

Aleutian Islands Area Commercial King Crab (4 proposals)

PROPOSAL 265

5 AAC 34.640. Registration Area O inspections and inspection points; 5 AAC 34.806. Area T registration; 5 AAC 34.840. Registration Area T inspection points and requirements; 5 AAC 34.906. Area Q registration; 5 AAC 34.940. Registration Area Q inspections and inspection points; 5 AAC 34.950. District registration; 5 AAC 35.506. Area J registration; 5 AAC 35.555. Inspection requirements for Registration Area J; 5 AAC 39.670. Bering Sea/Aleutian Islands Individual Fishing Quota (IFQ) Crab Fisheries Management Plan.

Update Bering Sea and Aleutian Islands crab registration regulations, as follows:

5 AAC 34.640 is amended to read:

(a) Inspection points in Registration Area O are located at Dutch Harbor[, AKUTAN, KING COVE,] and at additional locations if specified by the department.

(b) Notwithstanding 5 AAC 34.030(a), for Registration Area O a registered king crab vessel may have its holds, live tanks, and freezers inspected by a local representative of the department at Dutch Harbor or **additional locations specified by the department** [, AKUTAN, OR KING COVE] within 72 hours before taking or processing king crab.

5 AAC 34.806 is amended to read:

(b) For the red king crab fishery, the **preseason** vessel registration deadline for the registration year is 5:00 p.m. September 24. Before a vessel may be **preseason** registered under this subsection, the vessel operator must file a **preseason** registration form with the department. The **preseason** registration form must identify the vessel and vessel operator, and must be received in person, [OR] by mail, **electronic mail** or facsimile, at the department office in Dutch Harbor or Kodiak by the deadline specified in this subsection.

Editor's note: The registration form specified in 5 AAC 34.806(b) may be sent by mail or facsimile to the department office in Dutch Harbor at Department of Fish and Game, P.O. Box 920587, Dutch Harbor, Alaska 99602-0587; Fax: (907) 581-1572; **e-mail: dfg.dutchharbor@alaska.gov** or the department office in Kodiak at Department of Fish and Game, Division of Commercial Fisheries, 351 Research Court, Kodiak, Alaska 99615-7400; Fax: (907) 486-1824.

5 AAC 34.840 is amended to read:

(b) Notwithstanding 5 AAC 34.030, in Registration Area T within 30 hours before a season opening or at any time during the open season before taking or processing king crab, a king crab vessel registered for Registration Area **may** [MUST] have all holds or live tanks inspected by a local representative of the department at inspection points specified in this section. Unless otherwise specified in this chapter, king crab may not be on board the vessel at the time of inspection. Successful completion of the inspection validates the vessel's registration for Registration Area T. During the period 30 hours before the season opening in Registration Area T until the season closure, the inspection requirements of this section do not apply to a registered

king crab vessel that does not have a saltwater circulation system in its holds or live tanks. If an inspection is not required, completion of the registration form validates the registration.

5 AAC 34.906 is amended to read:

(b) In the Pribilof District and the St. Matthew Island Section of the Northern District,

(1) for the red and blue king crab fishery, the **preseason** vessel registration deadline for the registration year is 5:00 p.m. August 24;

(2) for the golden king crab fishery, the vessel registration deadline for the registration year is 21 days before the vessel begins fishing operations.

(c) Before a vessel may be registered under this section, the vessel operator must obtain a CFEC interim-use permit for Bering Sea king crab that references the vessel's ADF&G license number and file a registration form with the department, except that a vessel operator is not required to obtain a CFEC interim-use permit before filing a registration form for the Pribilof District red and blue king crab fisheries or the Saint Matthew Island Section blue king crab fishery. The registration form must identify the vessel and vessel operator and must be received in person, by mail, **electronic mail**, or facsimile, at the department office in Dutch Harbor or Kodiak by the applicable deadline specified in (b) of this section.

