

Shellfish Subsistence and Commercial

Sea Cucumbers

PROPOSAL 61

5 AAC 38.2XX. New section.

Establish a commercial fishery for sea cucumbers in Registration Area E, as follows:

Create a fishery for sea cucumbers in registration Area E as follows.

The commercial taking of sea cucumbers in Registration Area E shall occur from October 1st thru March 1st under conditions of a permit issued by the commissioner.

This fishery provides opportunity for local fishermen to diversify their income and would boost the wintertime economy in local communities. ADF&G would have full authority to set yearly GHL's and set season duration.

What is the issue you would like the board to address and why? Currently there is very limited fishing opportunity in Area E for local salmon fishermen to diversify their income in the off season. Also it is our belief that there is a healthy population of sea cucumbers going un-harvested in Area E.

PROPOSED BY: Robert Linville

(EF-F20-126)

PROPOSAL 62

5 AAC 38.2XX. New section.

Establish a commercial fishery for sea cucumbers in Registration Area E, as follows:

Create a fishery for sea cucumbers in registration Area E. This fishery would provide opportunity for local fishermen to diversify their income and would boost the winter time economy in local communities. ADFG would have full authority to set yearly guideline harvest levels and set season duration within the regulatory dates.

Draft regulatory language:

5 AAC 38.2XX. Fishing seasons for sea cucumbers in Registration Area E.

The commercial taking of sea cucumbers in Registration Area E may only occur from October 1 thru March 1 under conditions of a permit issued by the commissioner.

What is the issue you would like the board to address and why? Limited fishing opportunity exists in the winter months in Area E, and we are seeking ways to help Area E salmon fishermen diversify their income during the off-season. Anecdotal reports indicate high numbers of sea cucumbers in Prince William Sound, but there is currently no management plan in regulation.

PROPOSED BY: Cordova District Fishermen United

(HQ-F20-020)

King Crab

PROPOSAL 63

5 AAC 34.210. Fishing seasons, for Registration Area E, 5 AAC 34.217. Guideline harvest range for Registration Area E, 5 AAC 34.225. Lawful gear for Registration Area E.

Amend Registration Area E king crab fishing seasons, guideline harvest level (GHL), and lawful gear regulations, as follows:

Amend the current regulations for king crab in area E to read as follows:

5 AAC 34.210 Fishing seasons for Registration Area E.

(a) The commercial taking of Red King crab and Blue King crab in registration area E is closed until these stocks have recovered enough for a harvest strategy to be developed by the department and adopted by the Board of Fisheries.

(b) Golden King crab may be taken from January 15 through March 15 only under the conditions of a permit issued by the commissioner

5 AAC 34.17 Guideline harvest range for Registration Area E.

The Guideline harvest range for Golden King crab is 0-60,000 lbs. The guideline harvest level shall be set annually by the department based on estimated abundance levels.

5 AAC 34.255 Lawful gear for Registration Area E.

(a) King crab may only be taken with King crab pots as defined in 34.050

(b) The overall pot limit for the Golden King crab commercial fishery is 200 pots.

(c) For the Golden King crab commercial fishery, the vessel pot limit will be determined by dividing the overall pot limit (200) by the number of vessels registered for the fishery with a maximum vessel pot limit of 15 pots.

What is the issue you would like the board to address and why? The issue I would like to address it that there has been no season for Golden King crab in over thirty years. There has been no survey done in 15 years. We need to conduct a small scale commercial fishery to assess stocks.

PROPOSED BY: Robert Linville

(EF-F20-123)

PROPOSAL 64

5 AAC 34.210. Fishing seasons for Registration Area E.

Establish a fishing season for golden king crab in Registration Area E, as follows:

Amend the current regulations for king crab in area E to read as follows:

5 AAC 34.210 Fishing seasons for Registration Area E.

(a) The commercial taking of red king crab and blue king crab in registration area E is closed until these stocks have recovered enough for a harvest strategy to be developed by the department and adopted by the Board of Fisheries.

(b) Golden king crab may be taken from January 15 through March 15 only under the conditions of a permit issued by the commissioner.

What is the issue you would like the board to address and why? Current regulations do not differentiate between red, blue, and golden king crab, and prohibit all commercial king crab fishing within Prince William Sound. There is no regulatory framework in place for a golden king crab fishery specifically.

PROPOSED BY: Cordova District Fishermen United (HQ-F20-013)

PROPOSAL 65

5 AAC 34.2XX. New section.

Establish a department-issued permit for the commercial golden king crab fishery in Registration Area E, as follows:

We propose establishing guidance for the issuance of a commissioner’s permit for golden king crab in regulation. Create new regulation for golden king crab in area E to read as follows:

5 AAC 34.2XX Commissioner’s Permits for Golden King Crab

(a) In Prince William Sound, male golden king crab, seven inches or greater in carapace width, may be taken only under the conditions of a permit issued by the commissioner.

(b) Only pot gear may be used and no more than 15 king crab pots may be operated from a vessel.

