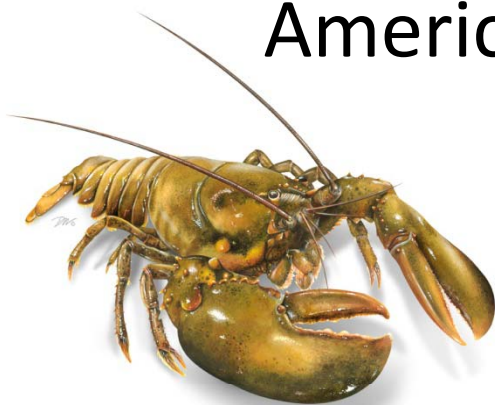


Draft Addendum XXII

American Lobster Management Board

October 2013



Background

- In December 2011, the American Lobster Board approved the development of an addendum to respond to the poor stock condition in the Southern New England (SNE) by scaling the size of the fishery to the size of the resource.
- The stock is overfished but overfishing is not occurring.





Background

- The initiated an addendum to address this issue with trap reductions and changes to the transferability programs.
- The Board split the addendum, with the trap reductions addressed through Addendum XVIII (approved 2012) and some changes in the transferability program for Areas 2 and 3 were addressed in Addendum XXI (approved August 2013).
- This Draft Addendum presents two additional options for management of the SNE lobster stock (LCMA 3) for public consideration and comment.



Background

- These options were previously considered under Draft Addendum XXI. Draft Addendum XXII makes two corrections (see Tables 2 and 3) to the options that were considered under Draft Addendum XXI in order to accurately reflect the trap reduction schedule. This draft addendum also adds one additional option for consideration under Section 3.2



LCMA 3 Trap and Permits

- **Single Ownership Cap or Individual Permit Cap**
 - Option 1 –Status Quo
 - Option 2 – Single Ownership Cap (or Individual Permit Cap)

Year	Number of Traps
Year 0	2,333
Year 1	2,216
Year 2	2,105
Year 3	2,000
Year 4	1,900
Year 5	1,800



LCMA 3 Trap and Permit Caps

- **Aggregate Ownership Cap or Dealer Accumulation Limits**
 - Option 1 – Status Quo (Anti-monopoly clause)
 - Option 2 – Aggregate Ownership Cap (Partial Exemption)



LCMA 3 Trap and Permit Caps

- **Aggregate Ownership Cap or Dealer Accumulation Limits**
 - Option 3 - Aggregate Ownership Cap (Full Exemption)
NEW
 - If an entity falls under the grandfather provision, that entity would be allowed to acquire additional trap allocations up to the Single Ownership / Individual Permit Cap for each of its grandfathered permits
 - Otherwise, any ownership with an accumulation of fewer traps than the Aggregate Cap at the time the control date is published may not exceed the Aggregate Ownership Cap




LCMA 3 Trap and Permit Caps

Year	Number of Traps
Year 0	11,665
Year 1	11,080
Year 2	10,525
Year 3	10,000
Year 4	9,500
Year 5	9,000

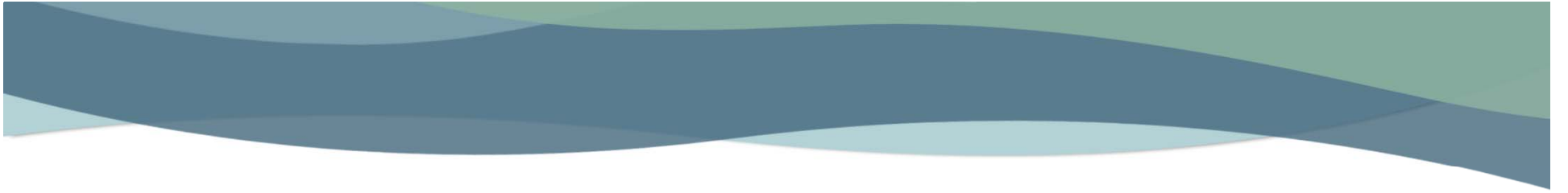


LCMA 3 Trap and Permit

- **Aggregate Ownership Cap or Dealer Accumulation Limits**
 - If either option other than the SQ is adopted, the Board would recommend that NOAA Fisheries establish a control date for the number of traps a single company or individual may own, or share ownership of for LMCA 3.



