

C5 – GOA Tanner Crab Protections

The AP recommends that the Council request a second initial review of the Tanner Crab Protections analysis, with the inclusion of 5 new closure options¹ and a new element under Alternative 2, and a revised Alternative 3. Additions are in blue, with deletions struck out.

Purpose and Need

Crab is a prohibited species in the Gulf of Alaska (GOA) groundfish fisheries, and the Council has developed several time and area closures to minimize the impacts of groundfish fisheries on GOA crab. In recent years, new information about Tanner crab biology and management resulted in modifications to the harvest strategy and management measures for the state-managed GOA directed Tanner crab fishery. The Council is considering a new groundfish fishing area closure on the east side of Kodiak Island in areas known to have consistently high densities and abundance of Tanner crab. The Council is also considering a process to evaluate the effectiveness of existing groundfish fishery area closures around Kodiak Island, most of which were enacted in the late 1980s, to determine whether modifications are needed. Given the importance of crab and groundfish fisheries to the harvesting, processing and support sectors in the community of Kodiak, the Council intends to consider management actions that conserve and protect Tanner crab while minimizing negative impacts on Central GOA groundfish fisheries.

Alternative 1: Status Quo

Alternative 2: Closure area

Objectives for closure area: minimize groundfish fishery interactions with Tanner crab in areas off the east side of Kodiak Island 1) where high densities of Tanner crab are known to occur and 2) during life stages in which available information indicates that Tanner crab are vulnerable to fishery interactions. The Council intends to establish criteria and a timeline to review the effectiveness of the closure area.

Element 1: Closure Area

Option 1: ADF&G statistical area 525702

Option 2: East side of Kodiak Island - Federal waters north of 56 degrees 54.6 minutes latitude and 152 degrees 16 minutes longitude (referred to as the “Custom Closure Area”; see Figure ES-1 below)

Option 3: “AWTA Option 1” (57 09.833 W 152 27.735; 57 09.353 W 152 26.204; 57 07.256 W 152 25.053; 57 04.446 W 152 26.609; 57 04.293 W 152 28.102; 57 05.174 W 152 28.776; 57 06.343 W 152 28.785; 57 09.833 W 152 27.735)

Option 4: “AWTA Option 2” (57 20.603 W 152 29.858; 57 09.874 W 152 25.919; 57 07.240 W 152 24.452; 57 04.379 W 152 24.801; 57 00.864 W 152 26.673; 57 00.776 W 153 00.000; 57 07.222 W 153 00.000; 57 20.603 W 152 29.858)

Option 5: “MTC Option 1” (57 28.680 152 19.980 57 23.100 152 17.100 57 22.020 152 18.060 56 55.980 153 09.000 57 04.020 153 30.000)

¹ Note: Images of 5 new closure options can be found on pages 9 - 11 of AP Report.

² Option 4 (AWTA Option 2) reflects a corrected coordinate clarified in oral testimony, which differs from an error in written comment.

Option 6: “MTC Option 2” (57 22.959 152 16.956 57 09.153 152 17.000 57 09.110 152.20.150 57 13.100 152 26.100 57 12.683 152 27.435 57 12.291 152 28.937 57 12.010 152 30.281 57 11.055 152 31.693 57 11.055 152 31.693 56 11.600 152 33.296 57 11.478 152 35.073 57 11.446 152 36.388 57 11.545 153 38.538 back to 57 22.959 152 16.956).

Option 7: “Tanner Crab Fleet Option” (coordinates to be provided to Council)

Element 2: Closure duration

Option 1: Year-round

Option 2: Seasonal

a) Feb 15 – June 15 (current Type II closure dates)

b) April 1–June 15 (directed Tanner fishery closure date by regulation through Tanner crab survey start date)

Element 3: Gear types subject to closure

Option 1: Groundfish Pot & Trawl (nonpelagic and pelagic) gear

Option 2: Nonpelagic trawl gear

Element 4: Periodic Review of New Closure for Efficacy – Criteria that could be considered when reviewing efficacy include but are not limited to:

- benefits to the abundance of the Kodiak tanner crab stock
- impacts of fleet displacement on tanner crab, halibut, and salmon PSC
- Socioeconomic tradeoffs for the tanner crab fleet, the trawl catcher vessel fleet, and shoreside processors

Option 1: Review efficacy after 3 years

Option 2: Review efficacy after 5 years

Alternative 2 Elements are not mutually exclusive.