(c) The permit required in this section

(1) may specify season dates;

(2) may specify areas of fishing operations by district or by geographic location;

(3) may require an onboard observer during all operations;

(4) shall require mandatory completion of log sheets provided by the department; log sheets described in this section must

(A) include the date, the specific location of harvest by latitude and longitude, the number of pots fished, the average depth of each pot fished, and the time gear is deployed and removed from the water of each set;

(B) include for the target and each bycatch species the number of fish retained and discarded;

(C) be updated within 24 hours after midnight local time on the day of operation;

- (D) be made available to a local representative of the department upon request;
- (E) be submitted with the corresponding fish ticket at the time of landing;
- (5) may set other conditions the commissioner determines are necessary for conservation and management purposes.

(d) A person may not make a false entry in the log sheets described in this section.

What is the issue you would like the board to address and why? There is currently no regulatory guidance for issuing commissioner's permits for golden king crab.

PROPOSED BY: Cordova District Fishermen United (HQ-F20-014)

PROPOSAL 66

5 AAC 34.217. Guideline harvest range for Registration Area E.

Amend guideline harvest range for golden king crab in Registration Area E, as follows:

Amend the current regulations for king crab in area E to read as follows:

5 AAC 34.217 Guideline harvest range for Registration Area E.

The guideline harvest range for golden king crab is 0-60,000 pounds. The guideline harvest level shall be set annually by the department based on estimated abundance levels.

What is the issue you would like the board to address and why? The existing GHR does not allow the department to prosecute a golden king crab fishery of less than 40,000 pounds.

PROPOSED BY: Cordova District Fishermen United (HQ-F20-015)

PROPOSAL 67

5 AAC 34.225. Lawful gear for Registration Area E.

Establish a golden king pot limit in Registration Area E, as follows:

Amend the current regulations for king crab in area E to read as follows:

5 AAC 34.255 Lawful gear for Registration area E.

- (a) King crab may only be taken with king crab pots as defined in 34.050.
- (b) The overall pot limit for the golden king crab commercial fishery is 200 pots.
- (c) For the golden king crab commercial fishery, the vessel pot limit will be determined by dividing the overall pot limit (200) by the number of vessels registered for the fishery with a maximum vessel pot limit of 15 pots.

What is the issue you would like the board to address and why? There is no set pot limit in regulation for a fishery or for vessels participating. Adding a pot limit in regulation will allow the department more control in management of the fishery.

PROPOSED BY: Cordova District Fishermen United

(HQ-F20-016)

Tanner Crab Subsistence

PROPOSAL 68

5 AAC 02.208. Customary and traditional subsistence uses of shellfish stocks and amounts necessary for subsistence.

Adopt amounts reasonably necessary for subsistence for Tanner crab in the Prince William Sound Area, outside the Valdez Nonsubsistence Area, as follows:

(d) The board finds that XXX – XXX Tanner crab are reasonably necessary for subsistence uses in the Prince William Sound Area.

What is the issue you would like the board to address and why?

In March 2008, the Alaska Board of Fisheries (board) found that shrimp, Dungeness crab, Tanner crab, king crab, and miscellaneous shellfish of the Prince William Sound Area are customarily and traditionally used for subsistence. (5 AAC 02.208(a)). Alaska Statute 16.05.258(b) directs the board to determine the amount of the harvestable portion of fish stocks that support customary and traditional (C&T) uses that is reasonably necessary for subsistence uses (ANS). This proposal would provide an opportunity for the board and public to consider adopting an ANS for the Tanner crab stock in the Prince William Sound Area (outside of the Valdez Nonsubsistence Area described at 5 AAC 99.015(a)(5)). There are ANS amounts for the other shellfish stocks for which the board has found there are customary and traditional subsistence uses, but not for Dungeness, king, or Tanner crab.

Alaska Department of Fish and Game (department) surveys to estimate Tanner crab, *Chionoecetes bairdi* abundance have been conducted since the early 1990s in Prince William Sound (PWS). Commercial Tanner crab fisheries in PWS were closed from 1989 until 2016 when a Tanner crab test fishery was conducted. In 2017, a limited commissioner’s permit Tanner crab fishery was adopted into regulation, followed by the fishery being prosecuted in 2018 and 2019. In PWS, legal Tanner crab abundance levels have been high enough to allow a subsistence fishery since 2008.

The number of permits issued for this fishery has averaged approximately 200 from the 2014/15 season through the 2018/19 season. Participation has remained steady, although 50% or less of permit holders actually participated in the fishery in all seasons except the 2012/13 season when it reached a high of 58%. This was probably the result of fishing success where the average catch of 24 legal male crab per permit was the highest harvest in this permit fishery’s history.

