



Atlantic States Marine Fisheries Commission

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MEMORANDUM

March 28, 2017

To: American Lobster Management Board
From: Law Enforcement Committee
RE: Review of American Lobster Draft Addendum XXV

The Law Enforcement Committee (LEC) of the Atlantic States Marine Fisheries Commission (ASMFC) reviewed management options contained in American lobster Draft Addendum XXV during a teleconference meeting on March 17, 2017.

The following were in attendance:

LEC: Capt. Steve Anthony (NC); Dep. Chief Kurt Blanchard (RI); Capt. Grant Burton (FL); Maj. Rene Cloutier (ME); Lt. Mike Eastman (NH); Lt. Col. Larry Furlong (PA); Lt. Tom Gadomski (NY); Capt. Jamie Green (VA); Maj. Rob Kersey (MD); Capt. Bob Lynn (GA); Capt. Doug Messeck (DE); Katie Moore (USCG); Asst. SAC Jeff Ray (NOAA OLE); Capt. Jason Snellbaker (NJ)

STAFF: Ashton Harp; Megan Ware; Mark Robson

The LEC reviewed all of the management options in the draft addendum and provides the following comments.

Issue 1. Target Increase in Egg Production

The LEC has no comments or recommendations on this issue.

Issue 2. Management Tools

The LEC did not make a recommendation specific to the 3 options presented in the draft addendum. It cautions however that trap reduction as a management tool is likely to be ineffective because of enforceability problems with offshore fisheries, where increasing effort in the fishery is occurring. There can be no meaningful enforcement of trap limits without electronic tracking or the development of significant offshore enforcement platforms. Other recommendations regarding gauge size changes or seasonal closures are included later in this memorandum.

Issue 3. Recreational Fishery

The LEC strongly supports consistency across the board between recreational and commercial management measures, particularly with respect to gauge size.

The LEC recommends that if a commercial season closure is implemented, at the least a strict maximum recreational bag limit be applied and enforced.

Because States typically allow a small number of recreational traps per person, consistency with commercial trap reductions seems less critical.

Issue 4. Season Closures

The LEC supports Option A and recommends that lobster traps be removed from the water during closed seasons.

The LEC supports Sub-Option A requiring the most restrictive rule to apply to season closures if a fisherman is authorized to fish in more than one LCMA.

The LEC recognized the potential impact this would have on Jonah crab and whelk harvest, but believes that leaving traps in the water will reduce the effectiveness of a seasonal closure through continued trapping and mortality of lobster, economic incentives to retrieve and land lobsters illegally during the closed season, increased numbers of lost or derelict traps and increased likelihood of whale entanglements.

Issue 5. Uniform Regulations

The LEC strongly reaffirms its long-standing recommendation for consistency and uniform regulations. Inconsistent regulations with a “most restrictive” requirement may be of some help, but once product leaves the dock the least restrictive regulation becomes the enforceable standard. Regulatory inconsistency decreases the likelihood of a successful prosecutions.

Issue 6. Management Measures in LCMA 3

The LEC recommends Option A (status quo) in light of the significant, existing problems with offshore enforcement. Until enforcement tools for monitoring and checking the offshore lobster trap fishery are enhanced, adopting a zonal split in LCMA 3, with its attendant trap-tag and transit complications, would depend almost entirely on voluntary compliance.

Issue 7. De Minimis States

The LEC did not comment on this issue.

The LEC appreciates the opportunity to provide enforcement advice to the American lobster Management Board regarding Draft Addendum XXV.