

**Joint Meeting  
Alaska Board of Fisheries  
and  
North Pacific Fishery Management Council  
February 4, 1997**

**TAB 8: CRAB CDQ PROGRAM MANAGEMENT**



REPORT TO THE JOINT MEETING  
OF THE  
ALASKA BOARD OF FISHERIES  
AND THE  
NORTH PACIFIC FISHERIES MANAGEMENT COUNCIL  
ON  
PROPOSED REGULATIONS  
FOR  
BERING SEA  
CRAB COMMUNITY DEVELOPMENT QUOTAS

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JANUARY 4, 1997

# STATE OF ALASKA

TONY KNOWLES, GOVERNOR

## DEPARTMENT OF FISH AND GAME

### COMMERCIAL FISHERIES MANAGEMENT AND DEVELOPMENT DIVISION

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January 3, 1997

**SUBJECT: Proposed Bering Sea Crab Community Development Quota Regulations**

The purpose of this document is to solicit public input on proposed Crab Community Development Quota Regulations.

Crab Community Development Quotas (CCDQ) are contained in the new Magnuson-Stevens Act of 1996. This act designates a phase-in allocation of 3.5 percent for the year 1998, 5.0 percent for 1999, and 7.5 percent for 2000 and beyond of the total catch by fishery of red and blue king and Tanner crab in the Bering Sea. In addition, the North Pacific Fisheries Management Council (council) approved a Fishery Management Plan (FMP) amendment package that included Bering Sea king and Tanner crab CCDQ system. The Bering Sea crab fisheries covered by the CCDQ system are:

Bristol Bay red king crab  
Norton Sound red king crab  
Pribilof red and blue king crab  
Saint Matthew blue king crab  
Bering Sea *C. opilio* (snow) and *hairdi* Tanner crab.

The FMP for commercial king and Tanner crab fisheries in the Bering Sea/Aleutian Islands delegates most of the management authority for these fisheries to the State of Alaska (state). The FMP establishes three categories of management measures: 1) federal management measures fixed in the FMP and which require a plan amendment to change; 2) framework type management measures which the state may implement and amend subject to federal criteria specified in the FMP, and; 3) measures that the state may freely implement and amend without specific federal criteria specified in the FMP. The CCDQ program is a category one management measure which can only be changed by the council. However, the state must adopt regulations for the management of these fisheries. In October 1996, the Alaska Board of Fisheries (board) accepted a staff agenda change request to review proposed regulations pertaining to the fishing operations of vessels participating in CCDQ fisheries. The board will address these proposed regulations at their March 1997 meeting in Anchorage, Alaska.

Department of Fish and Game (department) staff proposes managing the CCDQ fisheries by a permit system similar to that presently in regulations for *Lithodius cousei* and *Angulatus tanner* crab. The permit will stipulate the activities of the fishing vessel and its fishing operations.

Under the proposed regulations, CCDQ vessels will register for each CCDQ fishery prior to participation in the fishery. Except for the stipulations included in the fishing permit, CCDQ fisheries will be conducted under current State of Alaska commercial shellfish fishing regulations.

Each CCDQ group is required to submit a community development plan to the Secretary of Commerce. The Secretary then makes allocations which are for a three year period to each qualifying group. The allocations are a percentage of the total CCDQ allocation. In addition, each group must have a fishing plan that is submitted to, and approved by, the State of Alaska.

Federal regulations require that the CCDQ harvest allocation for each group be determined as a percentage of the total harvest of the commercial fishery rather than the preseason Guideline Harvest Level (GHL). Thus the final CCDQ allocation is not known until the open commercial harvest is completed. Because of this requirement and the often small GHL's in the Bering Sea king and *C. bairdi* crab fisheries and other factors, it is the department's preference that these CCDQ fisheries take place after the conclusion of the commercial fishery. The exception to the post commercial CCDQ fishery would be the *C. opilio* fishery which has a large GHL. This CCDQ fishery could occur both before and after the commercial fishery.

CCDQ fisheries could take place before and after the commercial fishery. However split season harvests on fisheries with small GHL's are difficult to manage and will impose additional costs to both the department and the CCDQ groups. For example, for a pre and post commercial CCDQ fishery, a CCDQ vessel must move gear to and from the fishing grounds up to three times: 1) after the pre-season fishery it is necessary for CCDQ pots to be removed from the commercial fishing grounds prior to the opening of the commercial fishery for enforcement and fair start concerns; 2) if the vessel participates in the commercial fishery, gear would have to be taken back to the fishing grounds and bait containers removed, and moved to storage areas after the closure; and, 3) gear would again have to be deployed and removed in the post commercial fishery. Additional costs would also be borne by the Department of Public Safety to enforce pre-commercial CCDQ fisheries where gear is required to be off the commercial grounds prior to the opening of the commercial fishery, as well as its closure. The department believes that a CCDQ fishery occurring after the commercial fishery will be significantly more economical for the CCDQ groups, Public Safety and the department. This approach allows the department to determine an accurate CCDQ allocation based on the actual commercial catch as required and not a preseason GHL estimate.