During the 11 seasons when the subsistence fishery was open, the 2012/13 season harvest was exceptional. This above-average harvest success was corroborated by the ADF&G survey results of Tanner crab abundance from 2011 and 2013. All of the metrics of the fishery were high,

including the 368 trips made; the next highest was 225 trips during the 2015/16 season. The number of legal males harvested reached a high of 2,067 crab in the 2012/13 season; the next highest harvest was 1,073 legal male crab in the 2017/18 season. Also, the total number of legal crab caught in the 2012/13 season, which is the number of legal male crab harvested plus the number of legal male crab released, was the highest on record at 3,514 male crab. The number of sublegal male crab that were released during the 2012/13 season was 3 times higher than any other season, close to 5,000 crab.

At the 2017 board meeting, the bag and possession limit was increased from 5 legal crab per person to 12 legal crab per person. With this increase, the legal male Tanner crab harvested increased from 548 crab in the 2016/17 season to 1,073 crab during the following season. However, in the 2018/19 season, the harvest dropped to 624 crab and total legal crab caught dropped to 876 crab, the lowest values since the 2011/12 season. The number of trips was relatively consistent over this three-year period: 192 in 2016/17, 196 in 2017/18, and 202 in 2018/19.

An ANS finding will provide the board with a metric to determine if the regulations are providing a reasonable opportunity for subsistence uses of Tanner crab in this area.

For this proposal, the department drafted ANS options for consideration by the board for PWS Tanner crab. ADF&G staff will prepare a report prior to the December 2020 board meeting with additional background data and, if necessary, revised options. The following options use harvest estimates based on subsistence permit returns. Subsistence permits for this fishery have been required since 2008, when the fishery reopened after being closed since 1999. Participation increased from an average of 90 permits issued and 34 permits fished from 2008 through 2011, to 185 permits issued and 87 permits fished from 2012 through 2018. Therefore, options based on two time periods are offered: all years (2008 – 2018) and 2012 – 2018.

Option A. Low and high annual harvests, rounded to nearest 50 crab, 2008 – 2018

50 to 2,050 Tanner crab

Option B. Low and high annual harvests, rounded to nearest 50 crab, 2012 – 2018

550 to 2,050 Tanner crab

Option C. The mean harvest for the period 2008 – 2018 (634 crab) bounded by the standard deviation (560 crab) and rounded to the nearest 50 crab

50 to 1,200 Tanner crab

Option D. The mean harvest for the period 2012 – 2018 (936 crab) bounded by the standard deviation (501 crab) and rounded to the nearest 50 crab

450 to 1,450 Tanner crab

Option E. Take no action. The board might choose this option given the relatively short time series for the harvest data, as well as the 5 legal crab per person limit in place until 2017 (subsequently increased to 12 legal crab per person).

The Prince William Sound Dungeness and red king crab stocks are not at an abundance level that would allow a subsistence fishery, and the fisheries have been closed for these stocks for a number of years. Therefore, we do not recommend adoption of ANS findings for king or Dungeness crab at this time. Additionally, because golden king crab currently have a harvest limit of 3 crab per year per household limit, established in 2008, we recommend waiting another board cycle to gather enough data for a determination.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-147)

Tanner Crab Commercial

PROPOSAL 69

5 AAC 35.308. Registration Area E Tanner crab harvest strategy.

Modify criteria for opening commercial Tanner crab fishery in Prince William Sound, as follows:

We propose to add a back-up trigger for the tanner crab fishery that does not depend solely on a trawl survey. This would enable management to prosecute a fishery to utilize the fleet as an assessment tool and prevent the fishery from being closed for another 30 years. Trawl surveys have failed us for the last 30 years and we need another option to assess stock levels in the event of a prolonged closure -- as was accomplished most recently by the successful Tanner Crab Commissioner's Permit fishery and provided important data to the Department.

We propose including the following language to the department's new harvest strategy under 5 AAC 35.310:

"Any district in Area E that is closed to the commercial taking of Tanner crab for five or more years will be eligible to open under conditions of a permit issued by the commissioner."

What is the issue you would like the board to address and why? ADFG is currently developing a new harvest strategy for the commercial taking of Tanner crab in Area E. The previous management plan relied on trawl surveys for assessment, and unfortunately the fishery was then closed for 30 years. We have concerns that trawl surveys are not reliable in Prince William Sound given the variability in habitat and seafloor conditions, and do not give an adequate view of the true biomass in the way that catch data can. This was evidenced by the discrepancies between survey estimates and fishery results from recent years.

The tanner crab fishery was only able to be opened in recent years through a Commissioner's Permit fishery, and we would like to ensure that this remains a valuable assessment tool in the new management plan.

Further, ADFG continually faces budget cuts, and if the management plan relies solely on survey results, we lose the opportunity for a fishery at all if the trawl survey is cut.

PROPOSED BY: Cordova District Fishermen United

(HQ-F20-026)

PROPOSAL 70

5 AAC 35.308. Regulation language goes here.

Modify criteria for opening commercial Tanner crab fishery in Prince William Sound, as follows:

No Area E fishery closure may extend for longer than one year without unanimous approval of all Area E advisory committees.

