARY] 22 through
April 30 unless closed earlier by emergency order, except in that portion
of the Kodiak district from the longitude of Kilokak Rocks (156°20'13" W.
long.) to the longitude of Cape Kumlik (156°27' W. long.). Tanner crab
may be taken only from February [JANUARY] 22 through May 15.

Justification:

Crab seem to be prime at that time.

Proposed by: Ole Harder
Kodiak, Alaska 99615

(90)

5 AAC 35.510. FISHING SEASONS (2). (Regulation page 86) Change the
season in the Chignik district.

The proposed regulation reads as follows:

5 AAC 35.510. FISHING SEASONS. Tanner crab may be taken only as
follows:

(2) in the Chignik district, from December 1 [NOVEMBER 1]
through 12:00 noon May 15 unless closed earlier by emergency order.

Justification: Quality of crab is poor and recovery is low in November.

Proposed by: Sand Point A.C. (15)

(91)

5 AAC 35.510. FISHING SEASONS. (2) (Regulation page 86) Set the season in the Chignik district.

The proposed regulation reads as follows:

5 AAC 35.510. FISHING SEASONS. Tanner crab may be taken only as follows:

(2) in the Chignik district, from January 1 [NOVEMBER 1] through 12:00 noon May 15 unless closed earlier by emergency order.

Justification: Tanner crab are in generally poor condition in November and part of December. Crab taken during this time are soft-shelled and in a weakened condition and fishermen experience large dead losses. Crab taken after January 1 are in good condition; dead loss is minimized and the processor receives a better quality crab.

Proposed by: Chignik Adv. Cmte. (59)

(92)

5 AAC 35.510. FISHING SEASONS. (1), (4) and (6). (Regulation pages 86, 87) Change the tanner crab seasons.

The proposed regulation reads as follows:

5 AAC 35.510. FISHING SEASONS. Tanner crab may be taken only as follows:

(1) in the Kodiak district, from February 22 or February 15 [JANUARY 22] through April 30 unless closed earlier by emergency order, except in that portion of the Kodiak district from the longitude of Kilokak Rocks (156°20'13" W. long.) to the longitude of Cape Kumlik (156°27' W. long.) tanner crab may be taken only from February 22 or February 15 [JANUARY 22] through May 15.

(4) in the Eastern Aleutian district, from February 15 [JANUARY 15] through 12:00 noon June 15, unless closed earlier by emergency order;

(6) in the Bering Sea district, from 12:00 noon February 15 [JANUARY 15] through 12:00 noon June 15 unless closed earlier by emergency order, except that tanner crab other than Chionoecetes bairdi may be taken or possessed from 12:00 noon January 1 [15] through 12:00 noon August 15 unless closed earlier by emergency order.

Justification: (1) (February 22) Crab seem to be prime at that time.

Proposed by: Ole Harder (47)(46)

Justification: (1) (February 15) Due to the low quality of tanner crab earlier than February 15 and also the adverse weather conditions earlier than this date. This will allow the smaller fishing vessels to start fishing at the same time as the larger vessels.

(4) To have the same opening date as the Bering Sea district, and due to the past history of poor quality crab prior to this later date. Due to the lower harvest levels and the larger fishing fleet, the harvest levels can be met before the posted closing date.

(6) Recent past history shows that a low quality crab has been caught prior to the proposed February 15 opening. Due to the large fishing fleet and large processing capabilities of industry, the harvest levels can [be] caught and processed prior to the listed June 15 closing date.

Proposed by: Royal DeVaney (84,85,86)

STATEWIDE
TANNER CRAB

(93)

5 AAC 35.525. LAWFUL GEAR. (c) (3) (Regulation page 87). To redefine the pot storage area in the Bering Sea Tanner crab section to concur with the description in the king crab section.

The proposed regulation reads as follows:

5 AAC 35.525. LAWFUL GEAR.

(c) During the closed season for tanner crab, tanner crab pots may be stored:

(3) in the Southeastern subdistrict of the Bering Sea district in the waters south of 58°30' [58°] N. lat., north of 57°30' [57°] N. lat., west of 164° W. long., and east of 166° W. long.

Justification:

This regulation was not changed two years ago when the pot storage area in the Bering Sea was redefined. This proposed change will make the two regulation descriptions agree.

Proposed by: Staff IV - 3

WESTWARD
TANNER CRAB

(94)

5 AAC 35.525. LAWFUL GEAR. (d) New subsection) (Regulation page 87)
Set a pot limit for the Chignik district.

The proposed regulation reads as follows:

5 AAC 35.525. LAWFUL GEAR.

(d) In the Chignik district, no more than 300 tanner crab pots may be fished from any registered tanner crab fishing vessel during the open tanner crab season.