Alternative 3: Evaluate the existing Marmot Bay Tanner Crab Protection Area and all Type I, II and III closures around Kodiak Island for modification and/or removal, using biological, fishery independent and dependent information available. ~~The Council intends to review the objective of each existing crab protection area around Kodiak Island and biological, fishery independent and dependent information available for the area and consider options for modifications or removal.~~

Element 1: Marmot Bay Tanner Crab Protection Area

Option 1: Remove the Marmot Bay Tanner Crab Protection Area

Option 2: Modify to a seasonal closure

a) Feb 15 – June 15

b) April 1 – June 15

Element 2: Type I Closure - Alitak Flats and Towers Area

Option 1: Modify the existing closure boundaries only to maintain the closure inside Alitak Bay, with an additional 5 nm buffer of closure area outside of Alitak Bay. The remainder of the area outside of the modified closure would be reopened to non-pelagic trawl gear.

Option 2: Modify the existing closure boundaries to maintain the closure inside Alitak Bay, with an additional 10 nm buffer of closure area outside of Alitak Bay. The remainder of the area outside of the modified closure would be reopened to non-pelagic trawl gear.

The closure area would remain an annual Type I closure area.

Element 3: Type I Closure - Marmot Flats Area

Option 1: Remove the Marmot Flats Area Type I Closure

Option 2: Modify to a seasonal closure

a) Feb 15 – June 15

b) April 1 – June 15

Element 4: Type II Closure – Chirikof Island Area

Option 1: Remove the Chirikof Island Type II Closure Area

Option 2: Modify to new seasonal closure dates April 1 – June 15

Element 5: Type II Closure – Barnabas Area

Option 1: Expand Type II Barnabas closure to year-round

Option 2: Modify to new seasonal closure dates April 1 – June 15

Element 6: Type III Closures – Chirikof, Horse’s Head, Barnabas, Outer Marmot Bay

Option 1: Remove all Type III Closure Areas

Option 2: All ~~other-Barnabas~~ **Type III** closure areas should be seasonal

a) Feb 15 – June 15

b) April 1 – June 15 ^{Amendment 1}

Sub-element A: Modify regulation to allow pelagic gear to be deployed in the closure area while non-pelagic gear is on board, regardless of monitoring category.

Alternative 3 Elements are not mutually exclusive.

Sub-element A can be selected with any combination of Alternative 3 Elements 2 through 5 that remain Type I, II, or III closure areas.

Lastly, the AP recommends the following updates and/or improvements to the analysis:

- Move all discussion of the GOA catcher processor fleet to an Appendix. Remove all catcher processor harvest and value data from the next iteration, including in calculations of total non-pelagic groundfish harvest so that shoreside impacts are not minimized (tables 3-24 through 3-27)
- Include an expanded time series going back to 2005 – 2025 in the next analysis. The existing time series of 2012-2025 should be kept for comparison.
- Show complete data consistently across fisheries where it is available. For example, Table 3-20 shows ex-vessel value from the commercial tanner fishery but does not include columns when fishery was closed and does not include average annual ex-vessel amount for the time series, including the years with zero value. (Make comparable to the trawl table 3-25).
- Include additional Species Distribution Modeling (SDM) results for Mature Female, Mature Male, and all crab with survey years 2006-2025 (ex: Figures 5-15,16, and 17).
- In Chapter 4.3, the “Vessel and Community-Level Dependency and Impacts” section for each gear type should include processor impacts section for each gear type. In actions that effect crab or groundfish catcher vessel access to resource, processors are directly impacted and should be considered as such. This should also include consideration of the importance of the April/May shoulder season for Kodiak.
- When discussing the scope of the action or impacts to processing, only the current number of processors, not historical, should be used.
- Better incorporate the GOA Pacific cod stock crash in 2017 and the resulting impacts of predation on tanner crab in the analysis.
- Incorporate the required use of elevated sweeps in the CGOA flatfish fishery on additional potential benefits to the life stages of crab.