What is the issue you would like the board to address and why? The Alaska Department of Fish & Game has kept Area E crab fisheries closed for decades. These closures appear to violate the Department’s policy on king & Tanner crab management.

PROPOSED BY: Warren Chappell and Robert Smith

(HQ-F20-079)

PROPOSAL 71

5 AAC 35.308. Registration Area E Tanner crab harvest strategy.

Adopt a new Tanner crab harvest strategy for Prince William Sound, as follows:

A commercial Tanner crab fishery will occur each year in Area E. The Department shall develop said fishery annually in consultation with local advisory committees. In accordance with the Department King & Tanner crab management policy, the Department will submit a detailed analysis of the socio-economic impact of its management plan.

What is the issue you would like the board to address and why? After 30 years of crab closures in Area E, the Alaska Department of Fish & Game has (in some circles) destroyed whatever credibility it ever had as a trustworthy manager. In order to repair its credibility the Department must take steps to engage with local communities.

PROPOSED BY: Warren Chappell and Robert Smith

(HQ-F20-081)

PROPOSAL 72

5 AAC 35.311. Commissioner’s permits for Tanner crab in Registration Area E.

Allow the department to issue a permit for Tanner crab fisheries closed more than one year, as follows:

Crab fisheries which have been closed in Area E for more than one year shall be eligible for a Commissioners Permit.

What is the issue you would like the board to address and why? The Alaska Department of Fish & Game has kept crab (king & Tanner) fishing closed in Area E based upon flawed regulations. This closure has lasted for decades.

PROPOSED BY: Warren Chappell and Robert Smith

(HQ-F20-082)

PROPOSAL 73

5 AAC 35.3XX. New section.

Establish closed waters for commercial Tanner crab fishing in the Prince William Sound Area, Registration Area E, as follows:

Add a new section.

5 AAC 35.335. Closed waters in Registration Area E. The following waters are closed to the taking of Tanner crab:

(1) Port Valdez: north of the latitude of 61° 01.00' N. lat.;

(2) Galena Bay: east of a line from 60° 57.63' N. lat., 146° 45.17' W. long., to 60° 58.41' N. lat., 146° 43.34' W. long.;

(3) Port Fidalgo: north of a line from Porcupine Point at 60° 44.62' N. lat., 146° 42.08' W. long., to Bidarka Point at 60° 49.14' N. lat., 146° 38.45' W. long.;

(4) Port Gravina: north of a line from Gravina Point at 60° 37.37' N. lat., 146° 15.22' W. long., to Red Head at 60° 40.25' N. lat., 146° 30.22' W. long.

What is the issue you would like the board to address and why? Commercial Tanner crab regulations allowing a commissioner’s permit fishery in the Eastern and Western districts of the Prince William Sound Area (PWS; Registration Area E; 5 AAC 35.311) and also providing for a harvest strategy for the entire PWS (5 AAC 35.308) were adopted by the board in March 2017. The commissioner’s permit Tanner crab fishery has been prosecuted for the past three seasons (2017-2019); however, the districts where the fishery is allowed are outside of these proposed closed areas. As defined by the harvest strategy, conditions have not been met to allow a PWS-wide fishery, which would include the Northern District that encompasses the proposed closed areas. In 2020, a Tanner crab test fishery was prosecuted in the Northern and Hinchinbrook districts, and these closed areas were defined for the test fishery. These same areas are already defined in regulation as closed waters for the subsistence Tanner crab fishery and were adopted as a conservation measure to provide a refuge for Tanner crab and protect potential nursery grounds. Adopting this proposal would provide consistency between commercial and subsistence Tanner crab regulations in the same area and ensure these closed waters are in effect if a commercial fishery was allowed in the Northern District, thereby providing protection for this important and vulnerable resource.

PROPOSED BY: Alaska Department of Fish and Game

(HQ-F20-137)

PROPOSAL 74

5 AAC 35.305. Description of Registration Area E districts.

Redefine and rename commercial Tanner crab districts in the Prince William Sound Area, and add one additional district, as follows:

Amend subsections (a-d) and add new subsection (e) as follows:

