



GOM/GBK Lobster Subcommittee Report



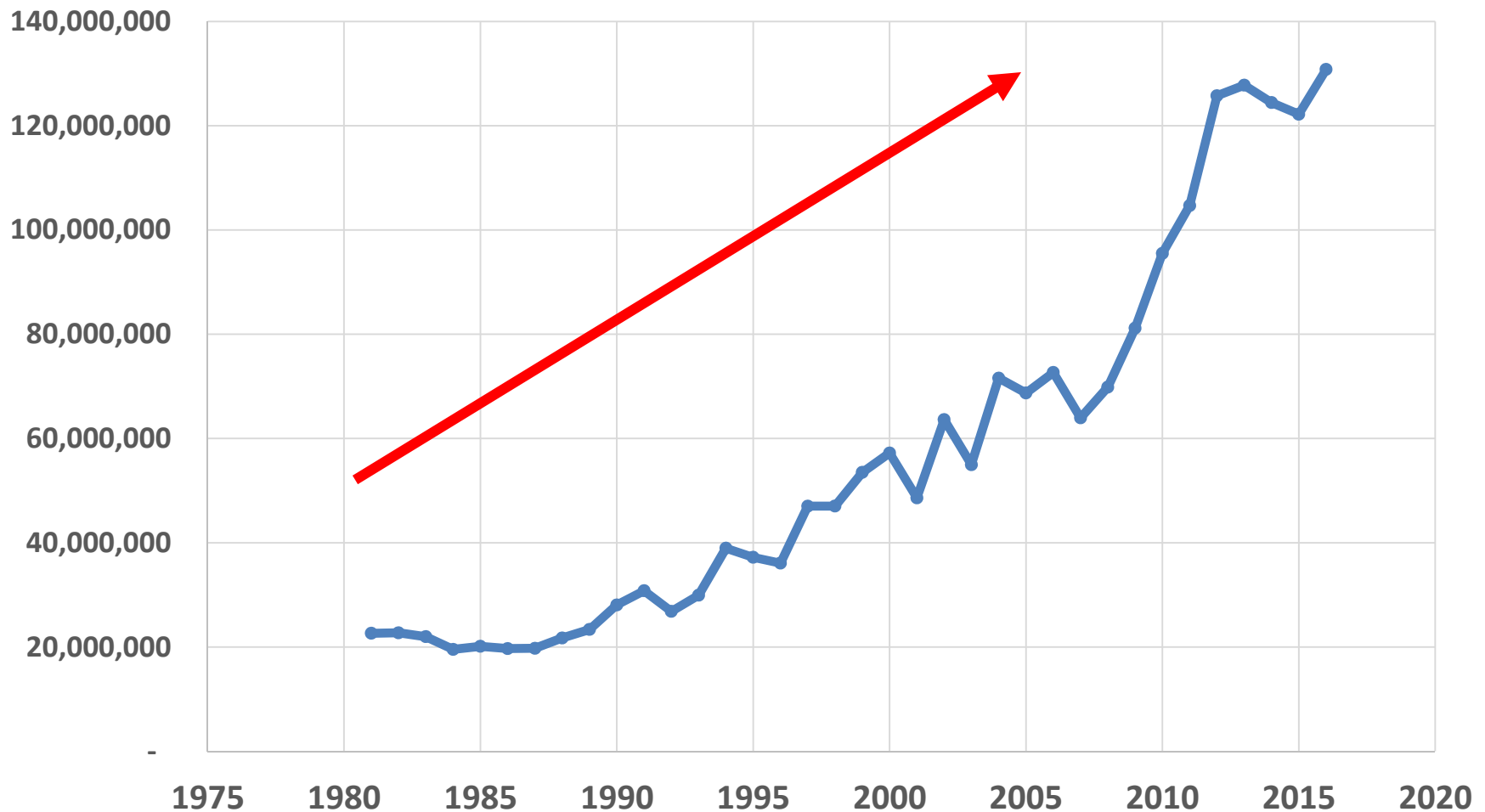
American Lobster Management Board

May 2017

What is the Issue?



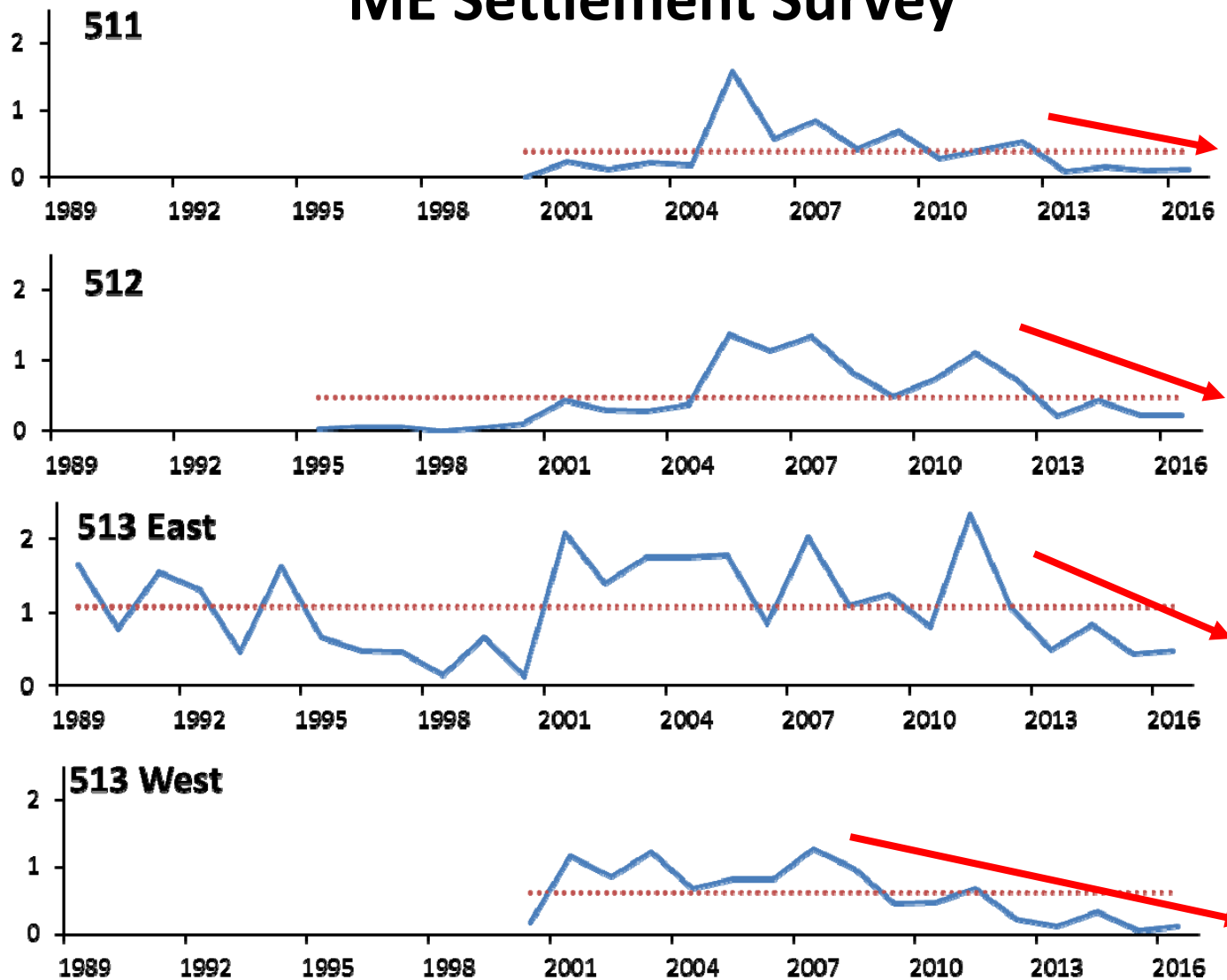
ME Lobster Landings (1981-2016)