- Incorporate pollock catch monitored by EM into all harvest data
- Describe observer coverage categories and rates for each groundfish fishery and the tanner crab fishery impacted by this analysis as it relates to PSC.
- Engage with trawl industry vessel operators for more context
- Detail observed and unobserved mortality from the directed Tanner crab fishery
- Species composition and ex-vessel value of non-pelagic trawl trips from the newly proposed closure areas

Amendment 1 (Alt 3 Ele 6, in red) passed 15-0

Amended Main Motion passes 14-0, with one Abstention

Failed Amendment 2 to Bifurcate and Amendment to Amendment 2:

The AP recommends an analysis to evaluate the following:

Alternative 3: Evaluate the existing Marmot Bay Tanner Crab Protection Area and all Type I, II and III closures around Kodiak Island for modification and/or removal, using biological, fishery independent and dependent information available. ~~The Council intends to review the objective of each existing crab protection area around Kodiak Island and biological, fishery independent and dependent information available for the area and consider options for modifications or removal.~~

STRIKE Element 1: Marmot Bay Tanner Crab Protection Area [Amendment to Amendment 2 FAILED]

Option 1: Remove the Marmot Bay Tanner Crab Protection Area

Option 2: Modify to a seasonal closure

a) Feb 15 – June 15

b) April 1 – June 15

Element 2: Type I Closure - Alitak Flats and Towers Area

Option 1: Modify the existing closure boundaries only to maintain the closure inside Alitak Bay, with an additional 5 nm buffer of closure area outside of Alitak Bay. The remainder of the area outside of the modified closure would be reopened to non-pelagic trawl gear.

Option 2: Modify the existing closure boundaries to maintain the closure inside Alitak Bay, with an additional 10 nm buffer of closure area outside of Alitak Bay. The remainder of the area outside of the modified closure would be reopened to non-pelagic trawl gear.

The closure area would remain an annual Type I closure area.

STRIKE Element 3: Type I Closure - Marmot Flats Area [Amendment to Amendment 2 FAILED]

Option 1: Remove the Marmot Flats Area Type I Closure

Option 2: Modify to a seasonal closure

a) Feb 15 – June 15

b) April 1 – June 15

Element 4: Type II Closure – Chirikof Island Area

Option 1: Remove the Chirikof Island Type II Closure Area

Option 2: Modify to new seasonal closure dates April 1 – June 15

Element 5: Type II Closure – Barnabas Area

Option 1: Expand Type II Barnabas closure to year-round

Option 2: Modify to new seasonal closure dates April 1 – June 15

Element 6: Type III Closures – Chirikof, Horse’s Head, Barnabas, Outer Marmot Bay

Option 1: Remove all Type III Closure Areas

Option 2: All ~~other Barnabas~~ **Type III** closure areas should be seasonal

a) Feb 15 – June 15

b) April 1 – June 15

Sub-element A: Modify regulation to allow pelagic gear to be deployed in the closure area while non-pelagic gear is on board, regardless of monitoring category.

Alternative 3 Elements are not mutually exclusive.

Sub-element A can be selected with any combination of Alternative 3 Elements 2 through 5 that remain Type I, II, or III closure areas.