- (a) **Northeastern District: all waters east of 147° 40' W. long., and north of 60° 30' N. lat.**
[NORTHERN DISTRICT: ALL WATERS NORTH AND WEST OF A LINE FROM THE SOUTHERN ENTRANCE OF PORT NELLIE JUAN AT 60° 35.87' N. LAT. TO POINT ELEANOR TO THE EASTERN TIP OF SMITH ISLAND TO JOHNSTONE POINT, AND NORTH OF A LINE FROM POINT BENTINCK TO POINT WHITSHED.]
- (b) **Northwestern District: all waters north of 60° N. lat. and west of 147° 40' W. long., excluding waters of Puget Bay, excluding waters east of a line from Point Grace to Point Helen, and excluding waters on the east side of Knight Island.** [WESTERN DISTRICT: ALL WATERS EAST OF A LINE FROM CAPE FAIRFIELD (148° 50.25' W. LONG.) SOUTH TO THE LATITUDE OF CAPE DOUGLAS AT 58° 51.10' N. LAT., THEN WEST TO 149° W. LONG., THEN SOUTH ALONG 149° W. LONG., SOUTH OF A LINE FROM THE SOUTHERN ENTRANCE OF PORT NELLIE JUAN AT 60° 35.87' N. LAT. TO POINT ELEANOR TO THE EASTERN TIP OF SMITH ISLAND TO MONTAGUE POINT, WEST OF A LINE FROM ZAIKOF POINT TO SEAL ROCKS (60° 09.78' N. LAT., 146° 50.30' W. LONG.), AND WEST OF THE LONGITUDE OF SEAL ROCKS (146° 50.30' W. LONG.).]
- (c) **Central District: all waters east of the Northwestern District and south of 60° 30' N. lat. and west of 146° W. long., and bounded on the south by lines at 60° N. lat. from Latouche Island to Montague Island, Zaikof Point to Cape Hinchinbrook, and east from the latitude of Point Bentinck.** [EASTERN DISTRICT: ALL WATERS EAST OF THE LONGITUDE OF SEAL ROCKS (146° 50.30' W. LONG.), EAST OF A LINE FROM SEAL ROCKS (60° 09.78' N. LAT., 146° 50.30' W. LONG.) TO CAPE HINCHINBROOK, SOUTH OF A LINE FROM POINT BENTINCK TO POINT WHITSHED, AND WEST OF THE LONGITUDE OF CAPE SUCKLING (144° W. LONG.).]
- (d) **Southeastern District: all waters west of the longitude of Cape Suckling (144° W. long.), south of the Northeastern and Central districts, and east of 147° W. long.**
[HINCHINBROOK DISTRICT: ALL WATERS EAST OF A LINE FROM MONTAGUE POINT TO THE EASTERN TIP OF SMITH ISLAND, SOUTH OF A LINE FROM THE EASTERN TIP OF SMITH ISLAND TO JOHNSTONE POINT, NORTH AND EAST OF A LINE FROM CAPE HINCHINBROOK TO SEAL ROCKS (60° 09.78' N. LAT., 146° 50.30' W. LONG.), AND EAST OF A LINE FROM SEAL ROCKS (60° 09.78' N. LAT., 146° 50.30' W. LONG.) TO ZAIKOF POINT.]
- (e) **Southwestern District: all waters west of 147° W. long., south of the Central and Northwestern districts, and east of a line from Cape Fairfield (148° 50.25' W. long.) south to the latitude of Cape Douglas at 58° 51.10' N. lat., then west to 149° W. long., then south along 149° W. long., and including waters of Puget Bay.**

What is the issue you would like the board to address and why? In the Prince William Sound Area (PWS; Registration Area E), the current commercial Tanner crab districts do not reflect management and stock assessment objectives. By regulation, all commercial Tanner crab harvest data are required to be reported on fish tickets by statistical area. The proposed districts align with

statistical areas, which would aid management when harvest and catch per unit effort (CPUE) data are utilized to implement inseason management actions by discrete location. Additionally, the proposed districts divide PWS using information on Tanner crab habitat, historical harvest data, available survey data, and suitable stock assessment methods. Implementing these proposed districts would allow specific survey methods with distinct management goals to be applied for each district, providing for a more robust harvest strategy.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-138)

PROPOSAL 75

5 AAC 35.308 Registration Area E Tanner crab harvest strategy.

Adopt a new a Prince William Sound Area (PWS; Area E) Tanner crab harvest strategy to align with new proposed districts, as follows:

5 AAC 35.308 is repealed and readopted to read:

[A] IF ADEQUATE DATA ARE AVAILABLE, THE DEPARTMENT SHALL ESTIMATE THE ABUNDANCE OF MALE TANNER CRAB IN THE PRINCE WILLIAM SOUND AREA, AND SHALL ESTABLISH A GUIDELINE HARVEST LEVEL FOR LEGAL MALE TANNER CRAB IF THE CURRENT ESTIMATED ABUNDANCE OF T_H IS ABOVE THE MINIMUM STOCK THRESHOLD FOR OPENING A FISHERY.

[B] THE COMMERCIAL FISHERY MAY OPEN ONLY IF THE CURRENT ESTIMATED ABUNDANCE OF T_H IS GREATER THAN OR EQUAL TO 200,000 CRAB (50 PERCENT OF A_H). IF THE COMMERCIAL FISHERY HAS BEEN CLOSED FOR THREE OR MORE CONSECUTIVE YEARS, THEN THE ESTIMATED ABUNDANCE OF T_H MUST BE GREATER THAN OR EQUAL TO 200,000 CRAB FOR TWO OR MORE YEARS BEFORE THE COMMERCIAL FISHERY MAY OPEN. THE COMMERCIAL GUIDELINE HARVEST LEVEL WILL BE DETERMINED AS FOLLOWS:

