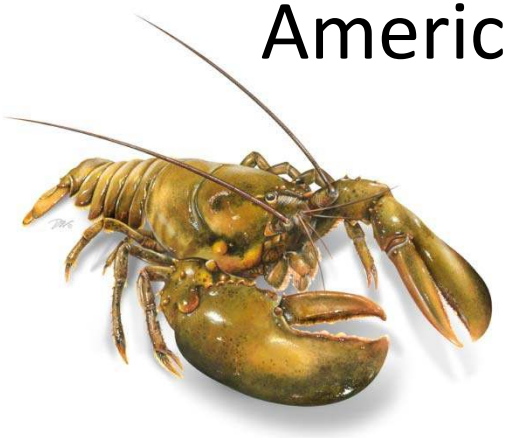
Draft Addendum XXIV for Board Review

American Lobster Management Board

February 2015



Background

- **Federal plan released final rules for trap transferability recently**
- **Federal and state trap transferability rules are not consistent**
- **Draft Addendum XXIV was initiated to ensure consistency between state and federal plans**

Timeline

December 2014 – January 2015	Draft Addendum for Public Comment Developed	
	↓	
February 2015	Board Reviews Draft and Makes Any Necessary Changes	← Current step
	↓	
March – April 2015	Public Comment Period	
	↓	
May 2015	Management Board Review, Selection of Management Measures and Final Approval	

Issue 1: Conservation Tax

- **Commission plan has 10% conservation tax on full and partial business transfers**
- **Federal plan taxes only partial business transfers**
- **Transfer tax on full business transfers was not necessary to prevent the activation of latent effort and that regs provide sufficient controls for latent effort**

Issue 1: Cont

- **Option A: Status quo – 10% conservation tax on full and partial business transfers**

- **Option B: Remove conservation tax on partial business transfers**

Issue 2: Trap Increments

- **Federal final rule: trap transfers may be processed in 10-trap increments**
- **State plan has adopted various transfer requirements that differ by management area.**
- **Federal regulations allow for fewer traps to be transferred at one time thus allowing more flexibility for a federal permit holder in the trap transfer process.**

Issue 2: Cont

- **Option A: Status quo – trap increments remain the same**

- **Option B: trap transfer increment of 10 traps for all areas where trap transferability program exists**

Issue 3: Dual Permit Transfers

- **Dual permit holders (state and federal permit holder for the same area) may only transfer traps to a dual permit holder of the same state**
- **The federal plan allows any federal lobster permit holder to purchase federal trap allocation from a federal lobster permit holder with a qualified allocation in Area 2, Area 3, or the Outer Cape Area**

Change of Language in Addendum

- **"If a dual permit holder chooses to purchase federal trap allocation from a dual permit holder from another state, only the federal allocation will transfer, so the buyer must also purchase state allocation from a permit holder in his or her own state to align the federal and state allocations. If the state and federal allocations do not align, the permit holder is subject to the more restrictive of the state or federal allocations. It is recommended that states submit transfer rates and rate of trap attrition in their annual compliance report. The PRT will review these annually and provide a report to the Board. If the board views the consolidation pattern as problematic, it can propose corrective actions at a subsequent meeting."**

Issue 3: Cont

- **Option A: Status quo – dual permit holders may only transfer traps to dual permit holders in the same state.**

- **Option B: This option would allow dual permit holders to transfer allocation with dual permits holders from other states.**

Public Comment

- **Public comment period will be established, pending approval**
- **Board will review those comments in May and consider final approval of the addendum**

Questions?