In the cases where the commercial crab harvest is significantly greater or lesser than the preseason GHL and the stock is depressed, a CCDQ crab fishery may be precluded in that year for that species. If a significant over harvest of a depressed stock occurs (50 percent or greater as a suggestion), the department may elect not to allow the CCDQ fishery on that crab stock to take place because of conservation concerns. In addition, when a significant under harvest of the GHL occurs (50 percent to 70 percent) indicating an over estimate of the GHL or other stock problems, the department may not provide a CCDQ fishery because of stock conservation concerns. Comments are being requested on the appropriateness of these cut-off levels and any other criteria which should be used to make this determination.

Please direct any written comments you may have on these proposed crab CDQ regulations to:

**Alaska Board of Fisheries  
Alaska Department of Fish and Game  
Division of Boards  
P.O. Box 25526, Juneau, AK 99802-5526**

If you want more information regarding the draft crab community development quota regulations or have questions, please contact John McNair (907) 465-6112 or Ken Griffin (907) 465-6126, Fax (907) 465-2604.

**Attachments:**

1. Proposed crab CDQ Management Plan regulations
2. Proposed ADF&G permit form
3. Board of Fisheries agenda change request

**DRAFT (12/3/96)**

**5 AAC 39.690. BERING SEA/ALEUTIAN ISLANDS KING AND TANNER CRAB COMMUNITY DEVELOPMENT QUOTA (CDQ) FISHERIES MANAGEMENT PLAN.** (a) Male red and blue king crab and male Tanner crab may be taken in a Bering Sea/Aleutian Islands CDQ fishery only under the conditions of a permit issued by the commissioner.

(b) In the Bering Sea/Aleutian Islands CDQ fishery

(1) male king crab may be taken only in Registration Area T as described in 5 AAC 34.800 and Registration Area Q as described in 5 AAC 34.900; and

(2) male Tanner crab may be taken only in the Bering Sea District of Registration Area J as described in 5 AAC 35.505(e).

(c) Male king crab and male Tanner crab may be taken only with pots.

(d) Unless otherwise specified in a permit issued under (e) of this section, an operator of a vessel fishing CDQ crab allocations shall comply with all regulations in 5 AAC 34, 5 AAC 35, and 5 AAC 39 that are applicable to the area and species of crab being fished.

(e) In the permit required in (a) of this section the commissioner may

(1) specify the species of king or Tanner crab that may be taken;

(2) specify an area or areas open to CDQ fishing operations;

(3) specify fishing periods;

(4) establish pot limits;

(5) establish the poundage of the CDQ allocation of a species of king or Tanner crab that may be taken by a CDQ group in a registration area or portion of a registration area;

(6) limit a CDQ fishery harvest by establishing fishing periods and the amount of the CDQ allocation for that same species of king or Tanner crab that may be taken by each participant before the opening of the commercial fishery if a CDQ fishery is conducted before the opening of the commercial fishery for a species of king or Tanner crab;

(7) require onboard observers during fishing operations;

# DRAFT

(8) require the operator of a vessel fishing CDQ crab allocations to notify the department of fishing time, delivery time, and delivery destination;

(9) establish reporting requirements;

(10) require logbooks;

(11) establish times and areas allowed for placement and removal of gear;

(12) establish times, areas, and conditions allowed for storage of gear;

(13) set out other conditions deemed necessary by the commissioner for conservation and management of the resource.

(f) A permit issued under (e) of this section will be considered the registration required by 5 AAC 34.020 or 5 AAC 35.020.

(g) Notwithstanding 5 AAC 34.005 and 5 AAC 35.005, participation by a CDQ permit holder in an exclusive or superexclusive king or Tanner crab fishery does not preclude a vessel or permit holder from participation in a CDQ crab fishery.

(h) Notwithstanding 5 AAC 34.005 and 5 AAC 35.005, participation by a CDQ permit holder in a CDQ king or Tanner crab fishery does not preclude a vessel or permit holder from participation in an exclusive or superexclusive crab fishery.