What is the Issue?



ME Settlement Survey



Subcommittee Meeting



Subcommittee met April 13th in Durham, NH

- Participants from ME-RI
- Board members, TC members, industry association leaders, and lobstermen

Purpose:

- Discuss current and future conditions in GOM/GBK stock
- Discuss ways to promote resiliency in the stock given environmental changes
- Provide recommendations to Board



Subcommittee Discussion



How do we currently protect SSB?

- Currently protect SSB through v-notch program, min gauge size, and max gauge size

What does the GOM lobster fishery look like with less catch?

- Concern that decreased lobster catch could have rippling economic effects even if stock is biologically healthy

Are there deficiencies in the current management plan?

- Reference points trigger management when stock abundance falls to the 25th percentile



Subcommittee Discussion



Lessons Learned from SNE

1. Be proactive
2. Address excess in the system
3. Standardized management measures
4. 100% harvester reporting



Preliminary Recommendations



1. Conduct additional research
2. Continue to monitor VTS and trawl surveys
3. Improve enforcement offshore
4. Develop an environmental indicator
5. Develop economic indicator and trigger
6. Modify current reference points



Conclusions



- Economic effects will likely be felt before biological triggers are met
- There are deficiencies in the mgmt. plan which may need to be addressed in order to build resiliency in the GOM/GBK stock
 - Reference points
 - Economic indicator and trigger
- Through FMP Review, continue to monitor VTS and trawl surveys
- LEC continues to discuss offshore enforcement



Questions?





American Lobster Draft Addendum XXV



American Lobster Management Board

May 2017

Overview



- Timeline of Addendum
- Public Comment Summary
- Committee Reports
 - Advisory Panel
 - Law Enforcement Committee
 - Technical Committee
- Board Action