Year	Active Trap Cap	Individual Permit Cap	Aggregate Permit Cap (5x Individual Permit Cap)
Year 0	2,000	2,333	11,665
Year 1	1,900	2,216	11,080
Year 2	1,805	2,105	10,525
Year 3	1,715	2,000	10,000
Year 4	1,629	1,900	9,500
Year 5	1,548	1,800	9,000



- Questions?



Public Comment Summary

- Public Comment Period ran September 16 – October 17
- Two letters were received
- AOLA supported Option 2 under Single Ownership Cap and Option 3 (NEW) under Aggregate Ownership Cap
- Little Bay Lobster Group supports Option 3 under Aggregate Ownership Cap



Public Comment Summary

- In addition to AOLA and Little Bay Lobster Group, the following organizations also commented on the Single and Aggregate Ownership Cap options during the public comment period for Draft Addendum XXI. Their comments are presented here for reference.
- Note: Option 3 under Section 3.2 was not included for consideration in Draft Addendum XXII.



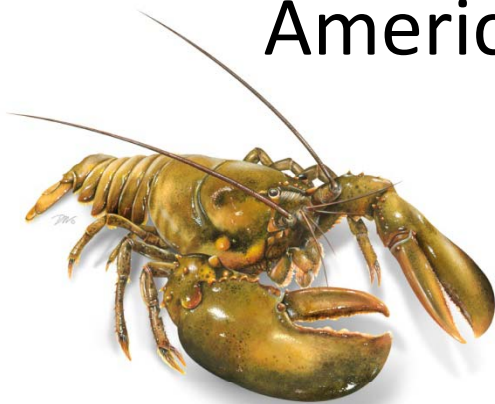
Public Comment Summary

- Single Ownership Cap
 - Option 2 – Off the Shelf, Cote Fisheries and RI Lobstermen's Association
- Aggregate Ownership Cap
 - Option 1 – Off the Shelf
 - Option 2 - Cote Fisheries and RI Lobstermen's Association

Draft Addendum XXIII

American Lobster Management Board

October 2013





Background

- The Habitat Committee has set priorities to update the Habitat Sections of species FMPs.





Habitat Components

- Those elements that play a vital role in the reproduction, growth and sustainability of commercial and recreational fisheries by providing shelter, feeding, spawning, and nursery grounds for lobsters to survive.
- Temperature, salinity, dissolved oxygen, pH, light and photoperiod, substrate, oceanographic conditions, and diet .

Habitat Components

- For each component, a description and summary of habitat requirements, tolerances, and potential effects on lobsters is described for their early-life stages, juveniles, and adults

Category	Life-Stage	Threshold Value
Temperature	Eggs	<5°C winter, 10-12°C hatching
	Larvae	10-12°C
	Juveniles/Adults	5-18°C, preference ~ 16°C, 20.5°C stressed
Salinity	Eggs/Larvae	< 17 ppt
	Juveniles/Adults	< 12 ppt
Dissolved Oxygen	Larvae	< 1 mgO ₂ L ⁻¹
	Juveniles/Adults	< 2 ppm
pH	Larvae	< 7.7 (Stages I – IV)
	Juveniles/Adults	n/a



Impacts to Components

- Anthropogenic and Ecological
 - Dredging and Dumping
 - Energy and Transportation Projects
 - Pollution and Water Quality
 - Commercial Fishing
- Climate Change



- Habitat Bottlenecks
- Habitat Enhancement
- Recommendations for Further Habitat Research
- Recommendations for Monitoring and Managing Lobster Habitat



Lobster Trap Allocation History System (LobsTAHS)

