

**Joint Meeting
Alaska Board of Fisheries
and
North Pacific Fishery Management Council
January 30, 1996**

**TAB 6: CATEGORY 2 PROPOSALS TO THE
ALASKA BOARD OF FISHERIES**

- a. Summary of Category 2 Criteria**
- b. Summaries of Proposals**

BOF PROPOSALS UNDER CATEGORY 2 FMP CRITERIA

State regulations applicable to BSAI crab fisheries in federal waters must be consistent with the requirements of the Fishery Management Plan for the Commercial King and Tanner Crab Fisheries in the Bering Sea/Aleutian Islands (FMP), and the national standards of the Magnuson Act. There are additional requirements that apply to specific management measures adopted under the “frameworked” category 2.

The goals and objectives of the FMP that the Board must address before adoption of all Bering Sea/Aleutian Islands (BSAI) management measures are paraphrased as follows:

FMP Management objectives:

1. Biological conservation - to insure the long-term reproductive viability of king and Tanner crab populations.
2. Economic and social - to maximize economic and social benefits to the nation over time considering value to crab harvested, future value of crab, subsistence harvests within the registration area, and economic stability and the impacts of commercial fishing associated with coastal communities.

3. Gear conflict - minimize gear conflict among fisheries.
4. Habitat - preserve the quality and extend of suitable habitat.
5. Vessel safety - provide public access to the regulatory process for vessel safety considerations.
6. Due process - ensure that access to the regulatory process and opportunity for redress are available to interested parties.
7. Research and management - provide fisheries research data collection, and analysis to ensure a sound information base for management decisions.

Magnuson Act national standards:

Regulatory measures for crab in federal waters must also be consistent with the national standards of the Magnuson Fishery Conservation and Management Act. The national standards are paraphrased as follows:

1. Management measures shall prevent overfishing while achieving, on a continuing basis, the optimum yield from each fishery for the United States fishing industry.

2. Management measures shall be based upon the best scientific information available.

3. To the extent practicable, an individual stock of fish shall be managed as a unit throughout its range, and interrelated stocks of fish shall be managed as a unit or in close coordination.

4. Management measures shall not discriminate between residents of different states. If it becomes necessary to allocate or assign fishing privileges among various U.S. fishers, such allocation shall be:

- a. fair and equitable to all such fishers
- b. reasonably calculated to promote conservation, and
- c. carried out in such a manner that no particular individual, corporation, or other entity acquires an excessive share of such privileges.

5. Management measures shall, where practicable, promote efficiency in the utilization of fishery resources, except no measure shall have economic allocation as its sole purpose.

6. Management measures shall take into account and allow for variations among, and contingencies in, fisheries, fishery resources, and catches.

7. Management measures shall, where practicable, minimize costs and avoid necessary duplication.

At the March meeting, the Board will be considering category 2 regulatory changes to the following management measures:

DISTRICTS: (455, 477, & 478) Under the FMP, the state can adjust boundaries on the basis of any of the following criteria: (1) if the area contains a reasonably distinct stock of crab requiring a separate GHM to avoid overharvest; (2) if the stock requires a different size limit; (3) different timing of molting or mating requires a different season; (4) estimates of fishing effort are needed pre-season so that overharvest can be prevented, or; (5) part of an area is relatively unutilized and unexplored and if creation of a new district, subdistrict or section will encourage exploration and utilization.

Under this management measure, the Board will consider proposals to change the description of the Adak/Dutch Harbor registration district, and redefine the Bering Sea Tanner crab sub-districts.

POT LIMITS: (460, 468, & 490) Under the FMP, the state can use pot limits to attain the biological conservation objective and the economic and social objective of the FMP. The state can consider, within constraints of available information, (1) total vessel effort relative to GHL, (2) probable concentrations of pots by area, (3) potential for conflict with other fisheries, (4) potential for handling mortality of target or nontarget species, (5) adverse effects on vessel safety including hazards to navigation, (6) enforceability, and (7) analysis of effects on industry.

Under this management measure, the Board will consider proposals to establish pot limits based on the preseason guideline harvest levels, and establish pot limits in the deep water Tanner crab and Adak red and brown king crab fisheries.

SIZE LIMITS: (479, 480, & 488) Under the FMP, the state can adjust size limits within constraints of available information if (1) biological and functional size at maturity, (2) protection of reproductive capability, (3) market and other economic considerations, (4) natural and discard mortality rates, (5) growth rates, and (6) yield per recruit.

Under this management measure, the Board will consider proposals to change the *C. opilio* and *C. bairdi* size limits in the Bering Sea.

GUIDELINE HARVEST LEVELS: (472) Under the FMP the state can set preseason GHLS under state regulations. The following factors are approved and will be considered to the extent information is available in establishing GHLS: (1) estimates of exploitable biomass, (2) estimates of recruitment, (3) estimates of threshold, (4) estimates of ABC, and (5) market and other economic considerations.

Under this management measure, the Board will consider proposals to change the harvest strategy for the Bristol Bay red king crab, and reduce all Bering Sea and Aleutian Islands harvest rates for king and Tanner crab.

FISHING SEASONS: (458, 462, 473, & 475) Under the FMP, fisheries should be closed during the sensitive periods to protect crab from mortality caused by handling and stress when shells are soft, and to maximize meat recovery by delaying harvest until the shells have filled out. Seasons should be conducted to prevent any irreparable damage to the stocks. Within the biological constraints, open fishing seasons are set: (1) to minimize deadloss, (2) produce the best quality, (3) minimize fishing during severe weather conditions, (4) minimize the cost of industry operations, (5) coordinate the king and Tanner crab fisheries with other

fisheries, and (6) reduce the cost of enforcement and management before, during and after the season.

Under this management measure, the Board will consider proposals to change the regulatory closing date for the St. Matthew king crab fishery, change the opening date of the Adak king crab fishery, and establish a second season for *C. opilio* Tanner crab.