Timeline

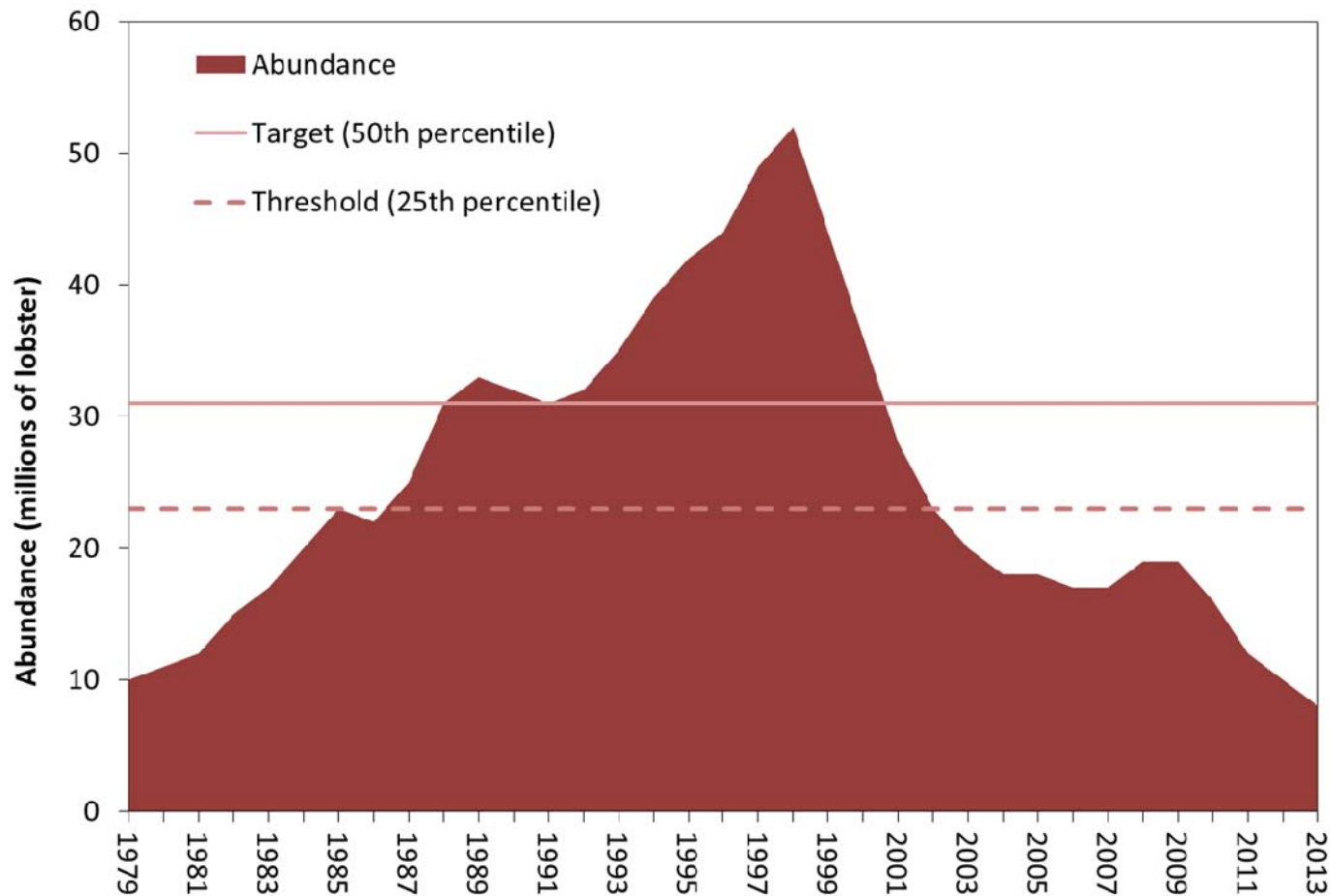


May 2016	Board initiates Addendum XXV
January 2017	Board approves draft Addendum XXV for public comment
February – April 2017	Public comment period including public hearings
May 2017	Board selects management measures, including egg production target
June 2017	LCMTs submit proposals on how to achieve egg production target
August 2017	Board reviews and approves LCMT proposals

What Prompted This Addendum?



- 2015 Stock Assessment found SNE stock is depleted
 - Abundance, SSB, and recruitment all at historic lows



Management Tools



1. Gauge Size Change

- Enforceable and keeps lobsters in the water longer
- Achieve up to a 60% increase in egg production

2. Trap Reductions

- 25% active trap reduction may result in, at most, 13.1% increase in egg production
- Relationship between traps fished and F is unclear
- TC noted several caveats with analysis

3. Season Closure

- Reduce pressure on stock at vulnerable times
- Quarterly closure achieves up to a 21.6% increase in egg production
- Assume fishermen don't increase effort during open season

Public Comment Summary



- **Public Hearings**
 - 7 public hearings held in 6 states (MA, RI, CT, NY, NJ, DE/MD)
 - 235 individuals attended the hearings in total
- **Written Comment**
 - 145 written comments received from organizations and individuals
 - 49 of these comments were from a form letter

Themes in Public Comments



- **Vast majority support status quo**
 - Wait for current management program to work
 - Lack of data in SNE stock
- **Natural mortality has increased**
 - Predation and water quality primary factors contributing to stock decline
- **Economic impacts of proposed changes**
 - Put fishermen out of business
 - Interstate commerce concerns
- **Separate areas within SNE stock**
 - Delmarva fishery is different from SNE
 - LCMA 4 should be evaluated on its own
 - LIS is its own area, different from ocean
 - Martha's Vineyard separate from rest of LCMA 2

1. Egg Production Increase



	0% Increase	20% Increase	0% Preferred, No More Than 20%	30%-60% Increase
Individual	53	12	5	
Organization	3	1	3	
Form Letter	49			
Hearings				
MA	17		32	
RI			37	
CT	42			
NY	30			
NJ	5	1		
DE/MD	9			
Total	208	14	77	

2. Management Tools



	All Tools	Gauge Size Change & Season Closures	Gauge Size Change, Limited Trap Reduction & Season Closure
Individual	13	9	1
Organization	5	1	1
Form Letter			
Hearings			
MA	36		
RI	26		
CT			
NY			
NJ	1		
DE/MD			
Total	81	10	2

3. Recreational Fishery



	All Mgmt. Changes	Season Closures & Gauge Size Changes	Gauge Size Changes
Individual	10	1	10
Organization	4	1	1
Form Letter			
Hearings			
MA	35		
RI	36		
CT	2		
NY			
NJ			1
DE/MD			
Total	87	2	12

4. Season Closures



	Traps Out of Water	No Possession	No Possession, Bycatch Limit	Most Restrictive Rule Applies	Most Restrictive Does Not Apply
Individual	4	11		3	7
Organization		3	1		5
Form Letter					
Hearings					
MA					
RI					1
CT		2	2		
NY					
NJ		2	2		
DE/MD					
Total	4	18	5	3	13

Season Closure Questions



- If traps can stay in the water, is it just traps which are permitted for another species or all lobster traps?
 - Does Jonah crab count as another permitted species?
 - Is there way to tell the difference between those traps which exclusively catch lobster and those which catch conch or BSB?
 - What about the ALWTRT 30 day wet storage rule?
- Can there be a grace period during which fishermen can remove and set traps?
- Does the most restrictive rule apply?

5. Standardized Regulations



	Not Uniform	LCMAs 4, 5 Uniform	LCMAs 2, 4, 5, 6 Uniform
Individual	15	9	
Organization	4	1	
Form Letter			
Hearings			
MA	45		
RI	36		
CT			
NY	1		
NJ		1	
DE/MD	9		
Total	110	11	

6. Implementation in LCMA 3



	Keep LCMA 3 Whole	Split LCMA 3, One-Time Declaration	Split LCMA 3, Annual Declaration	Split LCMA 3, Overlap Zone
Individual	13	1	2	1
Organization	4			
Form Letter				
Hearings				
MA	7			
RI	3			
CT				
NY				
NJ	2			
DE/MD				
Total	29	1	2	1

7. De Minimis



	De Minimis States Not Exempt	De Minimis States Exempt
Individual	3	1
Organization		1
Form Letter		
Hearings		
MA		
RI		
CT	4	
NY		
NJ		
DE/MD		9
Total	7	11

Other Comments



- Increase quota for predator species such as BSB
- Institute a federal buy out program
- Re-instate a hatchery program
- Coastwide lobster landings at record high
- Need for more data offshore and in the southern range of lobsters
- Disagree with statement that climate change is contributing to stock decline
- Credit should be given for over-sized vents

AP Comments



Issue 1: Increase in Egg Production

- Unanimous support for a 0% increase in egg production
- 2 comment that if the Board feels the need to take action, no more than 20% increase
- Current trap reductions should cover any egg production increase in LCMAs 2 and 3

Issue 2: Management Tools

- Reiterate support for status quo noting tools, especially gauge size change, will devastate industry
- 4 support use of all mgmt. tools (Option A) as this provides the greatest flexibility to industry
- 1 support a v-notch program in LCMA 6