*Amendment to the Amendment to strikethrough Elements 1 and 3 failed 13-1, with one abstention
Amendment to Bifurcate failed 9-4, with one abstention*

Rationale in Support of Amended Main Motion:

- *The AP noted appreciation for Council staff’s work on this first initial review for Tanner Crab Protections.*
- *The motion maker noted that the current analysis does not support additional closure measures. The draft EA/RIR repeatedly acknowledges uncertainty regarding the relationship between Tanner crab PSC, unobserved mortality, environmental variability, and overall Tanner crab population dynamics.*
- *Most importantly, the analysis specifically concludes that, “the relative impacts of PSC removals do not appear to be significant at the population level” (Page 15). The current analysis does not demonstrate Gulf of Alaska (GOA) trawl fisheries are causing population-level harm to Tanner crab stocks, and noted that the Kodiak District Tanner crab fishery has remained open in most years since 2000 because abundance thresholds were generally met despite cyclical fluctuations in recruitment and abundance. This is important to note since the Council system is built upon science-based fisheries management under the Magnuson-Stevens Act.*
- *The AP also noted concerns in the analysis that any conservation benefits from additional closures may be offset by displacement of fishing effort into adjacent areas with similar Tanner crab concentrations. The document repeatedly identifies uncertainty surrounding whether proposed closures would produce measurable conservation gains, particularly given the likelihood of spatial or temporal redistribution of fishing activity.*
- *The AP also noted that at the same time, the economic and operational impacts to Gulf of Alaska fisheries are clear and substantial. The areas under consideration are described in the analysis as productive fishing grounds relied upon heavily by pollock, arrowtooth flounder, and shallow-water flatfish fisheries. The analysis also acknowledges the importance of these fisheries to Kodiak harvesting, processing, and support-sector employment which supports the need for another initial review and a more comprehensive analysis.*

- *However, the AP noted the clear public concerns for the protection of tanner crab and that this motion is a compromise and the most comprehensive Tanner Crab motion the AP has been able to produce to date. Nothing substantive from the prior Council motion was removed.*
- *The AP appreciated the collaborative work and deferred to the Council to determine how to pare the action down if necessary.*

Rationale Specific to Alternative 2

- *The new closure areas for review under Element 2 reflect four different options from the trawl groundfish fleet, and an additional closure area informed by the Tanner crab fleet. All closure elements are informed by the deep knowledge and experience of fishermen who participate in both trawl and crab fisheries and provide multiple options for consideration.*
- *An AP member noted that in regards to Alternative 2 Element 1, Option 6 being a circle, there seems to be difficulty in the process to allow closure areas to be drawn with anything but straight lines. Public testimony from both crab and trawl users indicate that more flexibility with closure area shapes such as using bathymetric charts to follow depth curves could afford smaller area closures that could allow more access to trawl by focusing the closure areas more precisely around areas of high crab density. This concept is not new and has been brought up in every iteration of this agenda item. There was also a discussion of how this approach had been used in the past with trawl users collaborating with crab users and voluntarily staying above the 65 fathom curve in the Sandbox to successfully avoid crab.*
- *The AP felt that in moving to a more modern management and to prevent old existing closures with no measurable benefit from continuing to exist, there should be the consideration of biological objectives tied to any proposed new closure. Any future proposal should include clearly defined objectives, measurable performance standards, and a mandatory review timeline so the Council can evaluate whether the action is actually achieving conservation benefits. The draft EA/RIR notes the Council's intent to establish criteria and a timeline to review closure effectiveness. That accountability framework is essential if this action continues moving forward.*