CLOSED WATERS: (469, 507, & 508) In the FMP, the state may designate new closed waters areas or expand or reduce existing state closed waters areas in order to meet state subsistence requirements. In making changes the state shall consider appropriate factors to the extent data area available on: (1) need to protect subsistence fisheries, (2) need to protect critical habitat for target and non-target species, (3) prevention of conflict between harvesting of species, and (4) creation of navigational hazard.

Under this management measure, the Board will consider proposals to close the Bristol Bay king crab sanctuary to commercial fishing, redefine the Norton Sound closed waters section, and eliminate the 10 mile commercial fishing closure at King Island

PROPOSAL 455 - 5 AAC 34.605. DESCRIPTION OF DISTRICTS. Amend this regulation to provide the following:

It would shift the line between Statistical Area O and Area R to include subsection (e) from Area O To Area R. It would read:

Article 11. Statistical Area R (Adak) subsection 5 AAC 34.705. Description of Districts (a) Eastern district; all Bering Sea waters of Statistical Area R west of the longitude of Cape Tanak on Umnak Island and all Pacific Ocean waters of king crab registration Area R west of the longitude of Udagak Strait (166° 16'W. long.), and south of a line from Kettle Cape on Umnak Island (53°16'40"N, lat., 168°07'W. long.) to Konets Head (53°19'N lat., 167°51'W. long.) on Unalaska Island, excluding the waters of Udagak Strait and Beaver Inlet.

PROBLEM: The Brown King Crab stocks are split by the line between statistical Area O and Area R. At the time the line was drawn for Red King Crab, no one anticipated that it would run through the middle of a Brown King crab stock. Since these stocks only go east in Area O to subdistrict (e), it would make sense to include subdistrict (e) into Area R and have only one large area to regulate and manage. At present the seasons in Area O opens on September 1 and Area R opens on November 1 and closes on August 15. This forces the whole Adak (R) fishing vessels to fish the much smaller subdistrict (e) of Area (O) Dutch Harbor, causing mass concentration of effort on a small area. Because of the longline gear characteristics, concentration of gear causes gear loss. Because of the differences between Red King and Brown King Crab, this new area should be designated for Brown King Crab only and separate the two species.

WHAT WILL HAPPEN IF NOTHING IS DONE? Overcrowding of boats and gear in Area O subsection (e). Causing lost gear because of tangles. Because seasons open at different times forces Adak Area R fleet to all fish much smaller Dutch Harbor Area O at the same time causing pressure on stocks and could result in no fisheries.

WHO IS LIKELY TO BENEFIT? 1. The Brown King Crab resource. 2. ADF&G enforcement & management. 3. Fisherman will be able to spread out.

WHO IS LIKELY TO SUFFER? No one that we know of fishing Area O & R.

OTHER SOLUTIONS CONSIDERED? Moving the existing line between Area O and R to somewhere around Adak Island. This would make two areas to regulate and still have a line through the stocks. If they didn't open at the same time there would still be the problem of a fleet trying to fish the same area at once creating a Derby fisheries and enforcement problems. If they open at same time they might as well be one area with subsections.

PROPOSED BY: Gure E. Watson and George Walters, F/V North Pacific (HQ-95-F-101)

PROPOSAL 458 - 5 AAC 34.710. FISHING SEASONS. Amend this regulation as follows:

Male brown king crab may be taken only from 12:00 noon September 1 until the season is closed by Emergency Order.

PROBLEM: We would like the Board to address this Proposal because it offers several benefits, not only because there is a problem that must be addressed. However, we have heard that there may be enforcement problems relative to brown king crab that are being taken from Area R (Adak) during the Area O (Dutch Harbor) brown king crab season. These crabs are delivered as Area R brown king crab, thereby, (a) shutting down the Area O brown king crab fishery earlier than it otherwise should be shut down, and (b) taking brown king crab from Area R that are not attributed as coming from Area R, and thereby effecting the brown king crab population abundance in Area R and Area O, and the ability of the fleet and management to achieve the optimum harvest of brown king crab from Area R and Area O.

WHAT WILL HAPPEN IF NOTHING IS DONE? Enforcement problems will persist, Management will not have an accurate accounting of brown king crab removals from Area R and Area O. The industry will continue to harvest brown king crab from Area R during a time period (beginning on November 1) when the weather is not as favorable or safe as that weather that is prevalent during the time period that is proposed (beginning September 1). Why harvest brown king crab in Area R during November when brown king crab may be harvested in Area R during September? Why not open up two areas that are adjacent to each other for the harvest of the same species, during the same time period?

WHO IS LIKELY TO BENEFIT? Crab resource, Conservation and Management of the crab resource, Managers, Research, Harvesters.

WHO IS LIKELY TO SUFFER? No one that we can think of.

OTHER SOLUTIONS CONSIDERED? We can think of no other solution that achieves the desired objectives.

PROPOSED BY: United Fishermen's Marketing Association (HQ-95-F-377)

PROPOSAL 460 - 5 AAC 34.725. **LAWFUL GEAR.** Amend this regulation as follows:

(a) During a commercial king crab season in Statistical Area R (Adak), an aggregate of no; more than 600 pots may be operated from a vessel with an overall length of more than 125 feet that is registered to fish for brown king crab, and an aggregate of no more than 480 pots may be operated from a vessel with an overall length of 125 feet or less that is registered to fish for brown king crab.

(a) During a commercial king crab season in Statistical Area R (Adak), an aggregate of no more than 100 pots may be operated from a vessel with an overall length of more than 125 feet that is registered to fish for red king crab, and an aggregate of no more than 80 pots may be operated from a vessel with an overall length of 125 feet or less registered to fish for red king crab.

PROBLEM: Pre-emption of grounds; gear loss; management difficulties.