**DRAFT**

**ALASKA DEPARTMENT OF FISH AND GAME  
CRAB COMMUNITY DEVELOPMENT QUOTA PERMIT/REGISTRATION  
5 AAC 39.XXX**

CCDQ Group \_\_\_\_\_

CCDQ Group ID No. \_\_\_\_\_

Allocation Year \_\_\_\_\_

CDQ Group Allocation \_\_\_\_\_

1. Registration Area of Harvest:

Norton Sound \_\_\_\_\_ Bristol Bay \_\_\_\_\_

Pribilof \_\_\_\_\_ St. Matthew \_\_\_\_\_

Bering Sea \_\_\_\_\_

2. Species of Harvest:

Red king crab \_\_\_\_\_ Blue king crab \_\_\_\_\_

*C. bairdi* \_\_\_\_\_ *C. opilio* \_\_\_\_\_

Vessel Name \_\_\_\_\_

Vessel ADF&G No. \_\_\_\_\_

Vessel Type: \_\_\_\_\_

CFEC Interim Use Permit No. \_\_\_\_\_

Operator \_\_\_\_\_

Address: \_\_\_\_\_

**TERMS OF PERMIT:**

1. Periods (dates) of fishing operation: From \_\_\_\_\_ To \_\_\_\_\_

2. The department representative in Dutch Harbor must be notified \_\_\_\_\_ hours prior to the commencement of fishing operations. In addition, CDQ vessels must notify the department representative in Dutch Harbor \_\_\_\_\_ hours prior to delivery and of delivery destination for all CDQ caught crab.



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3. Vessels operating under CDQ permits must report catches to the department representative in Dutch Harbor daily \_\_\_\_weekly\_\_\_\_. Reports may be by SSB, fax, email, or MCI.

4. Pots designated to fish CDQ crab allocations must be tagged registered with the department in Dutch Harbor.

a) No. Pots\_\_\_\_. Tag numbers from\_\_\_\_to\_\_\_\_\_.

b) CDQ pots may be placed in the authorized registration area of operation (date)\_\_\_\_\_.

c) CDQ pots must be removed from the authorized area of operation (date)\_\_\_\_\_.

5. Onboard observers are required during all CDQ crab fishing operations.

6. The department will\_\_\_\_will not\_\_\_\_ require log books to be filled out and turned in at time of delivery.

**Logbook information required:**

a) Number of pots fished;

b) Depths;

c) Soak time,;

d) Number of crabs caught, and;

e) Fishing location by (lat'/long', loran, ect.)

f) Other information deemed necessary

7. CDQ harvests allowed before the regular commercial season are limited to \_\_\_\_% of the total CDQ group allowable allocation.

8. The department may implement other management measures as deemed necessary.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature Vessel Operator

\_\_\_\_\_  
Signature Department Representative

\_\_\_\_\_  
Date and Location of Registration

**AGENDA CHANGE REQUEST #13 - 5 AAC 39.690. BERING SEA/ALEUTIANS ISLANDS KING AND TANNER CRAB COMMUNITY DEVELOPMENT QUOTAS.** Adopt regulations to allow Community Development Quotas for Bering Sea and Aleutians Islands king and Tanner crab fisheries as follows:

5 AAC XX.XXX is added to read:

5 AAC 39.690. BERING SEA/ALEUTIANS ISLANDS KING AND TANNER CRAB COMMUNITY DEVELOPMENT QUOTAS.

**Present Situation:** At their June 1995, the North Pacific Fisheries Management Council (council) authorized Community Development Quotas (CDQ) for Bering Sea and Aleutians Islands (BSAI) king and Tanner crab fisheries. Actual fishing will not occur until 1998. Due to the three year board cycle, it is not possible to implement state regulations prior to the start of the CDQ fisheries through the normal regulatory cycle. Managers need new CDQ regulations dealing with seasons, registrations, gear, delivery times, observers, and other management measures to insure that the harvest of both the open access and the CDQ fisheries do not jeopardize the stocks. During deliberations with the council, the state recommended that only BSAI king and Tanner crab fisheries with a pre-season harvest guideline (GHL) were eligible for a CDQ allocation. This includes the following fisheries: 1) Bristol Bay red king crab, 2) Pribilof red and blue king crab; 3) St. Matthew blue king crab, 5) Norton Sound red king crab, and ; 5) Bering Sea *C. bairdi* and *opilio* Tanner crab. All other BSAI king and Tanner crab fisheries are not eligible for a CDQ allocation.

**What the Proposal Seeks to Change:** Establish regulations for CDQ king and Tanner crab fisheries in BSAI.

**Staff Assessment of the Agenda Change Request Criteria as it Relates to This Request:**

1. Is there a fishery conservation purpose or reason? Yes, regulations are needed to ensure the CDQ fisheries can be managed consistent with established sustained yield principles for BSIA king and Tanner crab stocks.
2. Does the proposal correct an error in a regulation? No.
3. Does it correct an effect on a fishery that was unforeseen when a regulation was adopted? No.
4. Is the proposal predominantly allocative in nature? No.
5. Does the department have new information with respect to this proposal? Yes. The council has approved a CDQ system that is expected to in place in 1998.

SENT BY:

1-31-97 : 9:52AM :

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**Additional information: None.**

**PROPOSED BY: Alaska Department of Fish and Game.**