


MEMORANDUM

TO: Council and Board members

FROM: Chris Oliver 
Acting Executive Director

DATE: February 5, 2002

SUBJECT: Crab Management

(a) Update on rationalization amendment. process. timing

At its June 2001 meeting, the North Pacific Fishery Management Council (Council) adopted a suite of alternatives, elements and options for analysis of a rationalization program for the Bering Sea and Aleutian Islands (BSAI) crab fisheries. These included five major program designs (harvest only IFQ program, two-pie harvest and processor IFQ program, IFQ program with regionalization, and two fishery cooperative models with a range of processor inclusion), and numerous options within those five broad categories. After a status report and pre-initial review at its December 2001 meeting, the Council amended its motion to evaluate alternative co-op models. An analysis of these alternatives was provided to the Council family in late January. If the document is deemed to be sufficient at this meeting it would be released for a public comment period, with selection of a preferred alternative at the April 2002 Council meeting.

Final action for this package is unlike most final actions taken by the Council, since Congress will need to modify their moratorium on IFQ programs (and perhaps jurisdiction over inshore processors) before the Council could submit either an IFQ or cooperative alternative to the Secretary of Commerce (SOC). The analysis of these measures will be forwarded to Congress, consistent with recent legislation, where it is anticipated that they would make changes necessary to allow a rationalization program in the crab fisheries. Once the Council's preferred alternative is in compliance with Federal law, it would then need to be melded with a crab EIS that is also currently being developed. It is expected that this can be completed during the summer of 2002, so that the formal EIS/RIR/IRFA package could be submitted to the SOC in the fall.

The analysis considers three overriding alternative management structures for the BSAI crab fisheries; status quo (or continued management under the LLP), an IFQ program, or a cooperative program. The IFQ program alternative includes options defining either a one-pie harvester only IFQ program or two-pie program, which would include both harvester shares and processor shares. The cooperative program alternatives include two program alternatives. The Voluntary Cooperative alternative is a program that would allocate shares to harvesters and processors and allow each harvester to join a cooperative with one or more other harvesters associated with one or more processors. The Plurality Assignment Cooperative alternative is a program that would allow each harvester to join a cooperative associated with the processor that it delivered the most crab to during a specified qualifying period. Harvesters that join a cooperative would receive an allocation based on qualifying catch history. Harvesters that elect not to join a cooperative would be limited to participating in an open access fishery. This program alternative includes several different options that would protect processor interests to varying degrees and that would define movement between cooperatives.

(b) Implications to Board of Fish process

Potential actions contemplated in the rationalization initiative will obviously imply significant changes to the way crab fisheries are managed. Most of these changes would be implemented as part of the rationalization amendment (federal regulations), while other changes could be implemented through the Board process. Changes that might be considered under a rationalized fishery include Category 2 and 3 measures such as pot limits, season dates, bycatch restrictions, and others. The final design of the rationalization program will influence the nature of these potential changes.

(c) Review Category 2 and 3 proposals

Attached is a listing of the proposals received by the Board which will be considered in their upcoming shellfish meeting cycle. These measures all appear to fall within the purview of the Board, and none of them appear to be particularly controversial, though the following may be of interest to Council members:

#414 - would allow fishing for Pacific cod by BBRKC fishes after closure of BBRKC by modifying the stand down provisions adopted previously.

#416 - allow otter trawls onboard crab vessels operating in BBRKC fishery.

#419 - would clarify when an AFA overage penalty applies.

#436 - modify season dates to allow for concurrent crab fisheries.

#437 - allow *C. bairdi* retention equal to the trawl bycatch cap.

#51 (groundfish proposal) - reimburse *C. bairdi* fleet the value of *C. bairdi* taken in groundfish trawl fisheries.

ADF&G staff may have additional comments to convey regarding these proposals. Also attached for your information are proposals #506 and #507 which would allow the Commissioner to permit crab vessels to retain and sell legal crab after the season closure, in the event of mechanical breakdowns or death or injury to crew.

BS/AI CRAB FMP PROPOSAL CATEGORIES (Board of Fisheries March 15 - March 21)