WHAT WILL HAPPEN IF NOTHING IS DONE? Increasing and continuing pre-emption of grounds; increased and continued gear loss; increased complexities in management.

WHO IS LIKELY TO BENEFIT? Crab resource, conservation and management of the crab resource, managers, research, and harvesters.

WHO IS LIKELY TO SUFFER? No one that we can think of.

OTHER SOLUTIONS CONSIDERED? We can think of no other solution that achieves the desired objectives.

PROPOSED BY: United Fishermen's Marketing Association, Inc.

(HQ-95-F-376)

PROPOSAL 462 - 5 AAC 34.910(c)(1). FISHING SEASONS. Change the closure date for the red and blue king crab fisheries in the St. Matthew Island Section from September 22 to a date established by emergency order as follows:

5 AAC 34.910. FISHING SEASONS.

(c)

(1) male red and blue king crab may be taken only from 12:00 noon September 15 until closed by emergency order [through September 22].

PROBLEM: The fishing season for red and blue king crab in the St. Matthew Island Section ends on September 22 by regulation. That date remains in regulation although the opening date was changed from September 1 to September 15 in 1993. This regulatory season structure provides for only a seven day window of opportunity to conduct a commercial fishery. The September 22 closure date is not based on biological concerns.

WHAT WILL HAPPEN IF NOTHING IS DONE? Recent king crab fisheries in this area have lasted 3-5 days and have been successfully prosecuted in the time frame allowed. However, with stringent pot limits, reductions in effort, adverse weather conditions, or industry price negotiations, it is possible guideline harvest levels would not be achieved by September 22.

WHO IS LIKELY TO BENEFIT? The entire king crab industry.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? Maintain the existing closure date, however, this could be too limiting for effective management.

PROPOSED BY: Alaska Department of Fish and Game

(HQ-95-F-428)

PROPOSAL 464 - 5 AAC 34.035(h)(3)(B). CLOSURE OF REGISTRATION AREAS.

Clarify that if the department grants additional running time to reach a port of delivery east of King Cove, that the time will be determined with the assumption that the vessel proceeds directly to the processing location.

5 AAC 34.035. CLOSURE OF REGISTRATION AREAS.

(h)

(3) if delivery is made east of King Cove

.....

(B) a representative of the department will grant some additional running time to reach the port of delivery; the amount of additional time is to be determined with the assumption that the vessel departed the fishery grounds immediately after the closure and proceeded directly to the processing location.

PROBLEM: Existing regulations specify time periods for vessels to land king crab following season closures. These regulations authorize the department to allow some additional, yet unspecified, time for vessels fishing in the Bering Sea to reach ports of delivery east of King Cove. The wording of the current check out regulations specify that the additional time is to be based on the assumption that vessels depart the fishing grounds immediately after the closure, but does not specify that vessels must proceed directly to the port of landing. The lack of wording that vessels must proceed directly to a landing port is hampering the department's ability to adequately monitor fishery closures. The department has submitted a similar proposal for the Bering Sea Tanner crab fishery.

WHAT WILL HAPPEN IF NOTHING IS DONE? Fishing vessel operators could take the opportunity to circumvent delivery time requirements and remain in the Bering Sea after fishery closures.

WHO IS LIKELY TO BENEFIT? Fishery managers will have clear knowledge of where boats are after closures.

WHO IS LIKELY TO SUFFER? Vessel operators that want to work or store gear between fishery closures and product delivery.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game and Department of Public Safety
(HQ-95-F-427)

PROPOSAL 468 - 5 AAC 34.050. GEAR FOR KING CRAB. Amend this regulation as follows:

a. all crab quotas that are below 5 million pounds should have a pot limit of 40 pots for vessels under 125 and 50 pots for vessel 125 feet and over.

b. Quotas above 5 million pounds should have pot limits of 125 pots for vessels under 125 and 150 pots for vessels 125 feet and over.

PROBLEM: Pot limits.

WHAT WILL HAPPEN IF NOTHING IS DONE? a. Continued gear loss at large proportions. b. the inability for the biologist to have an accurate catch per pot; I feel that a 24 hour soak should determine a CPU.

WHO IS LIKELY TO BENEFIT? 1. the resource from less handling. In a 24 hour period of time a pot usually stops fishing. By this time the crab are escaping from the pot. We let our gear soak for the maximum time to make sure we spend the least amount of time, labor and expenses to harvest the crab. The more pots we have usually above 100 allows us to pull gear around the clock; which leads to handling a large volume of crab. 2. With reduced pot limits. You will hear that we handle more crab. I would tell you no. If we have 50 pots we will only pull them once a day. If we gave 75 and more we are tempted to pull them twice a day such as in St. Mathew for blue crab. I have seen more crab in a pot from a 24 hour soak than a 12 hour soak. We have also pulled gear so fast that we have left crab behind, only to go back and let the gear soak; St. Paul, and the Bristol Bay red crab would be two examples of this. In the BB area gear that is soaked for a 3-6 day period will surprise you in the volume of crab it will accumulate. In St. Paul we have to let our gear soak for at least 24 hours; the economics of pulling a pot in a limited season drives us to achieve the optimum yield from each one. I can tell you story after story of guys who have finally learned the lesson of a good soak.

468 continued:

I will bring in IFQ's here. If we have an IFQ for crab we will let our gear soak for a 2 to 4 week period of time; then we will go and pull our gear with only a minimum of expenses. The CPU will be lost by area biologists. The preseason estimate of the biomass determining the quota will be set in stone and unable to be changed! The quota will be harvested in full with no room for in season management. The minute you try to close the season down early with vessels who have not caught their percentage you will create economic hardship. We will also not want to be the last people out there anyway. The first pick is usually the best, or the cream off the crop. Additional fishing time and expenses are created from having the CPU drop if you are going behind someone else. It's not so easy to harvest your share after someone else has picked first. "The first person with the most pots with the most pulls is the winner every time!" A quota from Paul Mutch. The race is on, if not for the closure it will be for expenses!