Editor's note: The registration form specified in 5 AAC 34.906(c) may be sent by mail or facsimile to the department office in Dutch Harbor at Department of Fish and Game, P. O. Box 920587, Dutch Harbor, Alaska 99602-0587; Fax: (907) 581-1572; **e-mail: dfg.dutchharbor@alaska.gov**; or the department office in Kodiak at Department of Fish and Game, Division of Commercial Fisheries, 351 Research Court, Kodiak, Alaska 99615-7400; Fax: (907) 486-1824.

5 AAC 34.940 is amended to read:

(b) Notwithstanding 5 AAC 34.030, for the Saint Matthew Island Section of Registration Area Q, a registered king crab vessel may have its holds, live tanks, and freezers inspected by a local representative of the department at Dutch Harbor or **additional locations specified by the department** [, AKUTAN, OR KING COVE] within 72 hours before taking or processing king crab.

(c) Notwithstanding 5 AAC 34.030, for the Pribilof District of Registration Area Q, a registered king crab vessel may have its holds, live tanks, and freezers inspected by a local representative of the department at Dutch Harbor or **additional locations specified by the department** [, AKUTAN, OR KING COVE] within 30 hours before taking or processing king crab.

5 AAC 34.950 is amended to read:

5 AAC 34.950. District registration. (a) Vessel and gear registered for Registration Area Q must also be registered for the Northern District before fishing in that district. Vessels and gear registered for the Northern District may not be used to fish in any other district. The registration district shall be indicated on the **registration** [INSPECTION] certificate.

5 AAC 35.506 is amended to read:

(e) For the Chignik, Eastern Aleutians, Western Aleutians, and Bering Sea Districts, the registration deadlines for the registration year are as follows:

(1) for the Bering Sea District *C. opilio* Tanner crab fishery, the **preseason** registration deadline is 5:00 p.m. September 24;

(2) for the Bering Sea District, *C. bairdi* Tanner crab fishery, the **preseason** registration deadline is 5:00 p.m. September 24;

(3) repealed 8/14/2005;

(4) for the Eastern Aleutian District *C. bairdi* Tanner crab fishery, the **preseason** registration deadline is 5:00 p.m. December 24;

(5) for the Western Aleutian District *C. bairdi* Tanner crab fishery, the registration deadline is 5:00 p.m. October 10;

...

(f) Before a vessel may be registered under this section, the vessel operator must obtain a CFEC interim-use permit for Tanner crab that references the vessel's ADF&G license number and file a registration form with the department, except that a vessel operator is not required to obtain a CFEC interim-use permit before filing a **preseason** registration form for the Bering Sea Tanner or snow crab fisheries. The registration form must identify the vessel and vessel operator and must be received in person, or by mail, **electronic mail**, or facsimile, at the department office in Dutch Harbor or Kodiak by the applicable deadline specified in (e) of this section.

Editor's note: The registration form specified in 5 AAC 35.506(e) and (f) may be sent by mail, **electronic mail or** facsimile to the department office in Dutch Harbor at Department of Fish and Game, P.O. Box 920587, Dutch Harbor, Alaska 99602-0587; Fax: (907) 581-1572; **e-mail: dfg.dutchharbor@alaska.gov**; or the department office in Kodiak at Department of Fish and Game, Division of Commercial Fisheries, 351 Research Court, Kodiak, Alaska 99615-7400; Fax: (907) 486-1824.

5 AAC 35.555 is amended to read:

(a) Except in the Kodiak, Chignik, and South Peninsula Districts, during the 24 hours before the scheduled opening date of the commercial Tanner crab season in Registration Area J, or a portion of Registration Area J, or at any time during the open season before taking crab, a Tanner crab vessel registered for Registration Area J **may** [MUST] have all holds, live tanks, and freezers inspected by a local representative of the department at an inspection point specified in 5 AAC 35.540. Tanner crab may not be on board the vessel at the time of inspection. The requirements of this section do not apply to a registered Tanner crab vessel that does not have a saltwater circulation system in its holds or live tanks. In the Bering Sea District only, the requirements of this section do not apply to catcher-processor vessels, if the commercial *C. bairdi* Tanner crab season remains open through the opening of the commercial *C. opilio* Tanner crab season.