Rationale Specific to Alternative 3

- *Alternative 3 attempts to review existing crab closure areas in a comprehensive way so that any option is possible for individual areas moving forward, while remaining sensitive to those areas that are still important to Tanner Crab and the last stronghold of Red King Crab in Kodiak.*
 - *For example, Type I Alitak (Element 2), which will be considered for potential modification to protect RKC but reopen the large portion outside of Alitak Bay with different size buffers between the crab and reopened area. However, there is no option to reopen it entirely.*
 - *Similarly, Type II Barnabas (Element 5) was included for review to potentially become a year round closure rather than just seasonal.*
 - *There are also options to just modify the seasonality of closure areas.*
- *The continued inclusion of Alternative 3 is important because often when actions are bifurcated, the second part goes stale and is never analyzed again. Further, the motion maker noted that without the continued considerations for reopening ineffective existing closures, that the trawl fleet would have been unlikely to compromise and offer some new potential closure options,(Alt 3, Element 5).*
- *The amendment in Alternative 3 Element 6 fixes a typo to reflect that all Type III closures are being reviewed in Element 6, and adds the same seasonal time frames for review as the other elements (and new closure options in Alternative 2). The intent is also that if it's determined that the Type III closure areas were to become seasonal rather than removed completely, they would no longer have a trigger and would be treated as additional Type II closure areas.*

- *Sub-element A was included to address the difference in the prohibition language for the Marmot Bay Tanner Crab Protection Area (MBTCPA) and the Type I, II, and III closure areas. If Type I-III closure areas remain in place, it should be considered whether the wording of the prohibition could be changed to allow the deployment with pelagic gear in those areas while non-pelagic gear is on board on non-EM trips, since that still creates a logistical challenge for the trawl fleet.*

Rationale Related to Improvements to Analysis

- *Noting the SSC had also requested a second initial review, the AP provided a list of items based on stakeholder engagement and public comment that should be included in the next analysis.*
- *The AP looks forward to improved shoreside processor data and noted that while the catcher processor (CP) fleet does operate in the CGOA, they do not fish in these areas and are not impacted by the areas considered in this action. The requested improvements to the data will more accurately reflect how fish flow across the docks in Kodiak could be impacted by this action. Kodiak only has a few major processors remaining who want to continue year round operations, including a successful tanner crab fishery.*
- *Shoreside processing impacts, seasonal operational disruptions, and community-level impacts to Kodiak and other dependent communities should be discussed together. During the staff presentation, an AP member noted that harvesters can't exist without processors, and processors can't operate if harvesters don't have adequate access to diverse resources. This action impacts harvesters, processors, and communities in tandem.*
- *The next version should also include more comprehensive economic impact data for each individual fishery, providing equitable data for each fishery to the extent possible.*
- *The AP noted that the analysis currently lacks sufficient information regarding broader ecosystem dynamics and predator-prey relationships that may influence Tanner crab abundance and recruitment.*
 - *The Council should request additional analysis examining natural sources of Tanner crab mortality, including predation by species such as Pacific cod and skates. Groundfish species are known predators of juvenile crab, and understanding those ecosystem relationships is essential before attributing localized Tanner crab trends to trawl fishery interactions.*
 - *Without a more complete ecosystem analysis, the Council risks focusing management action narrowly on one source of mortality while overlooking potentially more significant drivers of Tanner crab abundance.*
- *The analysis also fails to adequately address the existing conservation measures already implemented by the trawl industry to reduce crab impacts. In particular, there is little meaningful discussion of the modified elevated sweep requirements already mandated for nonpelagic trawl vessels operating in the Central Gulf flatfish fisheries.*
 - *These gear modifications were specifically implemented to reduce unobserved crab mortality and benthic habitat impacts. The analysis references the existence of modified sweeps requirements, but it does not evaluate their effectiveness, quantify any reductions in crab interactions resulting from their use, or analyze whether those measures are already achieving the conservation objectives contemplated under this action.*
 - *Before considering additional closures, the AP felt the Council should request additional information evaluating the effectiveness of existing elevated sweep requirements and whether further gear innovations may provide more targeted conservation benefits than broad area closures. If the trawl fleet has already significantly reduced benthic contact and crab interactions through gear modifications, that information should be central to the Council's decision-making process.*

- *The AP noted public testimony that indicated the importance of statistical area 525702 to the trawl fleet is underestimated due to how catch data is reported from where a tow is retrieved and does not necessarily reflect where it was towed. For example, the majority of a tow could have been in 525702 but if the end of that tow was retrieved in 525630 all of that catch would be assumed to be in 525630.*