(1) THE GUIDELINE HARVEST LEVEL FOR T_L MAY NOT EXCEED 15 PERCENT OF $A_C(T_H)$ IF $A_C(T_H)$ IS GREATER THAN OR EQUAL TO 200,000 CRAB, BUT LESS THAN 300,000 CRAB;

(2) THE GUIDELINE HARVEST LEVEL FOR T_L MAY NOT EXCEED 20 PERCENT OF $A_C(T_H)$ IF $A_C(T_H)$ IS GREATER THAN OR EQUAL TO 300,000 CRAB, BUT LESS THAN 400,000 CRAB;

(3) THE GUIDELINE HARVEST LEVEL FOR T_L MAY NOT EXCEED 25 PERCENT OF $A_C(T_H)$, IF $A_C(T_H)$ IS GREATER THAN OR EQUAL TO 400,000 CRAB; AND

(4) THE GUIDELINE HARVEST LEVEL FOR LEGAL MALE TANNER CRAB MAY BE REDUCED OR THE COMMERCIAL FISHERY CLOSED, IF THE ESTIMATED COMMERCIAL HARVEST WOULD CAUSE THE ESTIMATED ABUNDANCE OF T_H TO FALL BELOW THE MINIMUM STOCK THRESHOLD.

[C] IN THIS SECTION,

(1) " T_L " MEANS MALE TANNER CRAB THAT ARE 127 MM (5.0 INCHES) OR GREATER IN CARAPACE WIDTH, WHICH IS THE LEGAL SIZE OF TANNER CRAB ALLOWED TO BE RETAINED FOR HARVEST;

- (2) " T_H " MEANS MALE TANNER CRAB THAT ARE 135 MM (5.3 INCHES) OR GREATER IN CARAPACE WIDTH, WHICH WAS THE HISTORICAL LEGAL SIZE OF TANNER CRAB IN THE PRINCE WILLIAM SOUND AREA;
- (3) " A_H " MEANS THE AVERAGE HISTORICAL ABUNDANCE OF T_H ; A_H IS AN ESTIMATE OF THE BIOMASS THAT WILL PRODUCE MAXIMUM SUSTAINED YIELD;
- (4) " $A_C(T_H)$ " MEANS THE CURRENT ESTIMATED ABUNDANCE OF T_H .
- (5) IF THE COMMERCIAL FISHERY OPENS UNDER THIS SECTION, THE SPORT FISHERY WILL OPEN AS PROVIDED IN 5 AAC 55.022(b) (3)]

(a) Northwestern District

- 1) **the guideline harvest range is 0-XX,XXX lb.**
- 2) **if a commercial fishery opens in this district, a sport fishery will open as provided in 5 AAC 55.022(b)(3).**

(b) Northeastern District

- 1) **if there are adequate data available, the department shall estimate the abundance of male legal Tanner crab in the Northeastern District and shall establish a guideline harvest level for legal male Tanner crab, if the current estimated abundance of legal male Tanner crab is above the minimum stock threshold for opening a fishery.**
- 2) **the commercial fishery may open only if the current estimated abundance of legal male Tanner crab is greater than or equal to XXX,XXX crab. The guideline harvest level will be determined as follows:**
 - (A) **the guideline harvest level for legal male Tanner crab may not exceed 15 percent of the estimated abundance of legal male Tanner crab if the legal male Tanner crab abundance is greater than or equal to XXX,XXX but less than XXX,XXX crab;**
 - (B) **the guideline harvest level for legal male Tanner crab may not exceed 20 percent of the estimated abundance of legal male Tanner crab if the legal male Tanner crab abundance is greater than or equal to XXX,XXX but less than XXX,XXX crab;**
 - (C) **the guideline harvest level for legal male Tanner crab may not exceed 25 percent of the estimated abundance of legal male Tanner crab if the legal male Tanner crab abundance is greater than or equal to XXX,XXX but less than XXX,XXX crab;**
 - (D) **the guideline harvest level for legal male Tanner crab may be reduced or the commercial fishery closed, if the estimated commercial harvest would cause the estimated abundance of legal male Tanner crab to fall below the minimum threshold.**
- 3) **if a commercial fishery opens in this district, a sport fishery will open as provided in 5 AAC 55.022(b)(3).**

(c) Central District

- 1) **if there are adequate data available, the department shall estimate the abundance of male legal Tanner crab in the Central District and shall establish a guideline harvest level for legal male Tanner crab, if the current estimated abundance of legal male Tanner crab is above the minimum stock threshold for opening a fishery.**
- 2) **the commercial fishery may open only if the current estimated abundance of legal male Tanner crab is greater than or equal to XXX,XXX crab.**
 - (A) **the guideline harvest level for legal male Tanner crab may not exceed 15 percent of the estimated abundance of legal male Tanner crab if the legal male Tanner crab abundance is greater than or equal to XXX,XXX but less than XXX,XXX crab;**

- (B) the guideline harvest level for legal male Tanner crab may not exceed 20 percent of the estimated abundance of legal male Tanner crab if the legal male Tanner crab abundance is greater than or equal to XXX,XXX but less than XXX,XXX crab;
 - (C) the guideline harvest level for legal male Tanner crab may not exceed 25 percent of the estimated abundance of legal male Tanner crab if the legal male Tanner crab abundance is greater than or equal to XXX,XXX but less than XXX,XXX crab;
 - (D) the guideline harvest level for legal male Tanner crab may be reduced or the commercial fishery closed, if the estimated commercial harvest would cause the estimated abundance of legal male Tanner crab to fall below the minimum threshold.
- 3) if a commercial fishery opens in this district, a sport fishery will open as provided in 5 AAC 55.022(b)(3).