AP Comments



Issue 3: Recreational Fishery

- 4 support rec fishery abide by all mgmt. changes (Option A); changes should be equally applied to all sectors
- 1 support rec fishery abide by gauge size change and season closure (Option B); similar to status quo
- 1 support rec fishery abide by gauge size change (Option C); summer closure detrimental to rec fishery

Issue 4: Season Closures

- Unanimous that the most restrictive rule not apply to season closures (Sub-Option II)
- 2 recommend traps stay in water (Option B)
- 1 support continued bycatch limit (Option C)

AP Comments



Issue 5: Standardized Regulations

- 5 did not support standardized regs (Option A); LCMAs reflect regional differences in fishery
- 1 supports standardization between LCMAs 4 and 5 (Option B) given NJ straddles two areas

Issue 6: Implementation in LCMA 3

- 1 supports maintaining LCMA 3 as a single area (Option A); concern about migration of effort and devaluation of permit

AP Comments



Issue 7: De Minimis States

- 2 support exemption for de minimis states (Option B) and ask this be extended into federal waters
- 1 did not support exemption for de minimis states (Option A); changes should apply throughout SNE stock

General Comments

- Predation is primary contributor to stock decline
- Addendum should be stalled until new data is added or re-written to address natural mortality
- Industry is already doing enough to protect lobster and fishermen cannot take any more restrictions
- Large reductions in F could result in loss of infrastructure
- If climate change is true cause of decline, what can the Board really do to stop this

LEC Comments



Issue 2: Management Tools

- LEC cautions that trap reductions are hard to enforce, especially offshore
- Board should pursue electronic tracking program to improve offshore enforcement

Issue 3: Recreational Fishery

- LEC supports consistency between recreational and commercial measures, especially in regards to gauge sizes
- If a commercial season closure is implemented, a strict recreational bag limit needs to be applied

LEC Comments



Issue 4: Season Closures

- LEC recommends lobster traps be removed from water (Option A)
- LEC supports application of the most restrictive rule (Sub-Option A)
- Traps in water reduce effectiveness through continued trapping of lobster, economic incentives to land lobster illegally, increased derelict gear, and increased likelihood of whale entanglements

Issue 5: Uniform Regulations

- LEC supports consistent and uniform regs
- Once product leaves the dock, the least restrictive regulation becomes the enforceable standard

LEC Comments



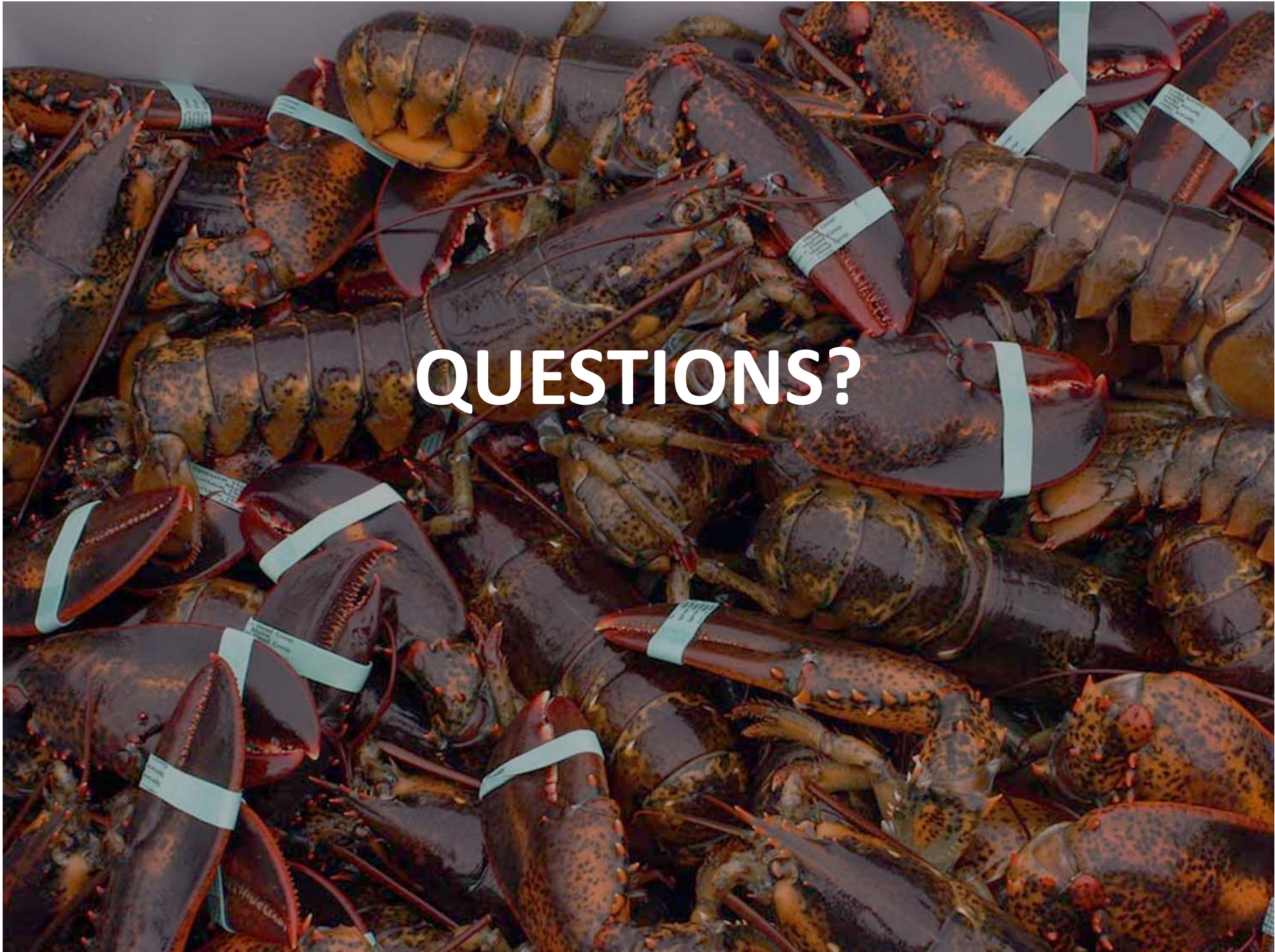
Issue 6: Implementation in LCMA 3

- LEC recommends LCMA 3 is maintained as a single area (Option A) due to significant problems with offshore enforcement
- Adopting a split in LCMA3 would depend on voluntary compliance

TC Comments



- Following questions at public hearings, TC confirms that trap reduction analysis is based on number of active traps
- Analysis predicts, at most, a 13.1% increase in egg production from a 25% active trap reduction
 - Uncertainty around relationship between traps and F
 - Uncertainty increases with larger trap reductions as limited data on lower active trap totals
- Reiterates there is greatest confidence in predicted egg production increases from gauge size change
- Conservation values may decrease if disparate regs are implemented in LCMAs given the ability of lobsters and dual-permit holders to move in space and time



QUESTIONS?