Rationale in Support of Failed amendment 2 to Bifurcate:

- *The scope of the current analysis is already large and with the addition of new closure areas and a long list of recommendations from both the SSC and in this AP motion, the potential for a second analysis to exceed the page limitations is a true concern.*
- *When asked about page number limits to analyses, staff did not have a finite answer as to the number of pages they would be limited to for the EA section of the analysis. Staff did express concern that it could potentially pose an issue but also that there could be work arounds to deal with it.*
- *The management and enforcement of Alternatives 2 and 3 are not tied to each other and could be treated as separate issues. There were numerous public comments and testimony recommending the bifurcation of the issue. Given that Alternative 3 has not yet begun to be analyzed, there was concern around the length of time the action would take with the additional information for Alternative 3.*
- *With the potential for a new closure coming in that would impact fishermen, it's important to also simultaneously review whether the existing closures are effective.*
- *Alternative 3 and the consideration of altering closed areas is an issue that has been brought up for many years. As it is considered it is important for there to not be limitations to the scope of the analysis. It could be precedent setting for other similar actions and the discussion should be robust and given ample time to be considered.*

Rationale in Opposition of Failed Amendment 2 to Bifurcate:

- *AP members also noted that this motion captures and combines the full range of both crab fishermen and trawl fishermen's request, and that the intent was to be collaborative. While some members did feel there were some good points to bifurcation, that it should ultimately remain together.*
- *In questioning Amendment 2 to Bifurcate, concerns were expressed that since Alternative 2 is considering new closures and Alternative 3 is considering reviewing existing closures for crab in the same areas, that bifurcation could actually make duplication of work for Council Staff since a large portion of the analysis would be the same.*

Rationale in Support of Failed Amendment to Amendment 2:

- *The maker of the Amendment considered traditional knowledge indicates that there is a rebound of tanner crab in Marmot Bay outside of the survey area and that there was no new information presented or data available that would change the analysis. Therefore, it was indicated that Element 1 for review of MBTCPA and Element 3 for review of Type I Marmot Flats should be removed from future analysis.*

Rationale in Opposition to the Failed Amendment to Amendment 2:

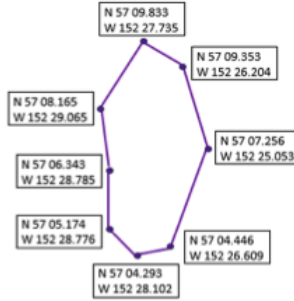
- *AP members in opposition to the removal of Alt 2 Element 1 and 3 indicated that keeping the Elements in the analysis could actually allow traditional knowledge to be on-ramped into the analysis and would allow for proper review of the areas.*

- It was noted that if the Council did move these Elements forward, nothing in the current structure of the motion would preclude a final decision to keep the areas closed to non-pelagic trawl gear.
- Another AP member also noted that if any areas are going to be reviewed then they all should be reviewed.