9/24/01

<u>Proposal</u>	<u>Category</u>	<u>Management Measure</u>
<u>STATEWIDE SHELLFISH</u>		
Proposal 403 (specify all shellfish/groundfish pots must have biodegradable twine, at all times)	Category 3	Gear Modifications
Proposal 404 (specify king/Tanner pots must have escape mechanism when onboard commercially registered vessels or in water)	Category 3	Gear Modifications
Proposal 405 (correct Tanner crab tunnel eye description, proposal in error)	Category 3	Gear Modifications
Proposal 406 (clarify that unbaited Tanner crab pots may be placed into storage within 14-day pre-season exclusion period)	Category 3	Gear Placement and Removal
Proposal 408 (clarify that unbaited king crab pots may be placed into storage within 14 day pre-season exclusion period)	Category 3	Gear Placement and Removal
<u>NORTON SOUND</u>		
Proposal 409 (earlier opening date for red king crab, change boundaries and modify management plan)	Category 2	Fishing Seasons, GHL, District Subdistrict and Sections
Proposal 410 (Norton Sound Area description – Increase closed waters) (to protect Norton Sound subsistence king crab fishery).	Category 2	Closed Waters
<u>BERING SEA/ALEUTIAN ISLANDS KING CRAB</u>		
Proposal 411 (In Bristol Bay, remove blue king crab and remove 7 inch size limit for all king crab)	Category 2	Fishing Seasons, Minimum Size Limits
Proposal 412 (In Bristol Bay, remove blue king crab and remove 7 inch size limit for all king crab)	Category 2	Minimum Size Limits
Proposal 413 (clarify that unbaited pots may be placed into storage in Bristol Bay any time up to 30 hours prior to red king crab fishery).	Category 3	Gear Placement and Removal
Proposal 414 (allow fishing for P. cod by BBRKC fishers after closure of BBRKC by modifying stand down provision)	Category 3	Other
Proposal 415 (allow BBRKC vessel operators to deliver crab to Adak)	Category 3	Reporting Requirements

or Pribilof Islands)

Proposal 416 (allow otter trawls with headrope greater than 60' onboard crab vessels operating in Bristol Bay red king crab fishery)

Category 3

Other

Proposal 417 (remove red king crab from St. Matthew Island Section and remove 7 1/2 inch king crab size limit in the Pribilof District)

Category 2

Fishing Season, Minimum Size Limits

Proposal 418 (increase transit time before and after the season for the Pribilof District)

Category 3

Vessel Tank Inspections and Reporting Requirements

Proposal 419 (clarify when an AFA overage penalty applies)

Category 3

Other

Proposal 420 (remove blue king crab season from Aleutian Islands and remove 7 1/2 inch legal size limit for king crab)

Category 2

Fishing Seasons, Minimum Size Limits

Proposal 421 (remove blue king crab season from Aleutian Islands and remove 7 1/2 inch legal size limit for king crab)

Category 2

Fishing Seasons, Minimum Size Limits

Proposal 422 (establish management plan for Adak red king crab)

Category 2

Guideline Harvest Levels, Pot Limits

Proposal 423 (allow vessels in BS/AI crab fisheries to unload pots in dry storage prior to departing the management area to deliver)

Category 3

Gear Storage

Proposal 424 (establish no fishing zone for all species)

Category 2

Closed Waters

BERING SEA/ALEUTIAN ISLANDS TANNER CRAB

Proposal 425 (revise *C. opilio* harvest strategy)

Category 2

GHL

Proposal 426 (*C. opilio* season change to March 15)

Category 2

Fishing Seasons

Proposal 427 (*C. opilio* season change to March 15 when GHL less than 75 million pounds)

Category 2

Fishing Seasons

Proposal 428 (*C. opilio* season change according to GHL)

Category 2

Fishing Seasons

Proposal 429 (*C. opilio* season change according to GHL)

Category 2

Fishing Seasons

Proposal 430 (revise *C. opilio* pot limits based on vessel size for GHL less than 25 million pounds)

Category 2

Pot Limits

Proposal 431 (revise C. opilio pot limits when GHL less than 75 million lbs.)	Category 2	Pot Limits
Proposal 432 (Increase C. opilio post-season deep-water pot storage time from 10 days to 14 days)	Category 3	Gear Placement and Removal
Proposal 433 (allow C. opilio crab pot vessel operator to set P. cod pots prior to removal of opilio pots from fishing grounds)	Category 3	Gear Placement and Removal
Proposal 434 (allow unbaited C. bairdi pots to be placed into storage up to 30 hours prior to BBRKC or 30 days if no BBRKC season)	Category 3	Gear Placement and Removal
Proposal 435 (reopen directed C. bairdi east of 163 W Long when BBRKC closed)	Category 2	District, Subdistrict and Sections
Proposal 436 (modify C. bairdi fishing seasons to occur during BBRKC and on January 15, concurrent to C. opilio)	Category 2	Fishing Seasons
Proposal 437 (allow C. bairdi retention equal to groundfish trawl bycatch cap in BBRKC and C. opilio fisheries.	Category 2	GHL
Proposal 438 (do not allow tank inspections at St. Paul)	Category 3	Vessel Tank Inspections
Proposal 439 (allow replacement of pot buoy tags in Pribilofs)	Category 2	Pot Limits
Proposal 440 (allow vessel operator from Bering Sea to land Tanner crab in Adak)	Category 3	Reporting Requirements
Proposal 441 (close state waters at St. Matthew, Hall and Pinnacle Islands for blue king crab conservation)	Category 2	Closed Waters
Proposal 442 (remove regulatory opening for Aleutian Islands Tanner crab and replace with emergency order opening)	Category 2	Fishing Seasons
<u>ONBOARD OBSERVERS</u>		
Proposal 487 (establish Pribilof and St. Matthew Island brown king crab preseason registration deadline)	Category 3	State Observer Requirements
Proposal 488 (clarify existing preseason vessel registration deadlines when deadline falls on weekend or state holiday)	Category 3	State Observer Requirements
Proposal 489 (align preregistration dates with recent changes to	Category 3	State Observer Requirements

fishing seasons for Bering Sea C. bairdi)