The reduction of pots was first placed in Kodiak to reduce the handling of female crab. The fewer pots per vessel on the grounds leads to fewer pots being pulled per day. Which leads to fewer crab being handled.

3. Safety will increase, with less gear our crews are less fatigued. The stability of the vessels will increase from fewer pots being loaded. We haul about 125-150 pots per day on the average; with moving gear and letting it soak. There is no need for more than 150 pots per vessel. No matter how large you are.

4. Gear work for the crew decreases, which allows them more time per pot; this ensures that each pot is in its best condition.

5. The placement of our gear become a critical issue. If we place it in the wrong area it costs us. We become better fishers, which I feel helps us better understand the resource, and leads us to become better in caring for each crab that comes aboard.

6. The CPU for the biologist will be more accurate. I would also like to see every vessel call in with a CPU. With just a percentage of vessels calling in we have a break down in the in season management.

WHO IS LIKELY TO SUFFER? 1. Those who rely on long soaks. The Bristol Bay red crab fisheries is the only fisheries that a large volume of gear benefits the fleet. This has cost the resource, in the handling of large volumes of crab. With the CPU being distorted by the long soaks. The Bairdi and Opilio crab are usually a fast fishing crab. 2. As long as you have the 25 percent rule for 125 feet and over vessels and larger vessel will still have their advantage. The continued gear reductions should be needed to ensure that we have proper management. The industry will complain all the way through. I have seen nothing but good come from gear limits.

OTHER SOLUTIONS CONSIDERED? a. unlimited gear per vessel. The in season management becomes very hard. The amount of days to fish are reduced to a preseason guess. b. With reduced quotas, and recent NMFS and ADF&G studies the need for handling crab needs to be reduced to a minimum.

PROPOSED BY: David Hillstrand

(HQ-95-F-016)

PROPOSAL 469 - 5 AAC 34.040. PARTIAL CLOSURE OF REGISTRATION AREAS. Amend this regulation to provide the following:

- a. Bristol Bay Red King crab sanctuary. Closed to protect female red crab, to ensure their protection and recovery beyond the minimum threshold levels.
- b. 1.57.-160 2.57.-161 3.55.40-163.30 4.55.40-162.30.
- c. Recent pot surveys will help you locate these schools in the mounds along the beach.

PROBLEM: a. The handling of female and small red crab to harvest the legal male breeding crab that year, in the Red King crab biomass in Bristol Bay. St. Paul needs a closed area also.

WHAT WILL HAPPEN IF NOTHING IS DONE? a. Females will lose their protection from fish and other marine life that would prey off of them and their eggs. Their egg clusters will reduce in size. Parasites may start infecting their egg clusters.

WHO IS LIKELY TO BENEFIT? 1. Commercial fishing vessels. 2. Subsistence users. 3. Female Red King crab biomass. 4. Recent studies from ADF&G indicate these males are the ones that will breed and mate with these females in the coming spring.

WHO IS LIKELY TO SUFFER? 1. Those who are targeting the legal males out of these schools. 2. The fleet has begun to target these schools because of the lack of crab out on the flats. Cook Inlet and Kodiak experienced the same fishing practice from the fleet. Kodiak saw the egg clusters reducing in size and females not even carrying eggs. They imposed a pot limit yet did not close the area down to high concentrations of female and small crab. Cook Inlet saw the parasite problem in the females.

OTHER SOLUTIONS CONSIDERED? Size, sex, season the handling of crab needs to be reduced.

PROPOSED BY: David Hillstrand (HQ-95-F-012)

PROPOSAL 472 - 5 AAC 34.080. HARVEST STRATEGY. and 5 AAC 35.080. HARVEST STRATEGY. Amend this regulation as follows:

a. The reduction in exploitation rates of all crab stocks is needed because of the unknown biomass of crab or it being estimated. Along with the unknown affects of bycatch and waste. These reductions will be in place until the biomass of crab reaches a certain threshold and future surveys see a dramatic increase in the biomass and area that the crab inhabit. This is something the council and the board can do.

1. Red King crab from 20% down to 10-15%
2. Tanner Bairdi from 38% down to 20%
3. Tanner Opilio from 60% down to 40%
4. These crab will be there for the next years harvest, and are needed for the protection and reproduction during mating. Recent ADF&G surveys and studies indicate the need for an increased biomass of crab stocks to provide adequate reproduction.
5. The Council can only do what it can. Reduced exploitation rates, reduced PSC of bycatch, and closed areas will be needed for the recovery of the stocks.

PROBLEM: a. Overharvesting of crab. From to large of harvest, or bycatch and waste from PSC's being to large or biological factors such as death and disease. All these factors affect the crab and their survival along with the jobs that people depend upon.

b. The large fish and crab are not being seen at their historic volumes. Recruitment and age classes of fish and crab are missing in the biomass along with the average weight for fish and crab declining. With the thresholds of these species survival being jeopardized.

WHAT WILL HAPPEN IF NOTHING IS DONE? a. The threshold of crab and fish will continue to drop below survival and their existence will be that of no recovery in sight or to historic volumes. The thresholds of these species is needed to fight off predators and disease.

b. Economic collapse of those dependent on the resource for a living. The commercial fishing fleet, and canneries and the shops and stores that equip these vessels.

WHO IS LIKELY TO BENEFIT? The resource. Those dependent on the resource. With a higher price per pound, along with a resource to fish in coming years. Instead of waiting for the recovery and a closed season. Expenses are usually lower when we fish for a shorter time period. Safety also increases because of the reduced time spent at sea. The consumer in that they will have a product to buy in the future.

WHO IS LIKELY TO SUFFER? The consumer in the price they pay per pound. Those who supply fuel and other supplies. They will be less. Yet they will have sales each year.

