

PROPOSAL 61

5 AAC 34.100 and 35.100. Description of Registration Area A.

Expand waters of king and Tanner crab Registration Area A to include all waters from zero to 200 miles offshore, as follows:

Registration Area A **consists of all Pacific Ocean waters north of** [HAS AS ITS SOUTHERN BOUNDARY] the International Boundary **line** at Dixon Entrance, and **south of a line extending 231 deg. southwest** [AS ITS NORTHERN BOUNDARY A LINE EXTENDING SEAWARD from the western tip of Cape Fairweather at 58° 47.89’ N. lat., 137° 56.68’ W. long. to the intersection with the seaward limit of the three-nautical-mile territorial sea at 58° 45.91’ N. lat., 138° 01.53’ W. long. **and all Pacific Ocean waters south of 58° 45.91’ N. lat.**

What is the issue you would like the board to address and why? Rewrite the Southeast King and Tanner Regulations to include all waters of the pacific ocean. The state has the management authority of crab fisheries out to 200 miles, however the language of 34.100 and 35.100 restrict Registration Area A to the 3 mile line, preventing access to crabs outside of 3 miles. Registration Areas A and D are the only Registration Areas that do this.

PROPOSED BY: Jared Bright (EF-F17-064)

PROPOSAL 62

5 AAC 34.160 and 35.160. Description of Registration Area D.

Expand waters of king and Tanner crab Registration Area D to include all waters from zero to 200 miles offshore, as follows:

Registration area D **consists of all Pacific Ocean waters east of** the longitude of Cape Suckling(144 deg. W. long.), and **north of a line extending 231 deg. southwest from** the western tip of Cape Fairweather at 58.47.89N. lat., 137.56.68W. long.

What is the issue you would like the board to address and why? Rewrite the Yakutat King and Tanner Regulations to include all waters of the pacific ocean. The state has the management authority of crab fisheries out to 200 miles, however the language of 34.160 and 35.160 restrict Registration Area D to the 3 mile line, preventing access to crabs outside of 3 miles. Registration Areas A and D are the only Registration Areas that do this.

PROPOSED BY: Jared Bright (EF-F17-065)

PROPOSAL 63

5 AAC 34.113. Southeast Alaska Red King Crab Management Plan.

Open an exploratory commercial red king crab fishery in specific areas during years of low estimated abundance, as follows:

(c) on years the departments estimate of the available harvest is below the minimum threshold of 200,000 pounds of legal male red king crab, there will be an exploratory fishery in Districts 1, 2, 3, 4, 5 south of Devils Elbow at 56. 34.73 N. lat., 6 south of Midway Rock at 56.31.84 N. lat., 7, 8 south of Banana Point at 56.33.11 N. lat., and Outside Waters.

What is the issue you would like the board to address and why? The size and scope of the of Red King Crab biomass in Southern Southeast Alaska is unknown. The state has limited resources, tasking the department to conduct an extensive survey to quantify the biomass of Red King Crab in Southern Southeast Alaska is not an option. Having an exploratory Red King Crab fishery in non surveyed areas that also have traditionally low effort/harvest(Districts 1, 2, 3, 4, 7, outside waters and portions of Districts 5, 6 and 8)on years that the Southeast Red King Crab biomass estimate does not meet the minimum threshold of 200,000 pounds of legal male Red King Crab, would provide the state with revenue, fisherman with opportunity, and the department with valuable(free)survey information

PROPOSED BY: Jared Bright, Luke Whitethorn, Yancey Nilsen, and Derek Thynes
(EF-F17-062)

PROPOSAL 64

5 AAC 34.113. Southeast Alaska Red King Crab Management Plan and 5 AAC 34.125. Lawful gear for Registration Area A.

Manage the Southeastern Alaska Area commercial red king crab fishery under an equal quota share when harvestable surplus is less than 200,000 pounds, as follows:

5 AAC 34.113. Southeast Alaska Red King Crab Management Plan

(c) **Until January 24, 2021**, the department shall **open the fishery as an equal quota share if the department's estimate of the available harvestable surplus is greater than 50,000 pounds of legal male red king crab and less than the minimum threshold of 200,000 pounds of legal male red king crab. When the minimum threshold of 200,000 pounds is met or exceeded, the traditional fishery shall be prosecuted.**

5 AAC 34.125. Lawful gear for Registration Area A

(b) The following king crab pot limits are in effect in Registration Area A:

- (1) During the commercial red king crab season, the maximum number of king crab pots that may be operated from a vessel registered to fish for king crab is as follows:
 - (A) No more than 20 king crab pots when the guideline harvest level is at least **50,000** [200,000] but not more than 399,999 pounds;
 - (B) no more than 30 king crab pots when the guideline harvest level is at least 400,000 but not more than 499,999 pounds;
 - (C) no more than 40 king crab pots when the guideline harvest level is at least 500,000 but not more than 599,999 pounds;
 - (D) no more than 50 king crab pots when the guideline harvest level is 600,000 pounds or more;

What is the issue you would like the board to address and why? We are looking for a way to prosecute a red king crab fishery when there is a harvestable surplus of less than 200,000 pounds of legal male red king crab. This minimum threshold has not been addressed in several years, while the red king crab market price has increased. The minimum threshold was first set at 300,000 pounds in 1988 and later lowered to 200,000 in 2002 by the request of the industry and processors in response to the rising value of red king crab. According to the McDowell Group, since 2000, the statewide average price of red king crab has increased from \$7.02 a pound to \$13.50 in 2015.