Mr. Michael Cahall
Director, ACCSP

Atlantic Coastal Cooperative Statistics Program

Working Group

- MA DMF
- RI DFW
- CT DEEP
- NOAA Fisheries - NERO
- ASMFC

Remote Meetings

- Conference call
 - Over the course of 3 mos
- Expectations examined
- Business processes established
- Issues addressed
- Timeline determined

Issues

- Most program partners not ready
- Interactions between program partners were not established
- Regulations not pre-determined
 - NOAA Fisheries - NERO
 - Most program partner states

Basic Requirements

- Track current and past trap allocations
- Allow for transfers between permit holders
- Connect federal vessel and state fisherman permits (i.e., Dual permits)
- Use existing SAFIS database



- Select Allocation Seller
- Select New Owner
- Verify Information**
- Confirmation

Verify Information < Previous Request Approval

* Amount to Debit Seller Transaction LMA : LMA 6
 Max Number: 20
 * Transfer Tax:
 Receiving Amount

Transaction Information

Seller Information
 Name: JAMES SESSA
 LMA: 6
 Trap Count: 10
 Trap Disposition: RT

Buyer Information
 Name: FISHING DRAG-ON
 Company: DRAG-ON FISHING CO
 License #: 3351
 License Type: FOOD FISH - RESIDENT

Partners Affected	Allocation
New Jersey	Seller

1 - 1

Basic Reports

- Partner specific allocations
- Complete permit and allocation history details
- Complete allocation view
 - By individual
 - By vessel

Firefox

Oracle Application Express | All Pending Requested Transfers | Object Browser

mahi.accsp.org:8888/pls/safisd/f?p=102:81:34227318871282::NO:81:P81_TRANS_ID:115&cs=37EEF625

Welcome: NYADMIN Logout

Home | Transfer | **Reports** | Administration

Pending Transaction Cancel Request

Your request completed successfully. This transfer is pending until ALL partners involved approve the transaction

Below are the details of your transfer:

Confirmation No. **115**
Request Date: **16-AUG-13**

Seller Name: **CHARLES WEIMAR**
Seller Company:

Buyer Name: **RICHARD JONES**
Buyer Company:

Allocations to be moved to buyer: **11**
Transfer Tax: **1**
Allocations to be debited to the seller: **12**
LMA involved: LMA 3

Approving Partners

Partner Name	Decision	Response Date	User Entered
New Jersey	Approved	18-AUG-13	ACCSPUSER
Massachusetts	-	-	-

1 - 2

Pending Transfers

	Seller Name	Requested Amount for Transfer	Buyer Name	Transfer Tax	Final Transfer Amount	From Area	To Area	Transaction Date	Entered By
Review	CHARLES WEIMAR	12	RICHARD JONES	1	11	LMA 3	LMA 3	16-AUG-13	ACCSPADMIN

Home Application 102 Edit Page 81 Create Session Caching View Debug Debug Show Edit Links Show Grid

Pilot

- System will be pilot tested in MA
- MA already using SAFIS permits
- MA has regulations in place
- CT may provide data for reporting purposes

Timeline

- MA will deliver allocation data by November 15
 - Standard transfer format developed
- Pilot system available December 16
 - Big fixes as needed
- Reviews scheduled
 - Summer, 2014
 - Early 2015


Expansion

- As agencies are ready they'll be added
- Need NOAA Fisheries - NERO regulations to finalize business processes and write software

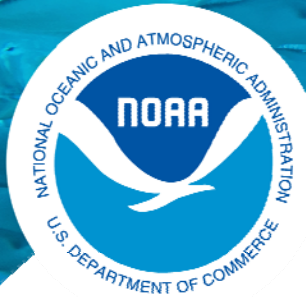
Future

- Possible expansion to other states
- Changes in regulations will impact system
 - System change lead time and expense must be taken into consideration