OTHER SOLUTIONS CONSIDERED? Six, Sex, Season. If we had this all the large fish and crab would be taken. This can lead to a species that is not the best for the survival. Salmon stocks need to be harvested in stages and at different times of the runs to ensure the genetic structure of a healthy salmon. Reducing the harvests leaves a better chance for the future survival of fish and crab. Being conservative never hurt anyone that I know of! I sure do not want to end up in a situation such as the East Coast and Europe!

PROPOSED BY: David Hillstrand

(HQ-95-F-013)

PROPOSAL 473 - 5 AAC 35.510. FISHING SEASONS. Amend this regulation as follows.

Allow a commercial fishery for *C. bairdi* to occur in the Bering Sea District in the area East of 163° West Longitude, regardless of weather an opening occurs in the Area T king crab fishery.

PROBLEM: Because of the depressed king crab stocks in Area T, current regulations do not permit the harvest of *C. bairdi* crab that are otherwise available and harvestable in the area East of 163° West Longitude. We believe that existing gear regulations for *C. bairdi* crab fishing provide sufficient protection for king crab in the area East of 163° West Longitude to permit a *C. bairdi* season to proceed in that area, regardless of whether a king crab fishery is permitted there.

Harvestable stocks of *C. bairdi* exist East of 163° West longitude; the industry should be permitted to harvest those stocks. There is significant and important economic value in the harvest of those *C. bairdi* stocks. The harvest of the *C. bairdi* stocks that occur in the area East of 163° West Longitude can be accomplished with little or no risk to king crab stocks that occur in that area.

WHAT WILL HAPPEN IF NOTHING IS DONE? Potential economic opportunities will not be exploited. Harvestable *C. bairdi* stocks will go unharvested.

WHO IS LIKELY TO BENEFIT? Conservation and management of the *C. bairdi* resource, managers, research, harvesters, processors and consumers.

WHO IS LIKELY TO SUFFER? No one that we can think of.

OTHER SOLUTIONS CONSIDERED? We can think of no other solution that achieves the desired objectives.

PROPOSED BY: United Fishermen's Marketing Association

(HQ-95-F-380)

PROPOSAL 474 - 5 AAC 35.510. FISHING SEASONS. Amend this regulation for the Bering Sea to provide the following:

Commercial harvesting of legal-size, male Bairdi Tanner crab East of 163 W with legal pot gear, equipped with restricted tunnels, is hereby authorized by ADF&G regulation.

PROBLEM: Million of pounds of legal C. Bairdi were not harvested in 1994 East of 163 W because of concern for female King crab bycatch mortality (which NMFS and ADF&G biologist have told the Board and the North Pacific Council is "negligible" when the crab are in hard-shell condition and tunnel boards are required during Bairdi season).

WHAT WILL HAPPEN IF NOTHING IS DONE? Approximately \$30-million of ex-vessel income will be lost again in 1995 to the crab fleet, the industry and the State.

WHO IS LIKELY TO BENEFIT? The 380-vessels in the BSAI crab fleet, the crab processing companies, the people that work for them and the State of Alaska's General Fund.

WHO IS LIKELY TO SUFFER? The same people will lose about \$30 million ex-vessel annually if this new regulation is not enacted.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Alaska Fisheries Conservation Group (HQ-95-F-128)

PROPOSAL 476 - 5 AAC 35.510. FISHING SEASONS. Amend this regulation for the Bering

Sea to provide the following:

Adopt an industry-supported, earlier or later opening date for the C. Opilio season. I don't have the exact answer. But I don't want to ignore the problem, either.

PROBLEM: My concern for fishing vessel safety in the Bering Sea crab fisheries during the worst winter weather has caused me to re-evaluate the January 15th Opilio opening. During the next year, the fleet and the industry should decide if the current opening date is the best one for minimizing loss of vessels and lives.

WHAT WILL HAPPEN IF NOTHING IS DONE? More heavy vessel icing and vessel capsizings could occur during the early part of the Opilio season.

WHO IS LIKELY TO BENEFIT? The Bering Sea crab fleet and their families.

WHO IS LIKELY TO SUFFER? None known.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Gary Painter (HQ-95-F-307)

PROPOSAL 475 - 5 AAC 35.510. FISHING SEASONS. Amend this regulation as follows:

Alternative Options:

Option 1. Male *C. opilio* Tanner crab may be taken from 12:00 Noon, April 15 (or November 1, or March 30, or some other date), until the season is closed by Emergency Order, OR

Option 2. (a). The season for male *C. opilio* Tanner crab in the Northern Subdistrict of the Bering Sea District (proposed as "all waters of the Bering Sea District North of 60° North Latitude"), will open concurrent with the red king crab season in Area T, (or on November 1, or January 15, or March 30, or April 15, or some other date) and remain open until closed by Emergency Order, AND/OR

Option 2. (b). The season for male *C. opilio* Tanner crab in the Southern Subdistrict of the Bering Sea District (proposed as "all waters of the Bering Sea District South of 60° North Latitude") will open concurrent with the red king crab season in Area T (or on November 1, or January 15, or March 30, or April 15, or some other date) and remain open until closed by Emergency Order.

NOTE: The proposed season changes for the *C. opilio* fishery are presented to open a dialogue relative to the timing of the *C. opilio* fishery, and relative to the situation that is presented with regard to those *C. opilio* stocks that are found in the *C. opilio* grounds that occur north of 60° North Latitude (such area where ice is present during much of the current *C. opilio* fishery). The above proposals are meant to offer some options that may be available to the Board, to the managers, and to the industry relative to this situation. We are open to suggestions other than those that we have proposed above.