(d) Southeastern District

- 1) the guideline harvest range is 0-XX,XXX lb.
- 2) if a commercial fishery opens in this district, a sport fishery will open as provided in 5 AAC 55.022(b)(3).

(e) Southwestern District

- 1) if there are adequate data available, the department shall estimate the abundance of male legal Tanner crab in the Southwestern District and shall establish a guideline harvest level for legal male Tanner crab, if the current estimated abundance of legal male Tanner crab is above the minimum stock threshold for opening a fishery.
- 2) the commercial fishery may open only if the current estimated abundance of legal male Tanner crab is greater than or equal to XXX,XXX crab. The guideline harvest level will be determined as follows:
 - (A) the guideline harvest level for legal male Tanner crab may not exceed 15 percent of the estimated abundance of legal male Tanner crab if the legal male Tanner crab abundance is greater than or equal to XXX,XXX but less than XXX,XXX crab;
 - (B) the guideline harvest level for legal male Tanner crab may not exceed 20 percent of the estimated abundance of legal male Tanner crab if the legal male Tanner crab abundance is greater than or equal to XXX,XXX but less than XXX,XXX crab;
 - (C) the guideline harvest level for legal male Tanner crab may not exceed 25 percent of the estimated abundance of legal male Tanner crab if the legal male Tanner crab abundance is greater than or equal to XXX,XXX but less than XXX,XXX crab;
 - (D) the guideline harvest level for legal male Tanner crab may be reduced or the commercial fishery closed, if the estimated commercial harvest would cause the estimated abundance of legal male Tanner crab to fall below the minimum stock threshold.
- 3) If a commercial fishery opens in this district, a sport fishery will open as provided in 5 AAC 55.022(b)(3).

What is the issue you would like the board to address and why? The current harvest strategy, adopted by the board in 2014, does not function as intended due to a mismatch between the area used to develop abundance thresholds and the area where the trawl survey stock assessment is conducted. New Tanner crab districts have also been proposed to operate in tandem with this proposal; this harvest strategy uses these new districts. This harvest strategy includes district-specific abundance

thresholds that can be assessed with the current department trawl survey. The result is 3 districts in PWS that will each have abundance thresholds assessed with a trawl survey and 2 districts assessed and managed using other tools, because these areas are untrawlable. The department will identify when a harvestable surplus is present in the areas that are currently closed to commercial fishing. Abundance thresholds will be developed in the next months and submitted during the December 2020 PWS Finfish and Tanner crab meeting in Cordova.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-139)

PROPOSAL 76

5 AAC 35.311. Commissioner's permits for Tanner crab in Registration Area E.

Repeal commissioner's permits for Tanner crab in the Eastern and Western Districts of Prince William Sound Area (PWS), as follows:

[(A) IN THE EASTERN AND WESTERN DISTRICTS, MALE TANNER CRAB, FIVE INCHES OR GREATER IN CARAPACE WIDTH, MAY BE TAKEN ONLY UNDER THE CONDITIONS OF A PERMIT ISSUED BY THE COMMISSIONER.

(B) ONLY POT GEAR MAY BE USED AND NO MORE THAN 50 TANNER CRAB POTS MAY BE OPERATED FROM A VESSEL.

(C) THE PERMIT REQUIRED IN THIS SECTION

(1) MAY SPECIFY SEASON DATES;

(2) MAY SPECIFY AREAS OF FISHING OPERATIONS BY DISTRICT OR BY GEOGRAPHIC LOCATION;

(3) MAY REQUIRE AN ONBOARD OBSERVER DURING ALL OPERATIONS;

(4) SHALL REQUIRE MANDATORY COMPLETION OF LOG SHEETS PROVIDED BY THE DEPARTMENT; LOG SHEETS DESCRIBED IN THIS SECTION MUST

(A) INCLUDE THE DATE, THE SPECIFIC LOCATION OF HARVEST BY LATITUDE AND LONGITUDE, THE NUMBER OF POTS FISHED, THE AVERAGE DEPTH OF EACH POT FISHED, AND THE TIME GEAR IS DEPLOYED AND REMOVED FROM THE WATER OF EACH SET;

(B) INCLUDE FOR THE TARGET AND EACH BYCATCH SPECIES THE NUMBER OF FISH RETAINED AND DISCARDED;

(C) BE UPDATED WITHIN 24 HOURS AFTER MIDNIGHT LOCAL TIME ON THE DAY OF OPERATION;

(D) BE MADE AVAILABLE TO A LOCAL REPRESENTATIVE OF THE DEPARTMENT UPON REQUEST;

(E) BE SUBMITTED WITH THE CORRESPONDING FISH TICKET AT THE TIME OF LANDING;

(5) MAY SET OTHER CONDITIONS THE COMMISSIONER DETERMINES ARE NECESSARY FOR CONSERVATION AND MANAGEMENT PURPOSES.

