

Submitted by the Alaska Department of Fish and Game

March 20, 2022

Substitute language for Proposal 272.

5 AAC 35.509 is amended to read:

5 AAC 35.509. Eastern Aleutian District Tanner crab harvest strategy. (a) In the Eastern Aleutian District, **the department shall manage a commercial Tanner crab fishery in accordance with 35.080, as follows:** [A COMMERCIAL TANNER CRAB FISHERY MAY OPEN ONLY IF ANALYSIS OF PRESEASON SURVEY DATA INDICATES THAT THE SUBJECT POPULATION MEETS OR EXCEEDS THE THRESHOLD LEVEL OF MATURE MALE ABUNDANCE SPECIFIED IN (b) OF THIS SECTION, WHICH IS ONE-HALF THE LONG-TERM AVERAGE OF MATURE MALE ABUNDANCE, AND THE FISHERY IS IN A SECTION OF THE EASTERN ALEUTIAN DISTRICT THAT IS SUFFICIENT TO PROVIDE A GUIDELINE HARVEST LEVEL OF 35,000 POUNDS OR MORE AS CALCULATED UNDER (d) OF THIS SECTION]

(1) analysis of preseason survey data indicates that the estimated population at the time of the survey is at or above 50 percent of the long-term average of mature male abundance;

(2) the fishery is in a section of the Eastern Aleutian District that is sufficient to provide a guideline harvest level (GHL) of 15,000 pounds or more, as calculated under (d) of this section;

(3) if a preseason survey in the Eastern Aleutian District does not occur or occurs in an area insufficient to determine estimated population abundance, a reduced fishery may occur with a maximum GHL of 30,000 pounds.

(b) The threshold levels of mature male abundance, in number of crab, for the **Akutan Bay, Unalaska/Kalekta Bay and Makushin/Skan Bay Sections** [FOLLOWING SECTIONS] of the Eastern Aleutian District **are calculated as one half of the average of the annual survey estimated abundance of mature male Tanner crab in each section for the period 1990-2019.**

[(1) AKUTAN SECTION: 200,000

(2) UNALASKA/KALEKTA BAY SECTION: 65,000

(3) MAKUSHIN/SKAN BAY SECTION: 45,000]

(c) In the Eastern Aleutian District, the

(1) [REGISTRATION DEADLINE IS 5:00 P.M. DECEMBER 24;

(2)] vessel operator must register with the department before fishing in any of the sections and may not be simultaneously registered to fish in more than one section at a time;

(2) [(3)] commissioner may close, by emergency order, any section based on fishery performance;[.]

(3) the department may announce by emergency order, area closures in Unalaska Bay to reduce the impact of commercial fisheries on subsistence fisheries.

(d) If the commercial Tanner crab fishery in the Eastern Aleutian District is opened under (a) of this section, **the GHL will be calculated as follows:** [AND THE THRESHOLD LEVEL OF MATURE MALES ABUNDANCE]

(1) **if the current mature male abundance estimate is between 50 and 100 percent of the long-term average** [IS EQUAL TO OR LESS THAN THE LONG-TERM AVERAGE OF MATURE MALE ABUNDANCE], the guideline harvest level will be no more than **5** [10] percent of the [MOLTING] mature male abundance and no more than **10** [30] percent of the legal size male abundance, **whichever is less;**

(2) **if the current mature male abundance estimate is above 100 percent of the long-term average** [EXCEEDS THE LONG-TERM AVERAGE OF MATURE MALE ABUNDANCE], the guideline harvest level will be no more than **10** [20] percent of the [MOLTING] mature male abundance and no more than **15** [30] percent of the legal size male abundance, **whichever is less.**

(e) In implementing the harvest strategy under this section, the board understands that the department will consider the reliability of the estimates of abundance of Tanner crab, the manageability of the fishery, and other factors deemed necessary to be consistent with sustained yield principles and to use the best scientific information necessary.

(f) Nothing in this section prohibits the department from opening a commercial fishery for Tanner crab in the General Section of the Eastern Aleutian District **under the conditions of a permit issued by the commissioner. The permit required in this section, may,**

(1) specify season dates to consider the timing of mating and molting;

(2) specify areas of fishing operations by district or geographic location to distribute effort;

(3) specify the amount and configuration of pots as needed to minimize bycatch and evaluate fishery performance;

(4) specify harvest limits to prevent localized depletion;

(5) require a department representative to be onboard during fishing operations to collect biological or fishery dependent information needed for stock assessment;

(6) require completion of logbooks provided by the department that include the date, the specific location of harvest by latitude and longitude, the number of pots fished, the average depth of each pot fished, the time gear is deployed and removed from the water of each set, and the number of crab retained and discarded for the target and each bycatch species; a person may not make a false entry in the logbook required in this section [IF PRESEASON SURVEY RESULTS INDICATE THAT A HARVESTABLE SURPLUS OF TANNER CRAB IS AVAILABLE AND THE HARVEST RATE WOULD NOT EXCEED 20 PERCENT OF THE MOLTING MATURE MALE ABUNDANCE OR 30 PERCENT OF THE LEGAL MALE ABUNDANCE].

[(g) THE LONG-TERM AVERAGE OF MATURE MALE ABUNDANCE IN NUMBERS OF CRAB FOR EACH OF THE FOLLOWING SECTIONS OF THE EASTERN ALEUTIAN DISTRICT IS

(1) AKUTAN SECTION:	400,000
(2) UNALASKA/KALEKTA BAY SECTION:	130,000
(3) MAKUSHIN/SKAN BAY SECTION:	90,000]

(h) For the purposes of this section,

(1) **“average of the annual survey estimated abundance of mature male Tanner crab”** [“LONG-TERM AVERAGE OF MATURE MALE ABUNDANCE”] means the [LONG-TERM] average of the **semi-annual trawl survey** estimated abundance of **mature** male Tanner crab **for the period 1990-2019** [GREATER THAN 114 MILLIMETERS IN CARAPACE WIDTH];

(2) “[MOLTING] mature male abundance” means the **survey** estimated abundance of **all male** [100 PERCENT OF NEWSHELL, AND 15 PERCENT OF OLDSHELL] Tanner crab **greater** [THAT ARE MORE] than 114 millimeters in carapace width.

5 AAC 35.505(c)(1) is amended to read:

5 AAC 35.505. Description of Registration Area J districts. ...

(c) Eastern Aleutian District: all waters between the longitude of Scotch Cap Light (164° 44.72' W. long.) and 172° W. long., and south of 54° 36' N. lat.

(1) Akutan Section: all waters of Alaska west of the longitude of Akun Head (165° 37.58' W. long.) and east of the longitude of North Head (**165° 56.25' W. long**) [(165° 51.08' W. LONG.)] and north of a line from 54° 07.63' N. lat., 165° 39.88' W. long. to 54° 08.36' N. lat., 165° 38.36' W. long.;