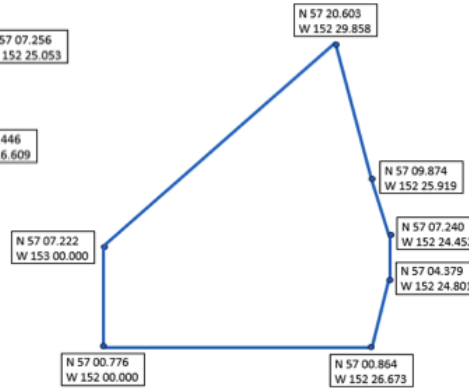
New Option 3 and 4³



AWTA Option 1

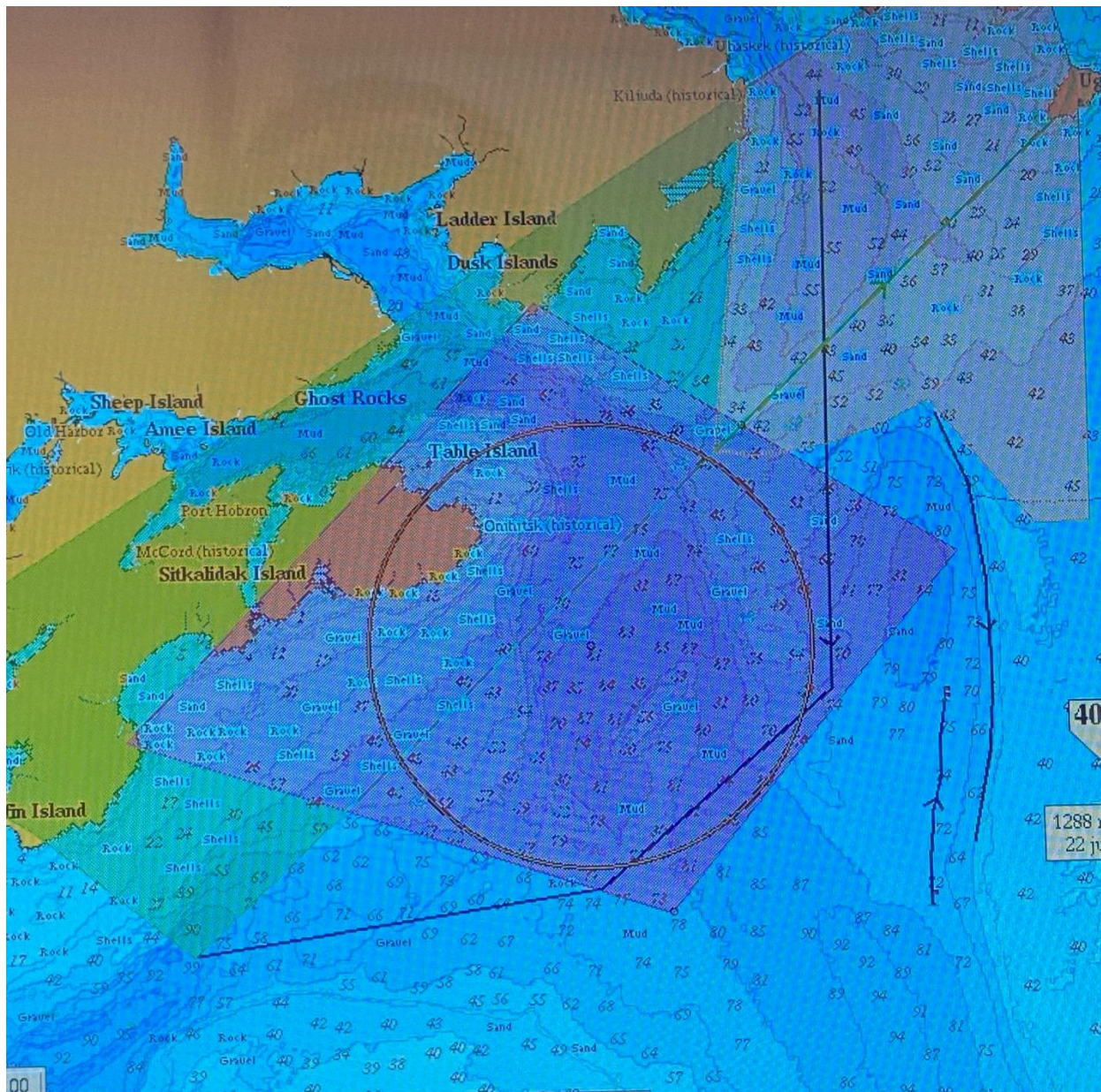


AWTA Option 2

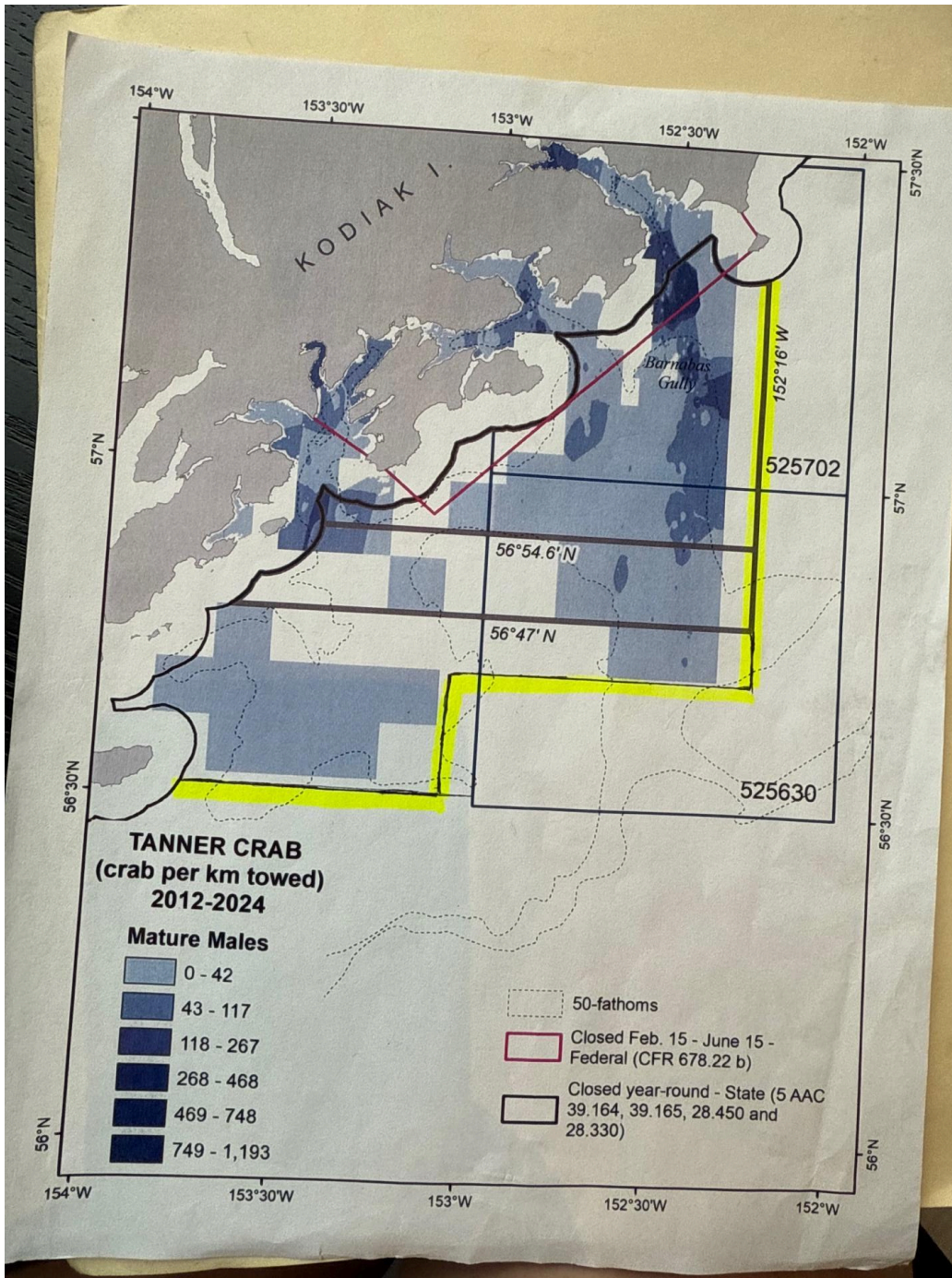


³ These images are from AWTA submitted written comment to provide a visual, but still contain the erroneous waypoint coordinate in AWTA Option 2. The waypoint coordinates in the text of the motion are correct.

New MTC Option 5 (black line) and MTC Option 6 (circle)



New Option 7⁴



⁴ Stakeholder communicated that waypoint coordinates will be provided to the Council.