

## **PROPOSAL 31**

### **5 AAC 02.236. Closed waters and 5 AAC 35.312. Closed waters in Registration Area E.**

Repeal closed waters for the Prince William Sound subsistence and commercial Tanner crab fisheries, as follows:

Remove the closed waters regulation for both the subsistence and commercial fishery.

5 AAC 02.236. Closed waters.

(a) Shellfish may not be taken in the nonsubsistence area of Prince William Sound as described in 5 AAC 99.015(a)(5).

[(B) THE FOLLOWING WATERS ARE CLOSED TO THE TAKING OF KING AND TANNER CRAB FOR SUBSISTENCE PURPOSES:

(1) PORT VALDEZ: NORTH 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.]

[5 AAC 35.312. CLOSED WATERS IN REGISTRATION AREA E. THE FOLLOWING WATERS ARE CLOSED TO THE TAKING OF TANNER CRAB:

(1) PORT VALDEZ: NORTH 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?** Current closed water regulations were passed at the 2017 and 2021 board cycles and were not properly vetted at that time. A large amount of changes occurred in the Tanner Crab fishery during those board meetings. CDFU does not feel the public had ample time to digest and comment on the proposals.

Closed waters for Tanner Crab fisheries do not exist elsewhere in the state and should not exist here. In Kodiak and Southeast, both highly productive Tanner Crab fisheries, there are no closed waters for Tanner Crab fishing.

The department's justification for these closure areas was that they are "Tanner Crab nursery grounds". For many reasons, it does not make sense to close areas based on where juvenile crab might live. Tanner Crab populations do not stay in the same geographic location from month to month, or year to year. Areas where the department identifies as having high concentrations of female or juvenile crab during their summer trawl survey may look completely different by the time the winter fishery occurs. Additionally, where PWS juvenile crabs congregate can change from one board cycle to the next. It does not make sense for the department to examine and close

PWS areas every time a new biomass of juveniles is found. It also does not make sense to reassess nursery closures each board cycle.

Finally, we should not create nursery closures because there is minimal potential harm to juveniles and females by crab pots. Undersized crab either escape out of the escape rings or are returned to the water unharmed. The department also does trawl surveys through these "nursery areas" and uses their catch to develop the GHL for the eastern district. This mismatch of using survey data to set a GHL from an area closed to harvest the GHL could be part of the reason the GHL was unattained in 2022.

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

**PROPOSED BY:** Cordova District Fishermen United (CDFU) (EF-F24-126)

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