

M E M O R A N D U M

TO: Council, SSC, and AP Members

FROM: Jim H. Branson *JHB*
Executive Director

DATE: May 10, 1982

SUBJECT: Tanner Crab Fishery Management Plan

ACTION REQUIRED

Review recent State regulatory changes and provide the PMT with further direction on amending the FMP to remove inconsistencies with State regulations.

BACKGROUND

At the joint meeting held last March, the Council and Board discussed proposed regulatory changes for the 1982-83 Tanner crab fishery. In particular, the Council reviewed proposals for a new pot storage area in Bristol Bay and Pribilof areas, the establishment of a minimum size limit for C. opilio, and the prohibition of side-loading pots in the Yakutat district. Board action on these and all other Tanner crab proposals are summarized as Agenda Item D-4(a). It should be noted that of the sixteen proposals reviewed by the Board, eleven were adopted. These regulatory changes create new inconsistencies between State regulations and Federal regulations/FMP and will require either a field order or a plan amendment to eliminate. The staff recommends Council concurrence of the Board's actions so corresponding Federal changes can be made.

On May 3, 1982 the Tanner crab PMT met to review the regulatory inconsistencies between the State and Federal regulations, and the FMP. In light of continued management problems, the Council at the last meeting has directed the team to bring the FMP back into conformity with current State management. The team in its review has uncovered some additional problems which will require Council direction. A discussion of these problems is presented in the Team's meeting report [Item D-4(b)].

Amendment #7 which established new C. bairdi OYs and set C. opilio OY equal to DAH (i.e. TALFF = 0) was published in the Federal Register on September 3, 1981 as a proposed rule. Publication of Amendment #7 as a final rule has been delayed due to the many comments received and the time required to prepare final regulations. The amendment package is currently in the Division of Permits and Regulations of NMFS and publication as a final rule is being set for early summer.

An international symposium on the genus Chionoecetes was held in Anchorage on May 4-6, 1982 with over 50 scientists from Japan, Canada and the United States participating. The symposium, jointly sponsored by the North Pacific Fishery Management Council, National Marine Fisheries Service, the Alaska Department of Fish and Game, and the University of Alaska Sea Grant Program, was very successful and produced valuable information regarding Tanner crab biology, on-going research, and management. The Proceedings of the symposium will be published by late summer and copies will be made available to the Council family.

ALASKAN TANNER CRAB PROPOSALS SUMMARY

	<u>Board Action</u>	<u>FMP/Reg Response</u>
<u>Registration</u>		
(86) Repeal district registration in the Westward Area	adopted	NC
<u>Seasons</u>		
(15) Open Southeastern earlier, Oct 1 vs. Dec 1	rejected	NC
(34) Open Prince William Sound District later, Jan 5 or 15 vs. Nov 15	rejected	NC
(40) Open Cook Inlet earlier, Sept 1 vs. Dec 1	rejected	NC
(79) Open Chignik and S. Peninsula earlier, Dec 1 vs. Dec 15 (open later, Feb 10)	amended/adopted	FO
(80) Open W. Aleutian earlier, Nov 1 vs. Jan 15	adopted	FO
(81) Close Norton Sound	adopted	FO
<u>Harvest Levels</u>		
(84) Repeal guideline harvest ranges in Westward Area	adopted	A
<u>Size Limits</u>		
(85) Set size limit for <u>opilio</u> at 3.1 inches (or 78 mm)	adopted	A
<u>Gear</u>		
(18) Prohibit use of side-loading pots in Yakutat District	adopted	A
(41) Allow Tanner crab pots on grounds 72 hours prior to season in Cook Inlet	rejected	NC
(82) Change pot storage area or allow random storage in S.E. district	amended/adopted	A
(83) No in-water storage east of 172°W longitude except where specified	adopted	A
(87) No in-water storage near Pribilofs, June 1 - Aug 31	adopted	A
<u>Miscellaneous</u>		
(77) Add a missing point to S.W. Section in Kodiak District	adopted	A
(78) Establish Chignik as an exclusive registration area	rejected	NC

A = Amendment
FO = Field Order
NC = No Change

TANNER CRAB PLAN MAINTENANCE TEAM MEETING SUMMARY

May 3, 1982
Anchorage, Alaska

Members: Steve Davis, Fred Gaffney, Ray Baglin and Jerry Reeves

In reviewing the current inconsistencies between State and Federal regulations, State regulations and the Tanner crab FMP, and Federal regulations and the FMP, it is clear that the plan will require extensive revision. Most of the inconsistencies, which have been summarized in Table 1, occur in the fishing seasons and ABC/OY sections of the FMP. These are also the management measures that are frequently changed by the State in response to stock fluctuations and industry desires. The Board in an attempt to help alleviate the problems associated with out-of-date harvest guidelines, has modified their Westward area regulations to reflect a framework harvest strategy. Such an improvement to the Tanner crab FMP would also be desirable as opposed to updating the numerical OYs. The PMT also recommends authorization to framework other management measures such as fishing seasons, so that constructive improvements can be made to the plan rather than just cosmetic changes. Frameworking the entire plan would be left to a more comprehensive amendment.

