

PROPOSAL 71

5 AAC 35.128. Operation of other gear in Registration Area A.

Allow operation of commercial, subsistence, sport, or personal use pots in the 14 days after closure of the Southeastern Alaska Area commercial Tanner crab fishery, as follows:

5 AAC 35.128(c) is added:

(c) Notwithstanding 5 AAC 35.053(1), during the 14 days after the close of the commercial Tanner crab season in Registration Area A; a vessel or person that participated in a commercial Tanner crab fishery may operate commercial, subsistence, sport, or personal use pots in Tanner crab Registration Area A after putting Tanner crab pots in storage, as specified in 5 AAC 35.052, and, unless the registration is already invalidated under 5 AAC 35.020(k), after invalidating the vessel's Tanner crab registration by contacting, in person, a local representative of the department.

What is the issue you would like the board to address and why? Current commercial Dungeness crab and king crab regulations allow for operation of commercial, subsistence, sport, or personal use pots in the 14 days after commercial closures if gear is put in storage as specified in regulation and a local representative of the department invalidates the vessel’s registration. Current Tanner crab regulations only allow the operation of other commercial pots (not subsistence, sport, or personal use pots) in the 14 days after the commercial closure if gear is put in storage as specified in regulation and a local representative of the department invalidates the vessel’s registration. The change specified above would align the commercial Tanner crab fishery with commercial Dungeness crab and king crab fisheries to allow operation of commercial, subsistence, sport, or personal use pots in the 14 days after commercial closures if gear is put in storage as specified in regulation and a local representative of the department invalidates the vessel’s registration.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F17-116)

PROPOSAL 72

5 AAC 35.113. Registration Area A Tanner crab harvest strategy.

Re-define ‘non-core’ areas and define ‘exploratory’ areas in the Southeastern Alaska Area commercial Tanner crab fishery, as follows:

(c)

We recommend re-defining all areas of the non-core that have had a landing in the last 5 seasons as ‘non-core.’ All remaining areas that are not defined as core or non-core, shall be defined as ‘exploratory’ areas. Exploratory areas should remain open for a minimum of 14 days after noncore areas close.

What is the issue you would like the board to address and why? We would like to re-define ‘non-core’ areas and define ‘exploratory’ areas. Some areas of Southeast have not been fished for Tanners in decades, and we would like to give fishermen an opportunity to try these areas.

PROPOSED BY: Jared Bright, Ty Barkhofer, Dale Bartells, John Berry, Charlie Christensen, Jerry Dahl, Troy Denkinger, Ken Eichner, Craig Evens, Jeremy Jensen, Aaron Miller, Mike Nilsen, Yancey Nilsen, Dennis O'Neil, Justin Peeler, Eric Rosvold, Aaron Severson, Mark Severson, Gary Slaven, Derek Thynes, Kory Versteeg, Dan Vick, Luke Whitethorn, Petersburg Vessel Owner's Association, Southeast Alaska Fishermen's Alliance, Alaska Glacier Seafoods, Icicle Seafoods (HQ-F17-057)

PROPOSAL 73

5 AAC 35.113. Registration Area A Tanner crab harvest strategy.

Manage the Southeastern Alaska Area commercial Tanner crab fishery using an equal quota share, as follows:

(b)

(1) In the Area A Tanner crab fishery, the holder of a CFEC permit or interim use permit for tanner crab may not retain more tanner crab in the directed fishery than the annual amount of tanner crab equal quota share that is specified by the department. The department shall determine the annual amount of tanner crab equal quota share by dividing the annual harvest objective, by the number of CFEC permits and interim use permits eligible to be fished in the fishery. The department shall use the best available information, including harvest rate and biological data, to set the annual harvest objective.

(2) When participating in the Area A Tanner crab fishery, a person holding a CFEC permit or interim use permit for that fishery must retain in the persons possession and present for inspection on board the vessel on which that person is registered to fish, a copy of each completed fish ticket issued to the person during the current season. The permit holder shall provide each buyer with the total weight of tanner crab that the permit holder has landed to date in the fishery for that year.

(3) If a permit holders harvest exceeds the permit holders equal quota share established by the department under (1) or (2) of this section for that year, by not more than five percent, the department shall reduce the permit holders equal quota share for the following year by the amount of the overage. The adjusted equal quota share is the permit holders quota share for that year. If a permit holders harvest exceeds the permit holders quota share by more than five percent, the proceeds from the sale of the overage in excess of five percent shall be surrendered to the state. A permit holder may not assume that the ability to adjust a quota share under this section is an opportunity to knowingly exceed a quota share or to exceed the equal quota share in an amount greater than five percent as such action may be prosecuted under AS 16.05.722 or AS 16.05.723.