(b) Notwithstanding (a) of this section, for the Bering Sea District commercial *Chionoecetes opilio* fishery, a registered Tanner crab vessel may have its holds, live tanks, and freezers inspected by a local representative of the department at Dutch Harbor or **additional locations specified by the department** [, AKUTAN, OR KING COVE] within 48 hours before taking or processing Tanner crab.

5 AAC 39.670 is amended to read:

Editor's note: The contact phone number for the United States Coast Guard for Kodiak, Alaska is (907) 654-5588; Unalaska/Dutch Harbor, Alaska is (907) 581-6738; Anchorage, Alaska is (907) 229-8203; and Kenai, Alaska is (907) 398-6220.

The gear operation transfer form specified in 5 AAC 39.670(c)(2) may be sent to the department office in Dutch Harbor at Department of Fish and Game, P.O. Box 920587, Dutch Harbor, AK 99692-0587; Fax (907) 581-1579; **e-mail: dfg.dutchharbor@alaska.gov.**

What is the issue you would like the board to address and why? Most Bering Sea crab fisheries were rationalized in 2005 resulting in orderly and predictable fisheries. Some registration requirements for Bering Sea and Aleutian Islands crab fisheries do not best reflect current fishing practices. This proposal would provide additional clarification between preseason and fishery registrations, allow the fleet to submit forms to the department by electronic mail, provide the department with flexibility on registration location, and allow the department the ability to waive tank inspections for vessels.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F19-167)

PROPOSAL 266

5 AAC 34.610. Fishing seasons for Registration Area O.

Change the season dates for the Registration Area O golden king crab fishery to March 1–October 31, as follows:

Change the fishery dates for the Aleutian Islands golden king crab fishery from August 1 through April 30 to March 1 through October 31. The following regulatory language is suggested:

5 AAC 34.610 Fishing seasons for Registration Area O

(b) Male golden king crab may be taken only as follows:

(2) beginning **March 1, 2021** [AUGUST 1, 2015], from 12:00 noon **March 1 through 11:59 p.m. October 31** [AUGUST 1 THROUGH 11:59 P.M. APRIL 30].

What is the issue you would like the board to address and why? The Dutch Harbor processors desire and ability to efficiently take deliveries of Golden King Crab (GKC) during November, December, and early January has been an increasing problem over the last several years. Due to rising costs, the plant owners have consistently scaled back the staff and the days they're open during those times. The slow time period between the finish of Red King Crab and the start of Opilio and Pollock deliveries is used for annual plant maintenance and repair projects. Two of the three Dutch Harbor processors typically close for the year in early November. The remaining plant operates with a day shift crew until closing in mid-December. These issues seem to be getting worse each year with the ever increasing costs to operate the plants. A significant portion of the GKC quota is landed during this period. If the third plant follows suit and closes, the harvesters would incur unnecessary costs and risk their ability to harvest the quota before the season ends.

A change to the season dates would be mutually beneficial to the processing and harvesting sectors. A change from the current season of August through April to March through October would avoid the difficult months for the processors. For the processors, accepting GKC deliveries while they're fully staffed for other fisheries (Cod, Pollock, etc...) is more profitable. A change would allow the harvesters to catch their quota without the risk of having nowhere to deliver during November and December. A March season start would mean that more of the GKC harvest would occur during the summer months. Doing so would reduce deadloss, reduce weather related safety issues, and provide opportunities for vessels to participate in other crab fisheries that conflict with the current season.

PROPOSED BY: Mark Henkel

(EF-F19-071)

PROPOSAL 267

5 AAC 65.020. Fishing seasons for Alaska Peninsula and Aleutian Islands Area.

Establish season and limits for golden king crab in the Alaska Peninsula and Aleutian Islands Area, as follows:

5 AAC 65.020(10) is amended to read:

(10) king crab: **the daily bag and possession limit is six golden king crab per person; red king crab may not be retained or possessed; all crab pots use for sport fishing and left in saltwater unattended longer than a two-week period shall have all bait and bait containers removed and all doors secured fully open; golden king crab may be taken only from June 1 through January 31; only male golden king crab six and one-half inches or greater in width of shell may be taken or possessed.** [NO OPEN SEASON; MAY NOT BE RETAINED OR POSSESSED; ALL KING CRAB MUST BE RELEASED IMMEDIATELY.]