We set this regulation to sunset before the start of the 2021/2022 season to allow this fishery management plan change a trial period of one board cycle.

PROPOSED BY: Petersburg Vessel Owner's Association (HQ-F17-059)

PROPOSAL 65

5 AAC 34.107. Description of golden king crab fishing areas within Registration Area A.

Expand fishing area for the Southeastern Alaska Area commercial golden king crab fishery, as follows:

5 AAC 34.114 **Southeast Alaska Golden King Crab Management Plan**, (b) To the extent possible, golden king crab shall be managed as a separate stock in each defined fishing area.

Deciding which fishing area these new areas are added in to, and therefore managed in conjunction with, is a somewhat complex matter. The following outline is more to show the intent of adding the areas rather than a guideline of how they should be added.

5 AAC 34.107. **Description of golden king crab fishing areas within Registration Area A. –**

(a) Northern area: all waters of section 11-A, **District 13, north of the latitude of Point Gardner at 57.01.00 N. lat.** and all waters of Districts 12 and 15.

(b) Icy Straight Area: all waters of **Districts 14 and 16.**

(c) Northern Stephens Passage Area: all waters of Sections 11-B and 11-C.

(d) East Central Area: all waters of Section 11-D, District 10, and District 9 east of a line from Kingsmill Point at 56.50.00 N. lat., 134.25.17 W. long. to Point Gardner at 57.01.00 N. lat., 134.37.00 W. long., **and all waters of District 8.**

(e) Mid-Chatham Straight Area: all waters of District 9 north of the latitude of Point Ellis at 56.33.67 N. lat., and west of a line from Kingsmill point to Point Gardner, **and all waters of District 13, south of the latitude of Point Gardner and North of the latitude of Point Ellis.**

(f) Lower Chatham Straight Area: all waters of **Districts 9 and 13, south of the latitude of Point Ellis.**

(g) Southern Area: all waters of **Districts 1, 2, 3, 4, 5, 6, and 7.**

(h) Outside Area: all waters of Registration Area A not described in a-g.

What is the issue you would like the board to address and why? The current regulatory description of Golden King crab fishing areas within Registration Area A does not include all waters of Registration Area A. Not included in the description are all of : Districts 3, 16, and (the as of yet undefined) Southeast Outside waters; portions of Districts 5, 7, 8, and 13. Because these areas are not in the description of Golden King Crab fishing areas, they are described in the Southeast Golden King Crab Fishery Announcements as “not open”. They are essentially closed to fishing for no other reason than the fact that they are not described as fishing areas.

PROPOSED BY: Jared Bright, Frank Warfel, and Yancey Nilsen (EF-F17-063)

PROPOSAL 66

5 AAC 34.110. Fishing seasons for Registration Area A.

Implement weather-related fishery closure delays for the Southeastern Alaska Area commercial golden king crab fishery, as follows:

(g) An area closure may be delayed if the National Weather Service forecast for the area contains gale force wind warnings of 35 knots and higher on the 4:00 a.m. forecast for the 2 days preceding and the day of an area closure in which case the area closure will be delayed 24 hours. If after the initial delay gale warnings continue the area closure may be delayed an additional 24 hours. An area closure delay may continue until weather improves. Managers shall take into account tidal conditions when selecting final closure day after a weather delay. For the purpose of this subsection, the corresponding National Weather Service Forecast shall be consulted for each area.

(1) Southern Lynn Canal;

(2) Northern Chatham Straits;

(3) Southern Chatham Straits;

(4) Stephens Passage;

(5) Frederick Sound;

(6) Clarence Strait;

(7) Southeast Outside Waters.

What is the issue you would like the board to address and why? Unsafe weather conditions at time of closure of golden king crab areas in Registration Area A.

Currently in regulation there is language to delay the start of the golden king crab fishery for safety reasons due to weather. Yet there is nothing in regulation to delay the closure of areas based on the same criteria.

When asked for a delay of closure of an area because of unsafe conditions I was told that the department was unable to do that after a closure announcement had been made.

Other solution would have been for department to create an emergency order delaying season. While capable of doing this department refused to use this tool. I think putting criteria in regulation takes the burden off of managers shoulders.