PROBLEM: The inability of the fleet to harvest those *C. opilio* crab stocks that are available for harvest, and that occupy the area that is included in the proposed Northern Subdistrict of the Bering Sea. A portion of those stocks go unharvested because of the ice flow which is present during the current *C. opilio* season in that area. This results in an inability of the fleet to spread out over the entire *C. opilio* grounds, and in a large portion (disproportionate percentage) of the *C. opilio* quota being taken from the *C. opilio* grounds that are free from ice (i.e., South of 60° North Latitude). This may be resulting in population depletion in areas where the fleet is able to fish for *C. opilio* (i.e., free from ice), and in an underutilization of *C. opilio* stocks from the *C. opilio* grounds that are North of 60° North Latitude (i.e., where ice is present for much of the *C. opilio* season).

WHAT WILL HAPPEN IF NOTHING IS DONE? Increased and disproportionate pressure on the *C. opilio* stocks that are present in those *C. opilio* grounds that are free from ice during the *C. opilio* season (i.e., South of 60° North Latitude),

Underutilization (i.e., less than the allowable exploitation rate) of those *C. opilio* stocks that are present in the *C. opilio* grounds that are not available to the fleet because of the ice coverage that is present in such *C. opilio* grounds (i.e. North of 60° North Latitude).

Increased and continued gear loss, increased complexities in management.

WHO IS LIKELY TO BENEFIT? Conservation and management of the *C. opilio* resource, managers, research and harvesters.

WHO IS LIKELY TO SUFFER? No one that we can think of.

OTHER SOLUTIONS CONSIDERED? We can think of no other solution that achieves the desired objectives.

PROPOSED BY: United Fishermen's Marketing Association

(HQ-95-F-379)

PROPOSAL 477 - 5 AAC 35.505. DESCRIPTION OF DISTRICTS. Amend this regulation as follows:

- (a) Southern Subdistrict: All waters of the Bering Sea District South of 60° North latitude;
- (b) Northern Subdistrict: All waters of the Bering Sea District North of 60° North latitude;

NOTE: the Proposed Southern Subdistrict and the Northern Subdistrict of the Bering Sea are meant to substitute for and replace the existing Eastern Subdistrict and the Western Subdistrict of the Bering Sea. This proposal should be addressed in conjunction with a Proposal to change the timing of the season for the C. opilio harvest, and/or with a Proposal to divide the C. opilio season between a C. opilio season for the proposed Southern Subdistrict of the Bering Sea, and a C. opilio season for the Proposed Northern Subdistrict of the Bering Sea.

PROBLEM: The inability of the fleet to harvest those C. opilio crab stocks that are available for harvest, and that occupy the area that is included in the proposed Northern Subdistrict of the Bering Sea. A portion of those stocks go unharvested because of the ice flow which is present during the current C. opilio season in that area. This results in an inability of the fleet to spread out over the entire C. opilio grounds, and in a large portion (disproportionate percentage) of the C. opilio quota being taken from the C. opilio grounds that are free from ice (i.e., South of 60 ° North latitude). This may be resulting in population depletion in areas where the fleet is able to fish for C. opilio (i.e., free from ice), and in an underutilization of C. opilio stocks from the C. opilio grounds that are North of 60° North Latitude (i.e., where ice is present for much of the C. opilio season).

WHAT WILL HAPPEN IF NOTHING IS DONE? Increased and disproportionate pressure on the C. opilio stocks that are present in those C. opilio grounds that are free from ice during the C. opilio season (i.e., South of 60° North Latitude), underutilization (i.e., less than the allowable exploitation rate) of those C. opilio stocks that are present in the C. opilio grounds that are not available to the fleet because of the ice coverage that is present in such C. opilio grounds (i.e., North of 60° North Latitude). Increased and continued gear loss, Increased complexities in management.

WHO IS LIKELY TO BENEFIT? C. opilio resource. Conservation and management of the C. opilio resource. Managers. Research. Harvesters.

WHO IS LIKELY TO SUFFER? No one we can think of.

OTHER SOLUTIONS CONSIDERED? We can think of no other solution that achieves the desired objectives.

PROPOSED BY: United Fishermen's Marketing Association

(HQ-95-F-378)

PROPOSAL 478 - 5 AAC 35.510. FISHING SEASONS. Amend this regulation for the Bering Sea to provide the following:

A new ADF&G Regulatory Area North of 60N (but excluding the Norton Sound Registration Area) shall have its own annual Guideline Harvest Level for *C. opilio* Tanner crab.

PROBLEM: Millions of pounds of mature 4-inch male *Opilio* crab could be harvested annually from this area according to NMFS biologist Dr. Bob Otto.

WHAT WILL HAPPEN IF NOTHING IS DONE? \$10 - \$30 million of ex-vessel earnings are lost annually to the fleet.

WHO IS LIKELY TO BENEFIT? The 380 vessels in the BSAI crab fleet, the crab processing companies and the people that work for them and the State of Alaska's General Fund.

WHO IS LIKELY TO SUFFER? The same people will lose \$10 - \$30 million ex-vessel annually if the regulation is not enacted.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Alaska Fisheries Conservation Group

(HQ-95-F-129)

PROPOSAL 479 - 5 AAC 35.520(a). SIZE LIMIT. Modify the size limit for *C. opilio* Tanner crab in Statistical Area J as follows:

5 AAC 35.520. SIZE LIMIT. (a) Male Tanner crab of the species *Chionoecetes opilio* XXX [3.1] (78 mm) inches or greater in width of shell may be taken or possessed.

PROBLEM: The current size limit for *C. opilio* Tanner crab may not be appropriate. Ongoing studies are expected to be completed in 1995 that may provide a more appropriate size limit. Pending the results of these studies, the department may recommend a change in the size limit. The department will work with the Bering Sea crab industry, local Advisory Committees, and the North Pacific Fishery Management Council's Fishery Management Planning Team to ensure the public is informed of any recommended size limit change prior to the board deliberation of the issue.