Management Alternatives

1. Egg Production Target



What should the target increase in egg production be for this addendum?

Option A: 0% increase in egg production

Option B: 20% increase in egg production

Option C: 30% increase in egg production

Option D: 40% increase in egg production

Option E: 60% increase in egg production



2. Management Tools



What management tools can be used to achieve the target increase in egg production?

Option A: Gauge size changes, season closures, and trap reductions

Option B: Gauge size changes and season closures

Option C: Trap reductions and season closures must be used in conjunction with gauge size changes; trap reductions and season closures cannot account for more than half of the increase in egg production



3. Recreational Fishery



What measures must the recreational fishery abide by this Addendum?

Option A: Recreational fishery must abide by the gauge size changes, season closures, and trap reductions taken in Addendum XXV

Option B: Recreational fishery must abide by gauge size changes and season closures

Option C: Recreational fishery must abide by gauge size changes



4. Season Closures



How should season closures be implemented given lobster is jointly managed with Jonah crab?

Option A: Lobster Traps Removed from Water

Sub-Option I: Most Restrictive Rule Applies

Sub-Option II: Most Restrictive Rule Does Not Apply

Option B: No Possession of Lobsters While Fishing

Sub-Option I: Most Restrictive Rule Applies

Sub-Option II: Most Restrictive Rule Does Not Apply

Option C: Catch Limit for Non-Trap Bycatch Fisheries

Sub-Option I: Most Restrictive Rule Applies

Sub-Option II: Most Restrictive Rule Does Not Apply



Season Closure Questions



- If traps can stay in the water, is it just traps which are permitted for another species or all lobster traps?
 - Does Jonah crab count as another permitted species?
 - Is there way to tell the difference between those traps which exclusively catch lobster and those which catch conch or BSB?
 - What about the ALWTRT 30 day wet storage rule?
- Can there be a grace period during which fishermen can remove and set traps?
- Does the most restrictive rule apply?

Note: There may be enforcement challenges for dual-permit holders if traps can stay in the water and the most restrictive rule does not apply

5. Standardized Regulations



Should regulations be standardized across LCMAs?

Option A: Regulations not uniform across LCMAs

Option B: Gauge size changes and season closures uniform across LCMAs 4 and 5

Option C: Gauge size changes and season closures uniform across LCMAs 2, 4, 5, and 6



6. Implementation in LCMA 3



How should regulations be implemented in LCMA 3 given it spans both the SNE and GOM/GBK stock?

Option A: Maintain LCMA 3 as a single area

Option B: Split LCMA 3 along 70°W Long. w/ One Time Declaration

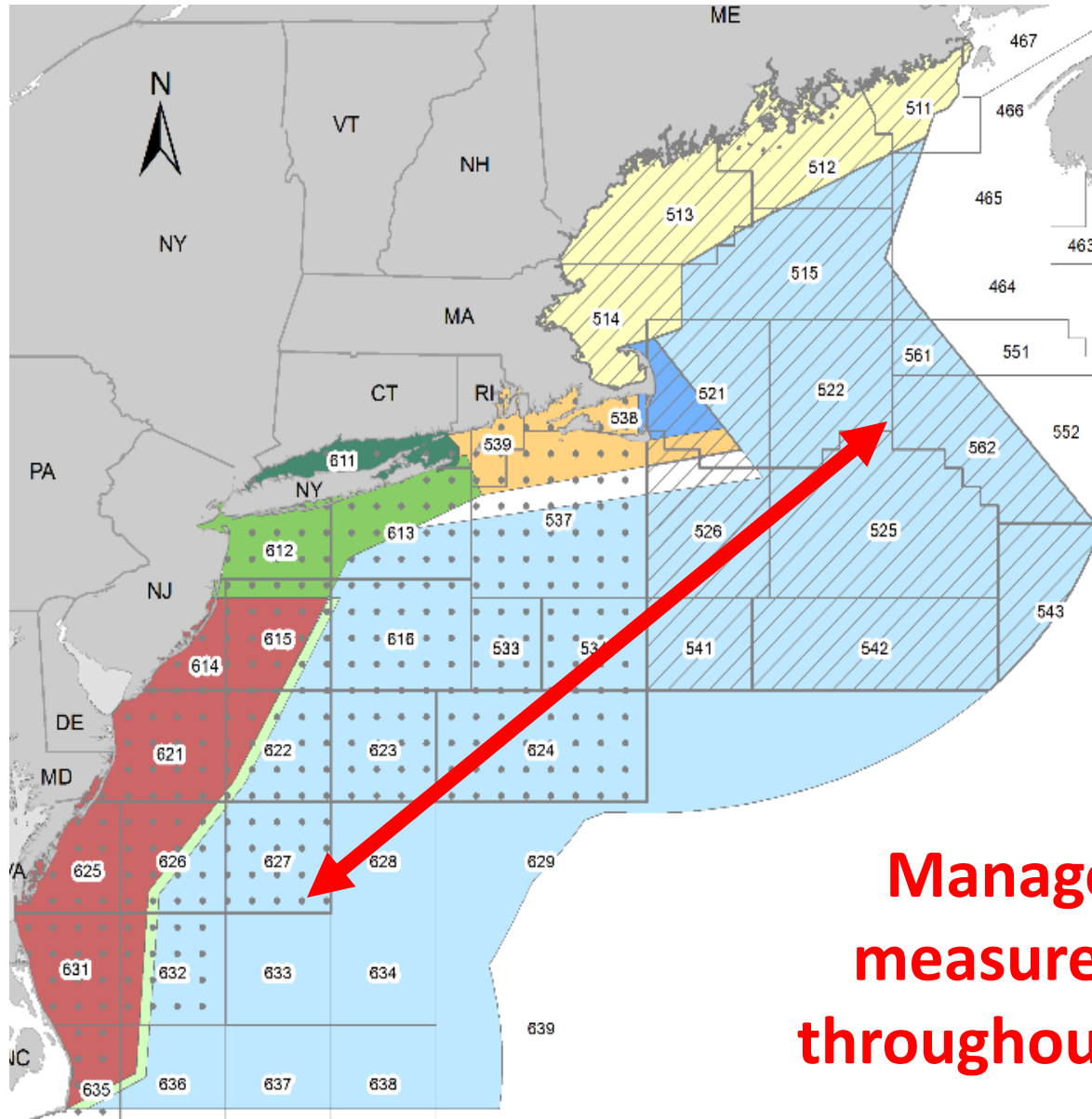
Option C: Split LCMA 3 along 70°W Long. w/ Annual Declaration

