

## GENERAL PROVISIONS

(A) authorize other vessel operators who are registered for the same fishery to operate crab pot gear registered to that vessel; before a vessel operator may operate crab pot gear registered to another vessel, the registered operator of the pot gear must file a cooperative gear authorization form with the department authorizing other vessels to operate the crab pot gear;

(B) transfer gear operation rights and responsibilities to only one other vessel operator who is registered for that fishery and only under the following conditions:

(i) both the operator of the vessel relinquishing gear operation rights and responsibilities (relinquisher) and the vessel operator receiving those rights and responsibilities (recipient) must sign a gear operation transfer form giving the effective date and time of the transfer and the number of pots being transferred;

(ii) the gear operation transfer form must also be signed by a department representative before the pot gear transfer is valid and a copy of the gear operation transfer form bearing the original signatures of both the relinquisher and recipient vessel operator must be received by the department within 30 days of the effective date of the department representative signature; for the purposes of this subparagraph, the form must be submitted in person at the department's Dutch Harbor office, or by mail, or by facsimile;

(iii) the transfer of gear operation rights and responsibilities must occur and be validated within 14 days of the relinquishing vessel being active in the registration area where the pot gear is located;

(iv) the pot gear must be registered to only one vessel and may not be split among more than one vessel;

the number of the vessel that has a crab pot limit, each pot must be registered to only one vessel; in addition,

the vessel must be able to transport crab pot gear of

gear to the fishing grounds and must be active in the registration area at the time of the initial deployment;



**Miranda Westphal**  
Area Management Biologist  
Bering Sea-Aleutian Islands

STATE OF ALASKA  
DEPARTMENT OF FISH AND GAME  
DIVISION OF COMMERCIAL FISHERIES  
miranda.westphal@alaska.gov

P.O. Box 920587  
Dutch Harbor, Alaska 99692  
Phone: (907) 581-1239  
Fax: (907) 581-1572

(C) a vessel's crab pot gear may not be deployed unless the vessel is actively participating in harvesting the species in the applicable area;

(E) for the purposes of this paragraph, a vessel is considered active in an area by becoming validly registered with the department and by VMS verification of the vessel in the registration area;

(F) a vessel that has completed fishing operations as specified in 5 AAC 39.675(b)(1) and (2) is not considered active in a registration area;

(G) a vessel operator who is registered for one of the fisheries listed in (b) of this section must check out with the department in Dutch Harbor or Kodiak by telephone, facsimile transmission, or electronic mail within 72 hours of operating the vessel's last pot in the registration area;

## GENERAL PROVISIONS

(4) no provision in this section allows an individual vessel operator to use a greater quantity of crab pot gear than otherwise authorized in the applicable provisions of 5 AAC 34 or 5 AAC 35;

(5) a vessel operator may harvest EBT and BBR, or WBT and BSS, concurrently, as follows:

(A) a vessel operator participating in the BBR fishery may retain EBT as incidental harvest as specified in 5 AAC 35.506(i)(2);

(B) a vessel operator participating in the BSS fishery may retain WBT as incidental harvest as specified in 5 AAC 35.506(i)(1);

(C) a vessel operator participating in the WBT fishery may retain BSS as incidental harvest as specified in 5 AAC 35.506(j);

(6) a vessel operator may have a species of king or Tanner crab from an IFQ fishery and king crab from an Adak community allocation fishery or a species of king or Tanner crab from a CDQ fishery on board the vessel at the same time; a vessel operator may not have a species of king or Tanner crab from an IFQ fishery and a species of king or Tanner crab from a non-CDQ or non-IFQ fishery on board the vessel at the same time;

(7) an operator of a vessel participating in an IFQ, CDQ, or Adak community allocation crab fishery in the Bering Sea/Aleutian Islands area must notify the United States Coast Guard at least 24 hours before departing port when carrying crab pot gear;

(8) in addition to the registration requirements specified in 5 AAC 34 and 5 AAC 35, a vessel owner, or owner's agent, shall provide satisfactory proof of a current valid United States Coast Guard Commercial Fisheries Vessel Safety Decal before a registration certificate is issued;

(9) the operator of a vessel designated at the time of registration to operate the crab pot gear of another vessel shall be considered the agent of the vessel registered to operate the crab pot gear.

**Editor's note:** The contact phone number for the United States Coast Guard in Kodiak, Alaska is (907) 654-5588; Unalaska/Dutch Harbor, Alaska is (907) 581-6738; and Kodiak, Alaska is (907) 229-8203; and Kenai, Alaska is (907) 398-6220.

The gear operation transfer form specified in 5 AAC 39.670(c)(2) may be sent to the department office in Dutch Harbor at Department of Fish and Game, P.O. Box 920587, Dutch Harbor, AK 99692-0587; Fax (907) 581-1579.

**5 AAC 39.675. Crab pot gear storage for Bering Sea/Aleutian Islands IFQ, CDQ, and Adak community allocation crab fisheries.** (a) Notwithstanding any other provision of 5 AAC 34 -- 5 AAC 35, king and Tanner crab pots may be stored outside of a designated storage area specified in 5 AAC 34.052 and 5 AAC 35.052 with all bait and bait containers removed and doors secured fully open for up to 14 days following the completion of fishing operations in a registration area. King and Tanner crab pots must be removed from the water or placed in long-term storage if left unattended for 14 days or longer. A vessel's registration is invalid after 14 days of inactivity in a registration area.

(b) For the purposes of this section, a vessel is considered to have completed fishing operations if the

(1) vessel operator contacts the department in Dutch Harbor to invalidate the

**Exhibit 241**  
**Page 7 of 10**