



# Atlantic States Marine Fisheries Commission

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## MEMORANDUM

**TO:** American Lobster Management Board  
**FROM:** American Lobster Advisory Panel  
**DATE:** April 20, 2017  
**SUBJECT:** AP Recommendations on Draft Addendum XXV

The American Lobster Advisory Panel (AP) met via conference call on April 11, 2017 to review the comments given at the Draft Addendum XXV public hearings and provide AP recommendations to the Board. Each AP member was given the opportunity to comment on the issues in the addendum and provide general comments about lobster management. The following is a summary of the discussion had by the AP and their preferred management alternatives.

### **AP Members in Attendance:**

Grant Moore (MA, Chair)

John Whittaker (CT)

Sooky Sawyer (MA)

Jack Fullmer (NJ)

Lanny Dellinger (RI)

Sonny Gwin (MD)

### **Issue 1: Increase in Egg Production**

The AP unanimously supported a 0% increase in egg production (Option A). Members commented that the Board should give time for the recent regulatory changes to take effect as fishermen saw more lobsters, and eggers, in 2016. Two AP members commented that if the Board feels the need to take action, there should be no more than a 20% increase in egg production. Another member noted that there is nothing which prohibits the Board from considering an increase that is less than 20%, such as 10%. This AP member commented that if the Board chooses an option other than status quo, current trap reductions should cover the egg production increase in LCMAs 2 and 3. Another AP member commented that with the continuation of the current trap reductions, status quo will result in a greater than 0% increase in egg production.

### **Issue 2: Management Tools**

The AP reiterated its desire for status quo and four members supported Option A, which allows for gauge size changes, season closures, and trap reductions to be used independently or in conjunction with one another. Those who supported Option A stated that it provides the greatest flexibility to industry. Two AP members commented that anything other than the currently scheduled trap reductions in LCMA 2 will kill the industry. They noted that an increase in the minimum size in LCMA 2 will shut down the fishery because larger lobster migrate offshore. Another AP member commented that increasing the minimum gauge size in LCMA 3

will prevent the offshore fishery from participating in markets which require smaller grade lobsters. One AP member commented that any of the management tools proposed in this addendum will permanently shut-down the LCMA 6 lobster fishery. He noted that changes to the gauge size will only further exacerbate inter-state commerce issues with Maine and LCMA 6 already has a season closure in September. He supported a v-notch program as a management tool to achieve increases in egg production. Finally, one AP member commented that if climate change is truly the cause of the SNE stock decline, why make any management changes given scientists are predicting continued warming in the coming years and the Board cannot control ocean temperature.

### **Issue 3: Recreational Fishery**

The AP was not unanimous in its recommendation regarding the recreational fishery. Four AP members supported Option A, which requires the recreational fishery to abide by any management changes in the Addendum. They commented that whatever changes are applied to one portion of the fishery should be equally applied to all sectors of the fishery. One AP member supported Option B, which requires the recreational fishery to abide by gauge size changes and season closures. He commented that this option is closest to status quo. One AP member supported Option C, in which the recreational fishery only abides by gauge size changes. He commented that a summer closure would be detrimental to the recreational fishery since they are limited to the summer months when the weather is more amenable to diving.

### **Issue 4: Season Closures**

The AP was unanimous in its recommendation that the most restrictive rule not apply to season closures (Sub-Option II). Two AP members supported Option B, which allows traps to stay in the water but prohibits the possession of lobsters during a season closure. One AP member supported Option C, which allows traps to stay in the water and permits non-trap gears to continue to land lobsters under the bycatch limit. He commented that Option C allows the Jonah crab fishery to continue while providing a small market for lobsters.

### **Issue 5: Standardized Regulations**

Five AP members supported Option A, which does not require the standardization of management measures across LCMAs. They commented that the purpose of LCMAs is to reflect regional differences in the fishery and standardized regulations will negatively impact the industry. One member commented that if regulations are going to be standardized, they need to be uniform along the entire coast, including Maine. One AP member supported Option B, which standardizes regulations in LCMAs 4 and 5. He commented that, given New Jersey straddles two LCMAs, differences in the regulations between LCMAs 4 and 5 cause confusion in the recreational fishery.

### **Issue 6: Implementation of Management Measures in LCMA 3**

Three AP members chose not to comment on this issue, stating that LCMA 3 should be allowed to decide how to deal with this issue. One AP member supported Option A, which maintains LCMA 3 as a single area. He commented that industry is concerned about the migration of

effort into GOM/GBK as well as the devaluation of a LCMA 3 permit, if the area is split along the 70°W line. Another AP member commented that there is no resource issue in LCMA 3 and so there is no need to change the regulations in the offshore area. He also noted that the recent National Monument and Deep-Sea Coral Amendments are providing additional protection to the lobster stock in this area.

#### **Issue 7: De Minimis States**

Two AP members supported Option B, which exempts de minimis states from implementing the regulatory changes resulting from this addendum in state waters. One of these AP members requested that the exemption be extended into federal waters. One AP member supported Option A, which requires the de minimis states to implement the regulatory changes in this addendum. He commented that any management changes should apply to all participants in the fishery.

#### **General Comments:**

One AP member commented that the sport dive fishery is limited to the summer months and asked the Board to avoid a summer season closure. He also commented that predation is a primary contributor to the lobster stock decline and the Board needs to pursue increases in the quota for dogfish and black sea bass.

One AP member stated that industry is united in its support for status quo and the addendum should be stalled until new data is added to the addendum or the addendum is re-written to address natural mortality. He commented that the increase in the black sea bass population will hurt any progress made in this addendum. He also noted that there is no information regarding the cultural or tourism aspects of the lobster fishery nor the indirect economic consequences that could result from this addendum. Finally, he disagreed with the natural mortality line in Figure 3 of Draft Addendum XXV, commenting that natural mortality has increased significantly in the last few years.

Another AP member commented that the current approach to managing lobster is not working. He also expressed concern about increases in the black seabass population in New England.

One AP member reiterated his support for status quo and commented that the industry is already doing enough to protect the lobster stock.

Another AP member commented that if the Board makes the wrong decision on Draft Addendum XXV, it will finish the LCMA 2 inshore fishery, which is the last remaining viable inshore fishery in SNE. He commented that large reductions will result in the loss of infrastructure and docks which once gone, cannot be gained back due to the prevalence of coastal development. He also noted that it takes 10 years to see the results of management changes due to the slow growth of lobsters. As a result, the Board should give time for the benefits of the recent management changes to come to fruition.

Finally, one AP member echoed the comments that the Board's decision in this addendum could seriously hinder the future of the lobster fishery. He noted that the lobster fishery is moving offshore but commented that it is not up to ASMFC to dictate how this happens or when fishing is no longer economically viable. He stated that industry has done a lot to protect the resource and he questioned whether anything good will come out of this addendum.