- Fishermen who declare into SNE can fish throughout LCMA 3 but are subject to more restrictive management measures

Option D: Split LCMA 3 along 70°W Long. with Overlap Area

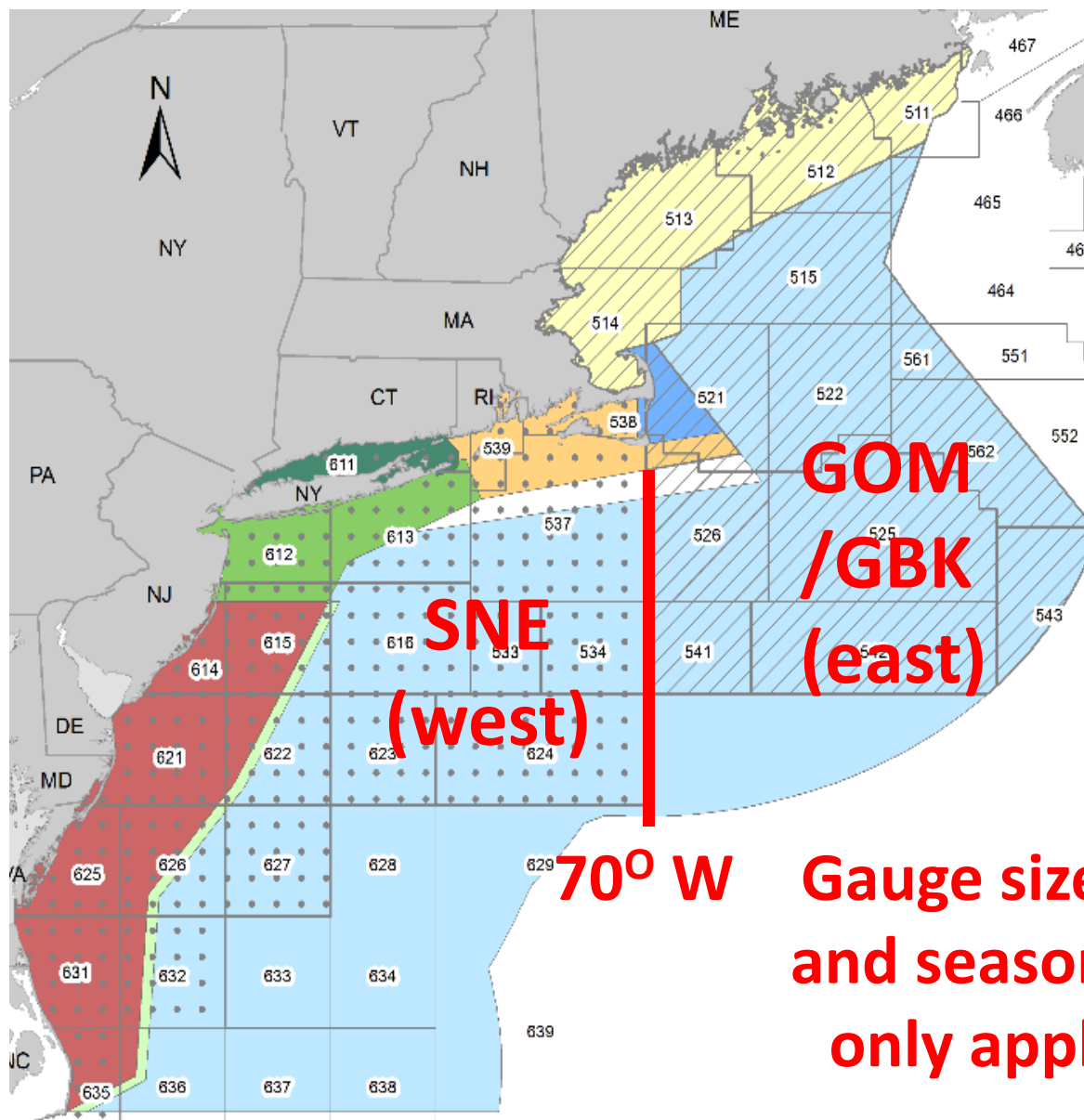
- Overlap zone defined by 30' on either side of 70°W Long.
- Fishermen annually elect to fish in either SNE or GOM/GBK portion of LCMA 3 but all can fish in overlap zone