During the PMT review, problems were uncovered which will require further Council direction. The team requests the Council's position on the following issues:

1. Pot Limits - How should the team address pot limits in its amendment? To conform FMP/regulations with current State management, new pot limits would be issued in the Federal regulations for the Southeast and Kodiak areas and removed from Cook Inlet.

The FMP currently limits the number of Tanner crab pots in the Cook Inlet (75 pots) and Southeast areas (60-100 pots). Federal regulations limit pots for only Cook Inlet. The State possesses pot limits for the Southeast (100 pots) and Kodiak areas (250 pots).

2. Gear Placement - How should the team address gear placement in the amendment? The FMP currently allows gear to be legally stored on the grounds for 72 hours prior to opening of the season, and for 72 hours after the season closure. The State prohibits gear storage on the grounds prior to season openings but does allow 72 hours following season closure for gear removal.

This was an inconsistency that created some problems in the Kodiak area during the last two seasons. Does the Council wish to agree with this State regulation or do they believe that a 72 hour storage period prior to the season opening is necessary for fair and equitable Tanner crab fishing in the FCZ? The recently developed King Crab FMP provides for flexibility in this management measure (up to seven days before and after the season based on a variety of factors). However, even with adoption of this language the Council

will have to direct the team on what form the final regulation would have.

Other inconsistencies, of a textual sense, were identified during the PMT's review of the plan. These will be collected for the future comprehensive amendment to the plan.

The development of an amendment time schedule received considerable discussion by the team. With all of the Tanner crab PMT members currently obligated to other projects, the preparation of an amendment package will take some time. The team is tentatively setting late July as a completion date for an amendment package.

TABLE 1. INCONSISTENCIES BETWEEN TANNER CRAB FISHERY MANAGEMENT PLAN AND STATE REGULATIONS

1. Harvest Guidelines/OY need to be updated.

	<u>AREA</u>	<u>DISTRICT</u>	<u>STATE</u>	<u>FMP</u> (millions of pounds)
S.E.	A	Northern District (Cape Spencer - C. Suckling)	.5 - 3.0	5.5 (for both districts)
		Southern (East of Cape Spencer)	.75 - 2.5	
PWS	E		1.3 - 5.3	7.0
Cook Inlet	H		11.0	5.3
Westward	J	South Peninsula	3.0 - 6.0	6.0
		Chignik	2.0 - 5.0	5.0
		Kodiak	9.0 - 15.0	35.0
		Aleutian	no guideline	2.0
		Bering Sea <u>opilio</u>	no guideline	OY = DAH not to exceed ABC

2. Minor differences in statistical area descriptions

3. Fishing Seasons

	<u>AREA</u>	<u>DISTRICT</u>		<u>STATE</u>		<u>FMP</u>	
				<u>Opening</u>	<u>Closing</u>	<u>Opening</u>	<u>Closing</u>
S.E.	A	Northern District	was Sept. 15	Dec. 1	May 1	Sept. 1	May 15 (for both districts)
		Southern District	was Sept. 15	Feb. 1	May 15		

*denotes changes made by Board of Fisheries, March 1982

3. Fishing Seasons (continued)

	<u>AREA</u>	<u>DISTRICT</u>		<u>STATE</u>		<u>FMP</u>	
				<u>*Opening</u>	<u>Closing</u>	<u>Opening</u>	<u>Closing</u>
Westward	J	Kodiak	was Jan. 22	Feb. 10	April 30	Jan. 22	April 30
		Chignik	was Dec. 15	*Feb. 10	May 15	Nov. 1	May 15
		South Peninsula	was Dec. 15	*Feb. 10	May 15	Dec. 1	May 15
		W. Aleutian	was Jan. 15	*Nov. 1	June 15	Jan. 15	June 15
		Bering Sea <u>c. bairdi</u>	was Jan. 15	Feb. 15	June 15	Jan. 15	June 15
		<u>c. opilio</u>	was Jan. 15	Feb. 15	*Aug. 1 (<u>opilio</u> only) was Aug. 15		<u>opilio</u> closed by FO

4. Pot Limits

	<u>AREA</u>	<u>DISTRICT</u>	<u>STATE</u>	<u>FMP</u>
Westward	J	Kodiak	250 pot limit	no pot limit
Cook Inlet	H		no pot limit	75 pot limit
S.E.	A		100 pot limit	no pot limit

5. Pot Storage

72 hour period prior to opening of season to allow storage of pots on grounds. It is in the FMP but not in State Regulations. This was an enforcement problem last season.

There is a major difference in the Bering Sea pot storage area.

6. Other

* C. opilio minimum biological size limit = 3.1 inches

* prohibition of side-loading pots from the Yakutat District

* denotes changes made by Board of Fisheries, March 1982