(D) A PERSON MAY NOT MAKE A FALSE ENTRY IN THE LOG SHEETS DESCRIBED IN THIS SECTION.

(E) REGISTRATION AREA E IS A SUPEREXCLUSIVE REGISTRATION AREA FOR TANNER CRAB; AN OPERATOR OF A TANNER CRAB VESSEL VALIDLY REGISTERED FOR A SUPEREXCLUSIVE REGISTRATION AREA MAY NOT OPERATE ANY OTHER

TANNER CRAB VESSEL REGISTERED FOR ANY OTHER SUPEREXCLUSIVE REGISTRATION AREA IN THE SAME REGISTRATION YEAR AS ESTABLISHED UNDER 5 AAC 35.020(H).] **Repealed.**

What is the issue you would like the board to address and why? The department is proposing new district definitions and a new harvest strategy at this meeting. This proposed harvest strategy includes the areas that cover the current Eastern and Western Districts in PWS; however, districts will be renamed and redefined as proposed with different boundaries. If the proposal redefining the districts is passed, the Eastern and Western districts will not exist in regulation and therefore will make this regulation invalid. After March 2020, the department will have prosecuted the Commissioner's Permit commercial Tanner crab fishery in the Eastern and Western districts for three years. The department is using the information from this fishery to develop the updated harvest strategy; this strategy includes these areas (with new district names).

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-140)

PROPOSAL 77

5 AAC 35.306. Area E registration.

Amend the Tanner crab registration deadline, as follows:

5 AAC 35.306(b) is amended to read:

(b) A Tanner crab vessel must be registered under 5 AAC 35.020 no later than **15** [30] days before the scheduled opening date of the commercial Tanner crab season.

What is the issue you would like the board to address and why? The department uses registration deadlines in order to make decisions for the commercial Tanner crab fisheries in the Prince William Sound Area (PWS). Fifteen days prior to the opening of the fishery is adequate to make initial fishery decisions. Similarly, the PWS shrimp pot fishery has a deadline 15 days prior to the season start and this is adequate for the department to make fishery management decisions.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-141)

PROPOSAL 78

5 AAC 35.310. Fishing seasons for Registration Area E.

Remove district references and include all districts in the Prince William Sound Area (PWS; Area E) and include a weather-delay provision for the opening date of the fishery, as follows:

5 AAC 35.310 is amended to read:

(a) In Registration Area E [THE NORTHERN AND HINCHINBROOK DISTRICTS], male Tanner crab may be taken only from January 15 until **April 15** [MARCH 31], during periods established by emergency order.

(b) The season opening shall be delayed for 24 hours if the opening day National Weather Service forecast for the following 48 hours for Prince William Sound, as defined by the National Weather Service as PKZ125, contains a gale warning, in which case the season opening in all districts will be delayed 24 hours; if after the initial weather delay, the 4:00 a.m. National Weather Service forecast for the current day and night or the following day and night again contains a gale warning, the season opening in all districts will be delayed an additional 24 hours; the season opening delays may continue for 7 days, when the season will open regardless of any gale warning in the National Weather Service forecasts.

What is the issue you would like the board to address and why? The department is proposing new Tanner crab district definitions for PWS along with a new harvest strategy. This proposal removes district references; the department has time and area authority to open and close districts in PWS. In addition, adding a weather delay provision provides for a safe and fair start to this Tanner crab fishery that has had diverse participation in terms of vessel size and port of entry.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-142)

PROPOSAL 79

5 AAC 35.306. Area E registration.

Designate Registration Area E an exclusive registration area for Tanner crab, as follows:

Amend 5 AAC 35.306 to read "Registration Area E is an Exclusive registration area"

This would allow local boats to work with Yakutat fishermen in the future to create fishing opportunity in Icy Bay and Yakutat Bay. This change in designation should have no impact on local fleets or stocks in Area E. Area E would be the only Exclusive designation in the state. Therefore we would be protected from other crab fleets due to their areas Super exclusive designations. Yet we would still able to fish in Area D due to its non exclusive designation.

What is the issue you would like the board to address and why? 5 AAC 35.306 currently reads "Registration Area E is a Super exclusive registration area" Under the super exclusive designation area vessels participating in local tanner fisheries may not participate in any other area even if its non exclusive. We would like to be able to explore the viability of tanner fisheries in Area D in the future as we are receiving reports of rebounding stocks.

PROPOSED BY: Robert Linville (EF-F20-127)