Option A: No Split



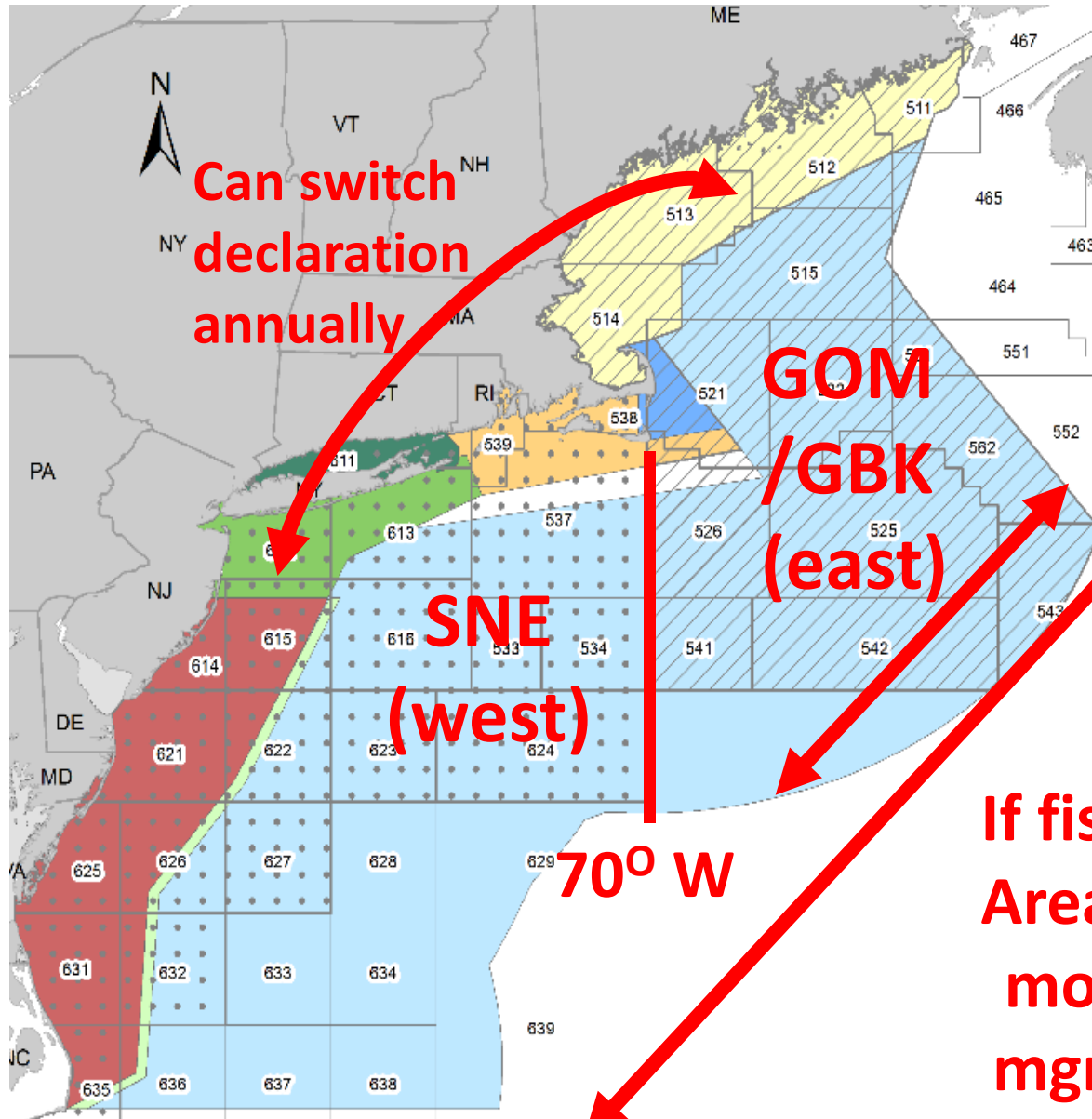
**Management
measures apply
throughout LCMA 3**

Option B: Split Along 70°W



70° W Gauge size changes
and season closures
only apply in SNE

Option C: Split Along 70°W, Flexibility



Can switch
declaration
annually

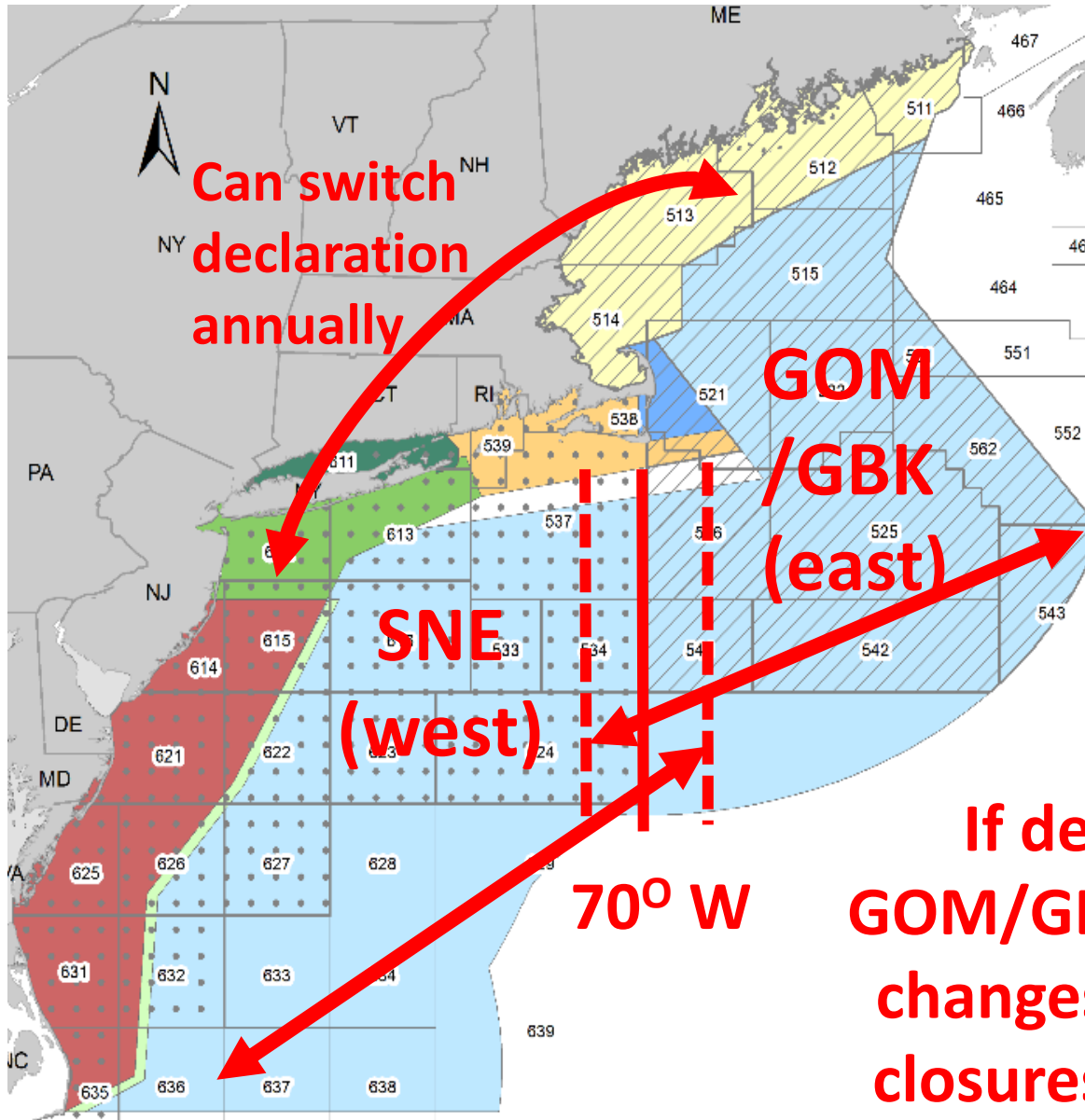
GOM
/GBK
(east)

SNE
(west)

70° W

If fish throughout
Area 3, subject to
more restrictive
mgmt. measures

Option D: Split Along 70°W, Overlap



Can switch
declaration
annually

GOM
/GBK
(east)

SNE
(west)

70° W

If declare into
GOM/GBK, gauge size
changes and season
closures don't apply

7. De Minimis



Do *de minimis* states have to implement the management measures in this Addendum?