PROPOSED BY: Yancey Nilsen (EF-F17-066)

PROPOSAL 67

5 AAC 34.110. Fishing seasons for Registration Area A.

Establish a regulatory closure date for the Southeastern Alaska Area commercial golden king crab fishery, as follows:

5 AAC 34.110(b) is amended to read:

(b) Male golden king crab may be taken only from 12:00 noon on the date with the smallest Juneau tidal range between February 10 and February 17, as announced by emergency order **through November 15**. [;UNTIL THE SEASON IS CLOSED BY EMERGENCY ORDER]

What is the issue you would like the board to address and why? The purpose of this proposal is to provide maximum fishing opportunity while allowing the department adequate time to assess fishery data after the season closes. The proposed season end date provides a three-month closure for processing and analysis of fishery data; similar to what is provided for the Aleutian Islands golden king crab fishery. Setting a fixed season end date also allows fishery participants to better plan their annual fishing operations. An end date in regulation would not supersede current management practices of targeting GHs by fishery area and closing fishery areas by emergency order when GHs are met, or closing areas short of GHs due to conservation concerns.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F17-106)

PROPOSAL 68

5 AAC 34.114. Southeast Alaska Golden King Crab Management Plan.

Define methods used to set guideline harvest levels in the Southeastern Alaska Area commercial golden king crab fishery, as follows:

(d) The Policy on King and Tanner Crab Resource Management (90-04-FB, March 23,1990) states that a Guideline Harvest Level is a preseason estimate of the level of allowable king and Tanner crab harvest. In those fisheries with accurate population estimates the appropriate harvest rate is applied to the best point estimate to determine the GH. For

those fisheries without surveys or historical catch information adequate for estimating the population size, the GHL will be set based on historical fishery performance, catch, and population trend. Due to the lack of formal assessments and only data being available from the fishery, each Golden King crab area shall open for a set of tides to a pre-season guideline harvest level that is a minimum of 10% of the upper range of the guideline harvest range set for the area. After one set of tides, the GHL can be re-assessed and the fishery will be managed in-season accordingly.

(e) In-season adjustments may be made to the guideline harvest level and length of the fishing season. Information upon which such adjustments are based may include: 1.) overall fishing effort; 2.) catch per unit of effort and rate of harvest; 3.) relative abundance of Golden King crab; 4.) achievement of guideline harvest level (GHL); 5.) proportion of soft-shelled crabs and rate of dead loss; 6.) general information on stock condition including adequacy of reproductive stock; 7.) timeliness and accuracy of catch reporting; 8.) adequacy of subsistence harvests; 9.) the impact of severe or unexpected environmental conditions on the handling and trapping morality of crab; and 10.) other factors that affect ability to meet objectives of the policy. When this information shows that continued fishing effort would jeopardize the reproductive viability of king crab stocks within a registration area, or continued fishing would be counter to the goal and policies established by the Board, the registration area or a portion of the registration area will be closed by Emergency Order.

What is the issue you would like the board to address and why? Amend the *Southeast Alaska Golden King Crab Management Plan* to further clarify for fishermen the expectations of how the fishery will be managed.

PROPOSED BY: Petersburg Vessel Owner’s Association and Southeast Alaska Fishermen’s Alliance (HQ-F17-058)

PROPOSAL 69

5 AAC 34.115. Guideline harvest ranges for Registration Area A.

Reduce Southeastern Alaska Area commercial golden king crab fishery guideline harvest ranges, as follows:

5 AAC 34.115(b) is amended to read:

(b) In Registration Area A, the guideline harvest ranges for the taking of golden king crab in the following areas are:

- (1) Northern Area: 0 – 145,000 [175,000] pounds;
- (2) Icy Strait Area: 0 – 55,000 [75,000] pounds;
- (3) North Stephens Passage Area: 0 – 25,000 pounds;
- (4) East Central Area: 0 – 225,000 [300,000] pounds;
- (5) Mid-Chatham Strait Area: 0 – 150,000 pounds;
- (6) Lower Chatham Strait Area: 0 – 50,000 pounds;
- (7) Southern Area: 0 – 25,000 pounds;

What is the issue you would like the board to address and why? In 2009, the Alaska Board of Fisheries increased the upper end of guideline harvest ranges (GHRs) in three of seven golden king crab fishery areas (Northern, Icy Strait, and East Central). The golden king crab fishery in Southeast Alaska has declined considerably since the 2012/2013 season, similar to stock declines during the 1990s after intense fishing pressure in the 1980s. This proposal would lower the upper end of the GHR ranges for the Northern, Icy Strait, and East Central fishery areas to their previous levels which are more representative of the long-term range of harvest levels comprising maximum sustained yield for these stocks than are the status quo GHRs.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F17-107)

PROPOSAL 70

5 AAC 34.125. Lawful gear for Registration Area A.

Reduce the Southeastern Alaska Area commercial golden king crab fishery pot limit from 100 pots per vessel to 80 pots per vessel, as follows:

5 AAC 34.125(b)(2) is amended to read:

(b)(2) when the commercial golden king crab season is open in Registration Area A, and the commercial red king crab or Tanner crab season is closed, no more than **80** [100] king crab pots may be operated from a vessel registered to fishing for king crab;

What is the issue you would like the board to address and why? A golden king crab pot reduction to 80 pots would mirror the pot allowance currently in regulation for the Tanner crab fishery, which has the same start date as the golden king crab fishery. Reducing the number of pots in the fishery will help to ease fishing pressure on the Southeast Alaskan golden king crab stock and improve management precision in targeting fishery area guideline harvest levels.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F17-108)

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.

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)