Questions



Atlantic Coastal Cooperative Statistics Program



NOAA
FISHERIES

Allison Murphy
Sustainable Fisheries Division
Northeast Regional Office

Rulemaking for Southern New England American Lobster Management Measures

October ASMFC Meeting Update

October 28, 2013

Rationale for Action

- Poor SNE American lobster stock condition
- Addendum XVII: Reduce exploitation in the SNE stock by 10% in each Management Area
 - Measures developed for Management Areas 2-6
- Addendum XVIII: Remove latent fishing effort and re-scale the size of the SNE fishery to the stock
 - Trap reductions for Management Areas 2 and 3

Proposed Measures

Management Measures	Area 2	Area 3	Area 4	Area 5
V-Notching	Mandatory for legal-sized egg-bearing females	n/a	Mandatory for legal-sized egg-bearing females	Mandatory for legal-sized egg-bearing females
New Minimum Size	n/a	3 17/32 in (8.97 cm)	n/a	n/a
Seasonal Closure	n/a	n/a	February 1 – March 31	February 1 – March 31
Trap Reductions	50% reduction over 6 years	25% reduction over 5 years	n/a	n/a

Advanced Notice of Proposed Rulemaking

- Published ANPR on August 20, 2013, requesting comments on these measures through September 19, 2013
 - Received 4 comments
 - Support proposed rulemaking
 - Provided feedback on transferability program, highlighting the connection between trap transferability program and trap reductions

Commission Input Needed on Implementation: Timing Trap Reductions with Transferability

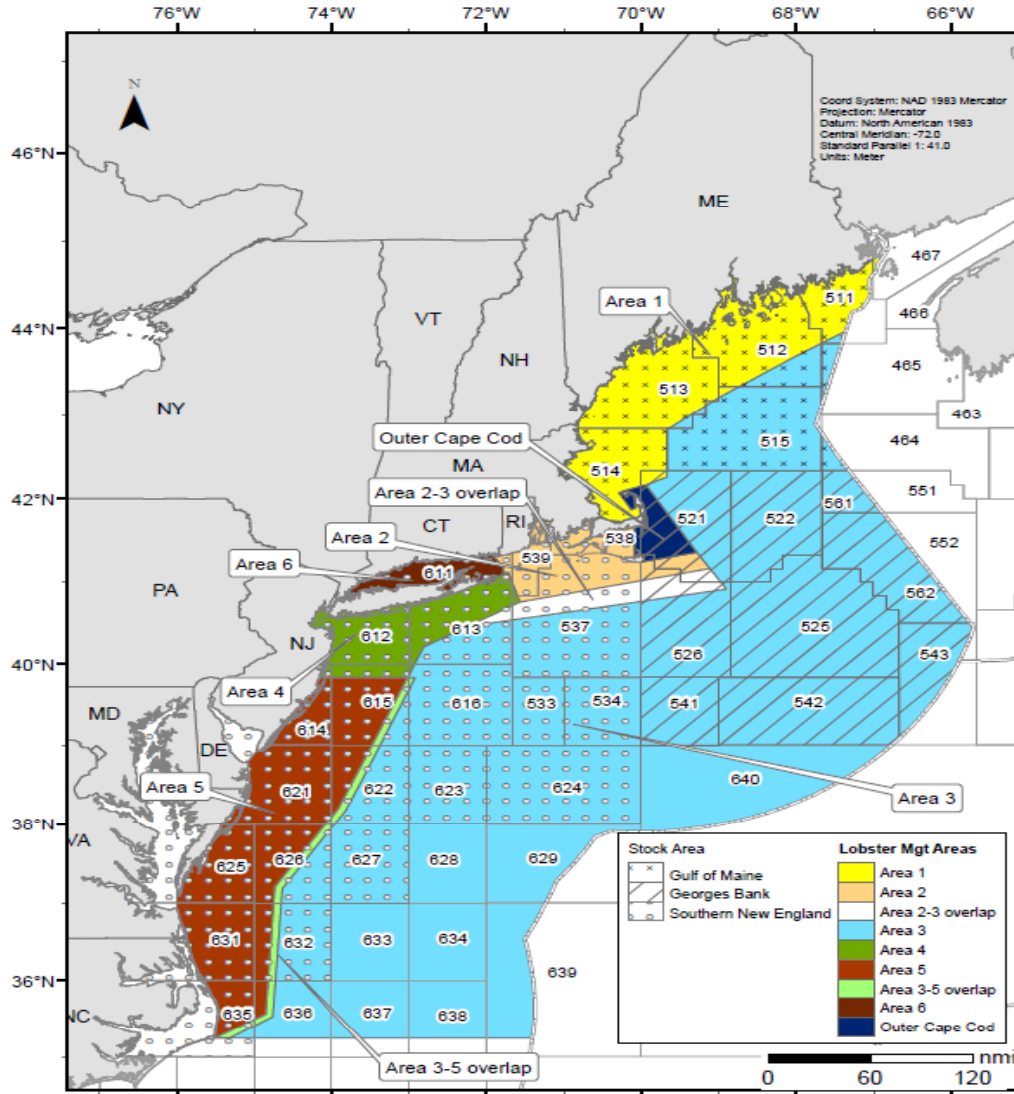
Example: Vessel owner with an allocation of 200 traps,
transferring in 30 traps