Proposal 490 (increase onboard crab and scallop observer trainee period from 6 to 12 months)	Category 3	State Observer Requirements
Proposal 491 (increase onboard crab and scallop observer trainee period from 6 to 9 months)	Category 3	State Observer Requirements
Proposal 492 (increase onboard observer certification period from 12 to 24 months, prior to decertification)	Category 3	State Observer Requirements
Proposal 493 (clarify requirements for a decertified onboard observer to become recertified)	Category 3	State Observer Requirements
Proposal 494 (allow onboard observers to be deployed for up to 180 days in the Aleutian Islands brown king crab fishery)	Category 3	State Observer Requirements
Proposal 495 (cover catcher-processor vessels under cost recovery funded observer program)	Category 3	State Observer Requirements
Proposal 496 (prohibit late registration in BS/AI crab fisheries)	Category 2	State Observer Requirements, Pot Limits

GROUND FISH

Proposal 51 (reimburse C. bairdi fleet the value of C. bairdi taken in groundfish trawl fisheries)	?	?
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PROPOSAL 506 – 5 AAC 34.031 (f). LANDING REQUIREMENTS.

This proposal would allow the commissioner to permit a king crab vessel, in any area of the state, that sustained a major mechanical breakdown or accident involving the death of a crewmember or serious injury to multiple crewmembers, to retain and sell legal-size male king crab taken when the pots are retrieved after the king crab season is closed in a registration area or district.

PROBLEM: Current regulations only allow for the commissioner to permit a vessel to retain king crab after the king crab season is closed when a vessel has sunk. Application for the permit must be made within 14 days.

King crab vessels that have sustained a major mechanical breakdown or accident, involving the death of a crewmember or serious injury to multiple crewmembers may be rendered unable to operate fishing gear and thereby could be prevented from completing the fishing season.

WHAT WILL HAPPEN IF NOTHING IS DONE: King crab vessel operators that have sustained a major mechanical breakdown or accident, involving the death of a crewmember or serious injury to multiple crewmembers, will be prevented from retrieving king crab from the vessel's pots after the season is closed in a registration area or district.

WILL THE QUALITY OF THE RESOURCE HARVESTED OF PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? King crab vessels that sustain a major mechanical breakdown or accident, involving the death of a crewmember or serious injury to multiple crewmembers.

WHO IS LIKELY TO SUFFER? Unknown.

OTHER SOLUTIONS CONSIDERED: None.

PROPOSED BY: Alaska Department of Fish and Game at the request of the Alaska Board of Fisheries. (HQ-01-F-451)

PROPOSAL 507 – 5 AAC 35.031 (f). TANNER CRAB LANDING REQUIREMENTS.

This proposal would allow the commissioner to permit a Tanner crab vessel, in any area of the state, that sustained a major mechanical breakdown or accident involving the death of a crewmember or serious injury to multiple crewmembers, to retain and sell legal-size male Tanner crab taken when the pots are retrieved after the Tanner crab season is closed in a registration area or district.

PROBLEM: Current regulations only allow for the commissioner to permit a vessel to retain Tanner crab after the Tanner crab season is closed when a vessel has sunk. Application for the permit must be made within 14 days.

Tanner crab vessels that have sustained a major mechanical breakdown or accident, involving the death of a crewmember or serious injury to multiple crewmembers may be rendered unable to operate fishing gear and thereby could be prevented from completing the fishing season.

WHAT WILL HAPPEN IF NOTHING IS DONE: Tanner crab vessels that have sustained a major mechanical breakdown or accident, involving the death of a crewmember or serious injury to multiple crewmembers, will be prevented from retrieving Tanner crab from the vessel's pots after the season is closed in a registration area or district.

WILL THE QUALITY OF THE RESOURCE HARVESTED OF PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Tanner crab vessels that sustain a major mechanical breakdown or accident, involving the death of a crewmember or serious injury to multiple crewmembers.

WHO IS LIKELY TO SUFFER? Unknown.

OTHER SOLUTIONS CONSIDERED: None.

PROPOSED BY: Alaska Department of Fish and Game at the request of the Alaska Board of Fisheries.

(HQ-01-F-452)