WHAT WILL HAPPEN IF NOTHING IS DONE? There may be a risk of recruit over fishing if size standards by the industry diminish and the size limit is too small to provide for adequate brood stock.

WHO IS LIKELY TO BENEFIT? The entire Tanner crab fishing industry.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game

(HQ-95-F-435)

PROPOSAL 480 - 5 AAC. 35.050. GEAR FOR TANNER CRAB; OPERATING REQUIREMENTS. and 5 AAC. 35.520. SIZE LIMIT. (a). The size on opilio's needs to be increased for those crab harvested. 3.75 inches and greater. We usually harvest 4 inch and greater crab. (b) The mesh size of post fished for opilio and bairdi needs to be increased on the doors and the top of the pots for the escapement of crab. The back of the pots have the King crab mesh on for escapement; this leaves the doors which should have the larger mesh on for bairdi and opilio. The top of the pots above the tunnels need to have a larger mesh. After the pot is done fishing the crab will try to escape, usually they will go to the tops of the tunnels. If the crew is lazy they will not pull the crab out of these areas, I would estimate that we have a 1-2 crab mortality from small crab left in the tunnels in the opilio fisher. The size should be at least 5.5 inches stretched.

PROBLEM: The size limit on Tanner crab; Opilio.

WHAT WILL HAPPEN IF NOTHING IS DONE? a. The handling of these crab will increase and lead to a higher mortality in the small and female crab. The market will change if the small crab are continued to be harvested. The canneries that only take large crab will start taking the smaller ones. If we have a decreased in the biomass we will start to target the smaller crab because of there volume and abundance. (b) The market for these crab will be affected, with the price per pound going down.

WHO IS LIKELY TO BENEFIT? 1. The resource in that there will be less handling of these crab in cold weather. Which has a greater mortality than previously thought. The mesh size on the pots will need to be changed first. If we just change the size of the crab we will even handle more crab. 2. This will also leave more crab on the grounds to mate in a given year. At least two years should be given to crab in there reproduction cycle instead of one. Opilio females are said to be found with several sperm sacks from several different males. Either one male is good enough or there is a need for the several matings in the distribution of the eggs. The need to be conservative should be thought of . 3. Canada's size on opilio's is _____? 4. All who harvest opilio's; the price being higher, with safety increasing from less time at sea. And the ability to have a fisheries prosecuted each year in the future. I would not want to see the opilio's follow the bairdi and King crab stocks. South East ADF&G Tim Keneman 772-3801 manages the crab fishery there; the commercial fleet has had a steady harvest since 1974. It is from setting a realistic quota. 5. The consumer who is having to pay such large price swings with a fluctuating quota. A stable fishery will create stable markets.

WHO IS LIKELY TO SUFFER? 1. Those who have markets for small 3.1 inch crab. In the long run the resource will be there; which will provide the lost income over a longer period of time.

OTHER SOLUTIONS CONSIDERED? a. To keep the 3.1 inch legal size limit. Our markets or most of them only want the larger crab. If more markets continue to want the smaller crab our cannery Icicle Seafoods will start taking these smaller crab along with all the rest. We will see a rush to harvest these crab. More handling will occur in the female and small crab sections of the populations; because of there close vicinity to the processing areas.

PROPOSED BY: David Hillstrand

(HQ-95-F-015)

PROPOSAL 486 - 5 AAC 35.035(g)(3)(B). CLOSURE OF REGISTRATION AREAS.

Clarify that if the department grants additional running time to reach a port of delivery east of King Cove, that the time will be determined with the assumption that the vessel proceeded directly to the processing location.

5 AAC 35.035. CLOSURE OF REGISTRATION AREAS.

(g)

.....

(3) if delivery is made east of King Cove

.....

(B) a representative of the department will grant some additional running time to reach the port of delivery; the amount of additional time is to be determined with the assumption that the vessel departed the fishery grounds immediately after the closure and proceeded directly to the processing location.

PROBLEM: Existing regulations specify time periods for vessels to land Tanner crab following season closures. These regulations authorize the department to allow some additional, yet unspecified, time for vessels fishing in the Bering Sea to reach ports of delivery east of King Cove. The wording of the current check out regulations specify that the additional time is to be based on the assumption that vessels depart the fishing grounds immediately after the closure, but does not specify that vessels must proceed directly to the port of landing. The lack of wording that vessels must proceed directly to a landing port is hampering the department's ability to adequately monitor fishery closures. The department has submitted a similar proposal for the Bering Sea king crab fishery.

WHAT WILL HAPPEN IF NOTHING IS DONE? Fishing vessel operators could take the opportunity to circumvent delivery time requirements and remain in the Bering Sea after fishery closures.

WHO IS LIKELY TO BENEFIT? Fishery managers will have clear knowledge of where boats are after closures.

WHO IS LIKELY TO SUFFER? Vessel operators that want to work or store gear between fishery closures and product delivery.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game and Department of Public Safety
(HQ-95-F-432)

PROPOSAL 488 - 5 AAC 35.060. **SIZE LIMIT FOR TANNER CRAB.** Amend this regulation to provide the following:

The official ADF&G size limit for the C. Bairdi fishery in the Bering Sea shall be 4 inches of carapace width. *(This will allow the industry to comment, and the board to determine if a smaller size limit is good for those in the fishery.)

PROBLEM: Dr. Bob of Otto of NMFS says that we are under-harvesting C. Bairdi in the Bering Sea because of the terminal-molt effect which causes the natural mortality of most C. Bairdi males before they reach 5.5 inches.

WHAT WILL HAPPEN IF NOTHING IS DONE? Approximately \$10-30 million of ex-vessel incomes will be lost annually if the size limit is not lowered to 4 inches.

WHO IS LIKELY TO BENEFIT? The Bering Sea crab fleet and crab processing companies.