What is the issue you would like the board to address and why? Sport fishing for all king crab has been closed in the Alaska Peninsula and Aleutian Islands Area (APAIA), though there is not a conservation concern for golden king crab. While red king crab stocks are low in this area and no commercial effort and only a small subsistence fishery is allowed for them, commercial and subsistence fisheries annually occur for golden king crab. A small sport fishery could be also prosecuted without conservation concern. This proposal would create sport fishing seasons, size and bag limits for the Aleutian Islands and Bering Sea waters for golden king crab only and continue to prohibit harvest of red king crab. This would allow anglers to target golden king crab under sport fishing regulations in one of the few areas of the state it could be allowed and where harvest is already taking place in commercial and subsistence fisheries.

PROPOSED BY: Alaska Department of Fish and Game

(HQ-F19-154)

PROPOSAL 268

5 AAC 39.670. Bering Sea/Aleutian Islands Individual Fishing Quota (IFQ) Crab Fisheries Management Plan.

Allow gear transfers to be authorized by electronic mail, as follows:

5 AAC 39.670 is amended to read:

...

(c) The following provisions apply to the fisheries specified in this section:

...

(2) a vessel operator who is registered for one of the fisheries listed in (b) of this section may

...

(B) transfer gear operation rights and responsibilities to only one other vessel operator who is registered for that fishery and only under the following conditions:

(i) both the operator of the vessel relinquishing gear operation rights and responsibilities (relinquisher) and the vessel operator receiving those rights and responsibilities (recipient) must either sign a gear operation transfer form **or notify the department by electronic mail** giving the effective date and time of the transfer and the number of pots being transferred;

(ii) the gear operation transfer form must also be signed by a department representative before the pot gear transfer is valid and a copy of the gear operation transfer form bearing the original signatures of both the relinquisher and recipient vessel operator must be received by the department within 30 days of the effective date of the department representative signature; for the purposes of this subparagraph, the form must be submitted in person at the department's Dutch Harbor office, or by mail, or by facsimile; **or both the relinquisher and the recipient must notify the department by electronic mail from the electronic mail address provided on the registration form giving the effective date and time of the transfer, and receive a reply electronic mail from the department validating the transfer, within 7 days of the effective date;**

(iii) the transfer of gear operation rights and responsibilities must occur and be validated within 14 days of the relinquishing vessel being active in the registration area where the pot gear is located;

(iv) the pot gear transfer must include all [OF THE] pot gear registered to the relinquishing vessel and that vessel's pot gear may not be split among more than one recipient vessel;

(v) except as specified in (c)(2)(C) of this section, gear operation rights and responsibilities revert to the relinquisher at the regulatory closure of the fishery in which the gear is registered to operate.

(C) gear operation rights and responsibilities may be restored to the relinquishing vessel if the relinquisher and recipient notify the department as specified in (c)(2)(B) of this section.

...

What is the issue you would like the board to address and why? During Bering Sea/Aleutian Islands rationalized crab fisheries, fishermen are permitted to transfer gear to one other fishermen within a fishery. The department supports gear transfers because it reduces the frequency of rail dumping which lowers handling and bycatch mortality of crab at the end of the season. Currently, gear transfers are only permitted with original signatures from the relinquisher, recipient, and department representative on a paper form. Requiring original signatures adds to staff workloads

and is inconvenient and inefficient for the fleet often resulting in incomplete or non-compliant gear transfers. Allowing the department to authorize gear transfers by email while the vessels are on the fishing grounds would increase both department and fleet flexibility and efficiency.

Additionally, there is no mechanism in regulation for the department to invalidate or reverse a gear transfer. The department interprets that a gear transfer is valid until the regulatory closure date of the fishery but there are instances each season where fishing quota has been reallocated to a vessel that has already completed a gear transfer. This proposal will additionally provide clear guidance for the department on invalidating gear transfers.

PROPOSED BY: Alaska Department of Fish and Game

(HQ-F19-166)