Justification: Reduced quotas and large vessels fishing a large number of pots will cause the season to be drastically shortened. Reducing the number of pots which can be fished helps the small boat owners and increases the opportunity for diversified economics in rural areas.

Proposed by: Chignik Adv. Com. (82)

(95)

5 AAC 35.555. INSPECTION REQUIREMENTS. (Regulation page 88). Allow the inspection of tanner crab processors' freezers.

The proposed regulation reads as follows:

5 AAC 35.555. INSPECTION REQUIREMENTS. Within 24 hours before a season opening for a district or at any time during the open season before fishing or processing crab, any vessels registered for statistical area J shall have their holds, live tanks, or freezers inspected by a local representative of the department at inspection points designated in Section 540 of this chapter. Tanner crab may not be on board at the time of inspection. The requirements of this section do not apply to any registered tanner crab vessel which does not have any salt water circulation system in its fish hold or crab tanks.

Justification: There is reason to believe that one processor had 70,000 pounds of processed king crab on board during the 1979 season prior to being registered (before the opening), this could be a recurring problem.

Proposed by: Fish and Wildlife Protection

(106)

5 AAC 35.030. LANDING AND INSPECTION REQUIREMENTS. (a) (Regulation page 75) Allow the inspection of tanner crab processors' freezers.

The proposed regulation reads as follows:

5 AAC 35.030. LANDING AND INSPECTION REQUIREMENTS. (a) The commissioner may by announcement require that tanner crab vessels and processors have their holds, live tanks, or freezers inspected before or during the open tanner crab season.

Justification: There is reason to believe that one processor had 70,000 pounds of processed king crab on board during the 1979 season prior to being registered (before the opening), this could be a recurring problem.

Proposed by: Fish and Wildlife Protection

STATEWIDE
TANNER CRAB

(107)

5 AAC 35.033. TENDERS. (b) (Regulation page 75). Require tenders to register within their area of operation.

The proposed regulation reads as follows:

5 AAC 35.033. TENDERS.

(b) Before engaging to any tendering operation, an operator must be registered by [A TENDERING VESSEL SHALL NOTIFY] a local representative of the Department within the fishery management district or statistical area in which he intends to operate.

Justification:

By requiring a tendering vessel operator to register within his area of operation, the local biologists can make sure they are incapable of fishing prior to being registered and also give them any fish tickets and statistical charts they may need.

Proposed by: Staff IV - 2

(108)

5 AAC 35.110. FISHING SEASONS; 5 AAC 35.310. FISHING SEASONS; 5 AAC 35.410. FISHING SEASONS (1)(2); 5 AAC 35.510. FISHING SEASONS (1)(2)(3)(4)(5). (Regulation pages 81,83,84,86). Provides for a 12:00 noon opening for Tanner crab fishing in all areas.

The proposed regulation reads as follows:

5 AAC 35.110. FISHING SEASONS. Tanner crab may be taken only from 12:00 noon September...

5 AAC 35.310. FISHING SEASONS. Tanner crab may be taken from 12:00 noon November...

5 AAC 35.410. FISHING SEASONS. Tanner crab may be taken:

(1) in the Southern district from 12:00 noon December...

(2) in the Central, Kamishak Bay, Barren Island, Outer and Eastern districts from 12:00 noon December...

5 AAC 35.510. FISHING SEASONS. Tanner crab may be taken only as follows:

(1) in the Kodiak district, from 12:00 noon January 22...from 12:00 noon January 22...

(2) in the Chignik district, from 12:00 noon November...

(3) in the South Peninsula district, from 12:00 noon December...

(4) in the Eastern Aleutian district, from 12:00 noon January 15...

(5) in the Western Aleutian district, from 12:00 noon January...

Justification:

Noon openings statewide would provide for a more orderly opening of the Tanner crab seasons and provide Protection Division the opportunity to fly the fishing grounds prior to the opening.

Proposed by: Staff IV - 1

TANNER CRAB
STOCK ASSESSMENT REVIEW

The purpose of this review will be to establish uniform procedures for determining annual harvest levels and future catch trends for Alaskan Tanner crab stocks. A comprehensive study of the available literature and data will be undertaken to determine these procedures, which will involve assessment of population abundance, appropriate biological size limits, exploitation rates, and other factors that go to make up the annual acceptable biological catch for any given stock. Appropriate methods for determining MSY will also be investigated. In addition, an important offshoot of this review will be the development and refinement, to the extent the existing data allow, of models for predicting recruitment and future catch trends for the major Tanner crab stocks.