(4) If a permit holders harvest is less than the permit holders equal quota share established under (1) or (2) of this section for that year, the department shall increase the permit holders equal quota share only for the following year by the amount of the underage that does not exceed five percent of the equal quota share.

What is the issue you would like the board to address and why? The Area A tanner crab fishery is the only active tanner crab fishery left in the state of Alaska. It has gone from a month long fishery in the 1980's to only a week in 2017. Unfortunately, in 2017 the price is roughly the same as it was 30 years ago, unadjusted for inflation. Coincidentally, the product form has not changed

in 30 years either. This is because we as commercial fishermen rush out, quickly catch the tanners, and drop them off at the processors where they have no choice but to put them into the same antiquated, easy, quick, box frozen product form. Fishermen and Processors alike need a significantly longer season to creatively market these unique crab. Under 5 AC 35.110, the commercial fishing season for tanner crab in Area A is from February 10 to May 1. Having a fishery that uses all of these available days will allow fishermen and processors alike to derive the highest value out of this unique State of Alaska resource.

I propose making the Area A Tanner crab fishery a mirror of the EQS in the Northern and Southern Southeast Sablefish fisheries. Divide the total harvest objective by the number of limited entry permits. Allow each permit holder to fish the full three month fishery. Allow each permit holder to sell when and to whom they want to at a price both parties agree is fair. Give the processors incentive to develop new markets that provide themselves, fishermen and the State of Alaska more revenue. The same amount of crab will be caught with either harvest strategy. But the State of Alaska has a duty to help maximize the value of its peoples resource.

PROPOSED BY: Andrew Kittams (EF-F17-112)

PROPOSAL 74

5 AAC 35.165. Description of Registration Area D districts.

Establish a tanner crab fishery in a section of the Yakutat District, as follows:

- (a) Yakataga District: all waters of Alaska between the longitude of Cape Suckling (144° W. long.) and the longitude of Icy Cape (141° 42' W. long).**
- (b) Yakutat District: all waters of Alaska between the longitude of Icy Cape (141° 42' W. long.) and a line projected southwest from the westernmost tip of Cape Fairweather.**
 - (1) Yakutat Bay Section: all waters of the Yakutat District northeast of a line from Ocean Cape at (coordinates) to Point Manby at (coordinates) [REGISTRATION AREA D DISTRICTS ARE DESCRIBED IN 5 AAC 30.200].**

Approximately 20 years ago, all forms of commercial crab fishing ceased in the Yakutat area. At the time, stocks were declining, and there appeared to be a biological need to do so. Since then, the Yakutat A.C. has been working toward getting these fisheries tested, and or obtaining a limited, test fishery. We asked for the tanner crab pot limit to be reduced from 100 pots to 40, with the intent of having a small, two week test fishery to see what kind of stocks are available. The pot limit was reduced, but the fishery never happened. We've asked to have a Dept. sanctioned biomass study done, but have been informed that there is no money for the study. Revisiting our original proposal, we recommended that we implement a 2 week test fishery, in which our fishermen provide boats, Dept. staff would be welcome, and the crab can be released, we just need to know what is out there. We have had numerous testimonies that state that subsistence pots are coming up full of tanner crab, and our hope is to see if market quantities are available. To date, we have been told that this test fishery cannot proceed, because the Yakutat area is big, and our local boats would not sample it all the way from Fairweather to Sukling.

Therefore, this proposal asks that the Yakutat tanner crab fishery statistical area be broken up in this fashion. Yakutat Bay would become its own statistical area, separate from the rest of the district by a line from Ocean Cape, to Point Mamby. This area could then be allowed a 2 week test

fishery in which participants must register and Dept. staff would be welcome to come and count crab, which could then be released. If it is determined that there are in fact market quantities of crab available, then a structured fishery could proceed according to those findings. If market quantities are in fact found in Yakutat Bay, then we would ask that an official sampling of the remainder of the district be conducted.

What is the issue you would like the board to address and why? Our proposed solution has been outlined. Commercial crab fisheries were a huge part of Yakutat's economy, as well as to fishermen who came here from other regions. If we're going to be proper stewards of the resource, then a better mechanism is needed for testing and managing fisheries that have been emergency closed. We fully understand the State's limited financial abilities, and we are trying to accommodate the need with the use of volunteers. Currently, it would appear that if your commercial fishery is ever emergency closed, it means you have permanently lost it. We find this unacceptable.

What we are asking for is a test fishery, all crab would be released unharmed, and no one would be adversely affected. The volunteer fishermen are available to test Yakutat Bay anytime, and in any fashion the Dept. sees fit.

PROPOSED BY: Yakutat Fish and Game Advisory Committee (EF-F17-026)