WHO IS LIKELY TO SUFFER? None known.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Gary Painter

(HQ-95-F-306)

PROPOSAL 490 - 5 AAC 35.082. **PERMITS FOR TANNER AND ANGULATUS TANNER CRAB.** Amend this regulation to provide the following:

Vessels fishing for Chionoecetes Tannery in tanner crab areas J3, J2 and J1 would be limited to a maximum of 150 pots.

PROBLEM: Chionoecetes Tannery is a developing fishery in Areas J3, J2, and J1 at this time and a pot limit is necessary to prevent over fishing, excess lost pots, gear conflict and preemption of the grounds by crab vessels fishing large numbers of pots.

WHAT WILL HAPPEN IF NOTHING IS DONE? Over fishing could occur, large number of pots could be lost because vessels are unable to properly tend their gear, grounds preemption would occur, both to other crab vessels and vessels fishing for Black cod with hook and line. Gear conflicts would occur.

WHO IS LIKELY TO BENEFIT? Those individuals who want to develop this fishery, vessels fishing Black cod in these areas, the Chionoecetes Tannery resource.

WHO IS LIKELY TO SUFFER? Those vessels that want to fish large amounts of pots, preempting the fishing ground and possible over fishing to the resource.

OTHER SOLUTIONS CONSIDERED? We feel that this is the only practical alternative.

PROPOSED BY: Chuck Hosmer, Baranof Fisheries

(HQ-95-F-069)

PROPOSAL 507 - 5 AAC 34.935(a). **CLOSED WATERS.** This proposal would redefine the area closed to Norton Sound summer commercial king crab fishing in the vicinity of Nome in order to protect crab stocks available to winter subsistence and commercial fishermen and open nearshore waters currently closed to summer commercial fishermen away from the area utilized by winter crab fishermen.

(a) The waters of the Norton Sound Section shoreward of 64° N. Lat. and west of 164° 45' W. Long. and east of 166° W. long. are closed to the commercial taking of king crab during the summer season [All waters of the Norton Sound Section enclosed by a line from 65° 23' N. lat., 167° W. long., to 64° 15' N. lat., 167° W. long. to 64° 15' N. lat., 162° W. long. to 63° 27' N. lat., 162° W. long. are closed to the taking of king crab during the summer season. The department may reduce, by small increments, the closed waters to no less than three miles from mean lower low tide to allow the commercial king crab fishery to efficiently obtain the allowable harvest of red king crab.]

PROBLEM: Since 1983 the waters shoreward of the line defined in current regulations [in brackets above] which delineated an area extending approximately 15 miles offshore from Nome have been closed to summer commercial king crab fishing in order to direct summer commercial fishing effort away from the segment of the crab population that is available to winter subsistence and commercial fishermen. The primary winter through-the-ice fishery in Norton Sound is limited by the extent of shorefast sea ice to a relatively small area near Nome within 5 miles of shore.

During 1993 and 1994 the 15 mile line restricting summer king crab fishing was reduced to 10 miles at the discretion of the Department because when the summer commercial season opened July 1 it was thought that most crabs were within the closed area. Most of the 348,000 pound crab quota in 1993 and 1994 was harvested very near the 10 mile line in the vicinity of Nome. Although bad ice conditions in 1993-94 were a contributing factor, the 1993-94 winter crab harvest was poor and the 1994-95 winter crab harvest as mediocre in spite of greatly expanded effort. We believe that the arguments for imposing the original 15 mile closure were valid and that summer commercial fishing so close to the winter fishing grounds negatively impacts the winter crab harvest which is almost exclusively taken by local subsistence and commercial fishermen. Although quantitative information on the distribution and movements of Norton Sound king crabs is limited, the available data and opinions of crab researchers working in Norton Sound and observations by experienced fishermen tend to support this conclusion.

The proposed solution further addresses the problem of harvesting crabs distributed nearshore in the early part of the summer commercial season by opening nearshore waters to fishermen away from the winter fishing grounds.

WHAT WILL HAPPEN IF NOTHING IS DONE? Summer commercial king crab fishermen will continue to compete with local winter subsistence and commercial crab fishermen. Summer commercial crab fishermen will continue to be excluded from harvesting crabs from nearshore waters in the early part of the season.

WHO IS LIKELY TO BENEFIT? Both winter and summer Norton Sound king crab fishermen.

WHO IS LIKELY TO SUFFER? Summer commercial fishermen will be excluded from a small area presently open to them but will have access to a much larger nearshore area that is presently closed.

OTHER SOLUTIONS CONSIDERED? Moving the existing line further offshore. However this might limit the ability of summer commercial fishermen to harvest crabs early in the season.

PROPOSED BY: Nome Fishermen's Association

(HQ-95-F-366)

PROPOSAL 508 - 5 AAC 34.935(b). **CLOSED WATERS.** This proposal would eliminate the area currently closed by regulation to the commercial taking of king crab within 10 miles of King Island.

(b) King crab may not be taken in waters with 10 miles of the mean lower low water around St. Lawrence, [King] and Little Diomed Islands.

PROBLEM: The closed waters around King Island prohibit a potentially valuable commercial fishery from taking place. The establishment of a superexclusive king crab fishery in Norton Sound has led to the development of a local commercial crab fishing fleet. There is a known king crab population located within 10 miles of King Island which could provide an additional commercial harvest for local crab fishermen. These waters are near the boundary of the Norton Sound and St. Lawrence sections and are currently closed to commercial crab fishing.

WHAT WILL HAPPEN IF NOTHING IS DONE? Local commercial king crab fishermen will continue to be prohibited by regulation from harvesting a valuable resource.

WHO IS LIKELY TO BENEFIT? Norton Sound commercial king crab fishermen and the local economy.

WHO IS LIKELY TO SUFFER? No negative impacts are anticipated.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Nome Fishermen's Association

(HQ-95-F-367)
