

## **PROPOSAL 256**

### **5 AAC 32.128 Operation of other gear in Registration Area A.**

Allow a person or vessel to participate in the Registration Area A commercial Dungeness crab fishery if they operated commercial shrimp pots during the 14 days immediately before the opening of the commercial Dungeness crab fishery. In addition, permit holders may not register and participate in the Dungeness and shrimp pot commercial fisheries concurrently.

5 AAC 32.128. Operation of other gear in Registration Area A.

(a) Notwithstanding 5 AAC 32.053, a person or vessel that operates commercial king crab pots in waters deeper than 100 fathoms during the 14 days immediately before the opening of the commercial Dungeness crab fishery in Registration Area A, may participate in the commercial Dungeness crab fishery.

(b) A vessel owner, or the owner's agent, may not register a vessel for the commercial Dungeness crab fishery and the commercial beam trawl shrimp fishery at the same time. A vessel owner, or the owner's agent, may cancel a vessel's registration for the commercial Dungeness crab fishery and register a vessel for the commercial beam trawl shrimp fishery if

(1) the person removes from the water the pots that are used and marked for the commercial Dungeness crab fishery, or stores the pots as specified in 5 AAC 32.052; and

(2) the vessel owner, or the owner's agent, contacts a local representative of the department, in person, and requests that the department cancel the vessel's commercial Dungeness crab registration.

(c) Notwithstanding 5 AAC 32.053(d), 5 AAC 34.053(2), and 5 AAC 35.053(2), a person or vessel may operate commercial king crab or Tanner crab pots during an open Dungeness crab season in Registration Area A if a commercial king crab or Tanner crab season is open in Registration Area A at the same time as the commercial Dungeness crab season.

**(d) Notwithstanding 5AAC 32.053 a person or vessel that participates in the commercial pot shrimp fishery in Registration Area A during the 14 days immediately before the opening of the commercial Dungeness crab fishery in Registration Area A may cancel their pot shrimp registration and register for and participate in the Dungeness crab fishery in Registration Area A if**

**(1) the person removes from the water the pots that are used and marked for the commercial pot shrimp fishery; and**

**(2) the vessel owner, or the owner's agent, contacts a local representative of the department, in person, and requests that the department cancel the vessel's and permit holder's commercial pot shrimp registration.**

5AAC 31.128 Operation of other gear in Registration Area A

(a) Notwithstanding 5 AAC 31.053(d), 5 AAC 34.053(2), and 5 AAC 35.053(2), a person or vessel may operate commercial king crab or Tanner crab pots during an open pot shrimp season in Registration Area A if a commercial king crab or Tanner crab season is open in Registration Area A at the same time as the commercial pot shrimp season.

(b) In an area open to fishing for shrimp, a vessel operator may not operate more than the number of pots specified in 5 AAC 31.124(e), including commercial, sport, personal use, and subsistence shrimp pots.

(c) A vessel owner, or the owner's agent, may not register a vessel for the commercial shrimp pot fishery and the commercial beam trawl shrimp fishery at the same time. A vessel owner, or the owner's agent, may cancel a vessel's registration for a shrimp fishery and register for a different shrimp fishery by contacting a local representative of the department, in person, and providing all requested information.

(d) A vessel owner, or the owner's agent, may not register a vessel for the commercial beam trawl shrimp fishery and the commercial Dungeness crab fishery at the same time. A vessel owner, or the owner's agent, may cancel a vessel's registration for the commercial beam trawl shrimp fishery and register a vessel for the commercial Dungeness crab fishery by contacting a local representative of the department, in person, and providing all requested information.

**(e) A vessel owner, or the owner's agent, may not register a vessel for the commercial pot shrimp fishery and the commercial Dungeness crab fishery at the same time. A vessel owner, or the owner's agent, may cancel a vessel's registration for the commercial pot shrimp fishery and register a vessel for the commercial Dungeness crab fishery by contacting a local representative of the department, in person, and providing all requested information.**

**What is the issue you would like the board to address and why?** We would like to allow a person holding a pot shrimp permit and Dungeness pot permit to be able to fish longer than the first 15 days of the shrimp fishery and still be able to participate in the Dungeness crab fishery if they remove all their shrimp pots from the water, cancel their registration from the shrimp fishery, and then register for the Dungeness crab fishery.

A legal Dungeness crab is unlikely to be caught in a shrimp pot with the definitions provided in regulation in SE Alaska for legal shrimp pots and legal Dungeness crab pot gear (5AAC 32.050 & 5AAC 32.125 (f))

With the change in the shrimp pot fishery to a springtime start, a Dungeness crab pot and shrimp pot permit holder wishing to participate in both fisheries may only participate in the shrimp pot fishery until May 31<sup>st</sup> as they may not have any pot gear of any type in the water 14 days prior to the start of the Dungeness crab fishery on June 15 (5AAC 32.053). This means a permit holder or vessel participating in both the shrimp pot and Dungeness pot fishery is only allowed to participate in the shrimp fishery the first 14 or 15 days. It was also unclear when the 14 day standdown period starts and is dependent upon individual Alaska Wildlife Trooper's interpretation to whether it is 8:00 am June 1<sup>st</sup> or 12:59 pm on May 31. Both fisheries require registration and have regulations in place for de-registering when a fisherman is done participating.

5AAC 31.053 (d) Operation of Other pot gear (SE Shrimp regulations) allows a person and or vessel to stop participating in a commercial shrimp fishery and instead operate other commercial pots if they remove all the gear and contacts a representative of the Dept in person and de-registers.

We considered an alternative solution to achieve this goal by changing

**5AAC 32.128 Operation of other gear in Registration Area A**

(a) Notwithstanding 5 AAC 32.053, a person or vessel that operates commercial king crab pots in waters deeper than 100 fathoms, **or operates commercial shrimp pots,** during the 14 days immediately before the opening of the commercial Dungeness crab fishery in Registration Area A, may participate in the commercial Dungeness crab fishery.

*We went with the proposed option because fishermen tend to read the section of the regulation book for the area they fish and don't always catch statewide regulations, so thought our proposed language similar to language proposed more recently in the shrimp fishery made it clearer to the fishermen all the responsibilities of having the pots out of the water and canceling the registration in one fishery before activating the registration for the next fishery*

**Did you develop your proposal in coordination with others, or with your local Fish and Game Advisory Committee? Explain.**

**PROPOSED BY:** Southeast Alaska Fisherman Alliance (HQ-F24-081)  
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