Scenario 1 (Preferred)	Scenario 2
Step 1: Trap Reductions Step 2: Transferability	Step 1: Transferability Step 2: Trap Reductions
200 traps X 5% reduction = 190 traps 190 traps + 30 traps = 220 traps	200 traps + 30 traps = 230 traps 230 traps X 5% reduction = 218 traps

Timeline for Implementation

- Publish Proposed rule fall/winter 2013
 - 30-day comment period
- Publish final rule winter 2014
- Management Measures effective May 1, 2014
- Trap Reductions effective concurrent with trap transferability

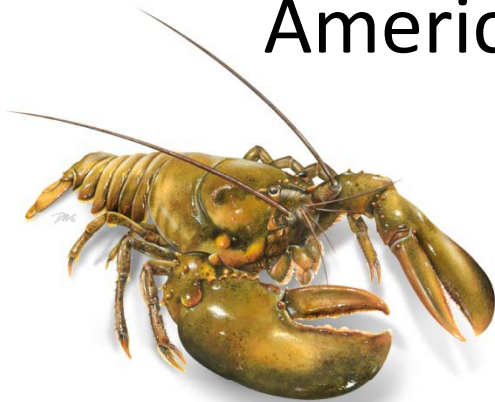
Questions?



Gear Marking

American Lobster Management Board

October 2013



Background

- NEFMC sent a letter to ASMFC
- Working Group from state and federal agencies met in July 2013
- Biggest concern is trawlers getting hung up on gear that's not marked
 - Need to have wires that break easy to mitigate whale entanglement but you also have to balance the amount of gear that could be lost if the wires break too easily and an excessive amount of gear is lost
 - Mostly applies to mid-water trawl gear in the fall, especially those working at night.



State/Federal

- Maine
 - Gear marking regulations within 12 miles are set in statute.
- New Hampshire
 - No mobile gear in territorial waters. Fixed gear only in state waters (doesn't apply beyond 3 miles).
 - Increased fishing effort 3+miles offshore. Priority in education of new fishermen.
 - Can address landings of fish in fed waters but cannot do at-sea enforcement.



State/Federal

- Massachusetts
 - Requirements for fixed gear fishers to fish buoy lines in federal waters only in order to reduce impacts to whale habitat.
 - Previously out to 12 miles, but removed. Can only regulate activities in federal waters only if not in conflict with federal regulations.
- Federal
 - Regulations say that you have to rig gear consistent with the regulations from the state you are fishing from.



Recommendations

- Benefit to synchronize gear marking either 3-12 miles or 12+ miles offshore.
- Favored talking with LEC in getting more information on the problems and enforceability in the 12+ zone.
- Distribute gear marking regulations and keep states informed on the dates of any LCMAs or lobster related meetings (forums,, public hearings, etc...)



Next Steps

- Coordinate recommendations
- Send a letter to the Council