Option A: *De minimis* states must implement all mgmt. measures adopted under Addendum XXV

Option B: *De minimis* states are exempt from Addendum XXV mgmt. measures if the state:

- I. Closes the lobster fisheries in the *de minimis* states to new entrants
- II. Allows only lobster permit holders of the *de minimis* state to land lobsters in that state
- III. Limits lobster landings in the *de minimis* state to no more than 40,000 lbs. annually





Extra Slides

Table 11. Gauge Size Changes



		Min	Max	Harvest Window (mm)	Egg Production	Exploitation	Spawning Stock Biomass	Reference Abundance	Catch
20%	Inshore	88mm (3-15/32")	105mm (4-1/8")	17 (0.7")	20%	-18%	20%	9%	-11%
		91mm (3-9/16")	115mm (4 1/2")	24 (0.9")	18%	-22%	22%	11%	-14%
		92mm (3-5/8")	165mm (6 1/2")	73 (2.9")	20%	-27%	25%	13%	-17%
	Offshore	91mm (3-9/16")	105mm (4-1/8")	14 (0.6")	22%	-21%	22%	9%	-13%
		94mm (3-11/16")	115mm (4 1/2")	21 (0.8")	20%	-26%	24%	12%	-17%
		95mm (3 3/4")	165mm (6 1/2")	70 (2.8")	21%	-28%	26%	13%	-19%
30%	Inshore	94mm (3-11/16")	115mm (4 1/2")	21 (0.8")	31%	-36%	38%	19%	-24%
		94mm (3-11/16")	125mm (4-9/10")	31 (1.2")	29%	-35%	36%	18%	-23%
	Offshore	96mm (3-25/32")	115mm (4 1/2")	19 (0.7")	29%	-34%	34%	16%	-24%
		97mm (3-4/5")	165mm (6 1/2")	68 (2.7")	31%	-38%	38%	18%	-27%
40%	Inshore	96mm (3-25/32")	115mm (4 1/2")	19 (0.7")	40%	-43%	49%	23%	-30%
		96mm (3-25/32")	165mm (6 1/2")	69 (2.7")	37%	-42%	46%	22%	-29%
		97mm (3-4/5")	165mm (6 1/2")	68 (2.7")	43%	-46%	53%	25%	-33%
	Offshore	98mm (3-27/32")	165mm (6 1/2")	67 (2.6")	39%	-45%	46%	22%	-33%
		99mm (3-7/8")	165mm (6 1/2")	66 (2.6")	41%	-47%	49%	23%	-35%
60%	Inshore	99 mm (3-7/8")	115mm (4 1/2")	16 (0.6")	60%	-56%	71%	32%	-42%
		101mm (3-29/32")	165mm (6 1/2")	64 (2.5")	59%	-59%	76%	35%	-45%
	Offshore	102mm (4")	115mm (4 1/2")	13 (0.5")	62%	-60%	71%	31%	-47%
		103mm (4-1/16")	165mm (6 1/2")	62 (2.4")	63%	-63%	75%	34%	-50%

Table 12: Trap Reductions



Years	Trap Reduction	Egg Production	Exploitation	Spawning Stock Biomass	Catch
All Years (1981-2013)	25%	9.6% (95% CI: 4.5%-13.0%)	-11.6% (95% CI: 6.5% - 16.3%)	14.4%	-6.9%
Recent Years (1999-2013)	25%	13.1% (95% CI: 2.6% - 19.7%)	-14.3% (95% CI: 3.5% - 21.2%)	15.6%	-10.2%

Table 13. Season Closures



Season Closure	Egg Production	Exploitation	Spawning Stock Biomass	Catch
Winter (Jan-March)	3.0%	-2.1%	2.3%	-0.7%
Spring (April-June)	15.0%	-10.8%	16.0%	-1.7%
Summer (July-Sept)	21.6%	-26.0%	15.5%	-12.3%
Fall (Oct-Dec)	8.1%	-13.6%	8.4%	-4.2%

Gauge Size Changes (Table 11)



- Gauge size changes are an effective management tool to increase egg production and decrease fishing mortality
 - Enforceable
 - Direct benefit of keeping lobsters in the water longer
 - Intricately tied to biology of lobsters
- Achieve up to 60% increase in egg production
 - Increases in min size result in larger increases in egg production



Trap Reductions (Table 12)



- LCMAs 2 and 3 currently going through a series of trap allocation reductions (active and latent effort)
- Relationship between traps fished and fishing mortality is unclear
- TC attempted to model relationship between actively fished traps and exploitation rate
 - 25% active trap reduction may result in, at most, 13.1% increase in egg production
- TC noted several caveats with analysis
 - Fishermen may not maintain constant soak time
 - Assumes all changes in exploitation from trap reductions
 - Current reductions include active and latent effort
 - Trap transferability program in LCMAs 2 and 3



Season Closures (Table 13)



- Reduce pressure on stock at vulnerable times
 - Removes stress on lobsters as they are caught, hauled, and handled
- Quarterly closures achieve up to a 21.6% increase in egg production
 - Largest increase from summer closure
 - Assumes fishermen don't increase effort during open season
- Important to consider impact on Jonah crab fishery





Inconsistencies Between State and Federal Regs



American Lobster Management Board

May 2017

Addenda XXI and XXII



of traps you can fish

of traps you can own
"trap banking"



		Active Trap Cap	Individual Ownership Cap
LCMA 2	All Years	800	1600
LCMA 3	Year 0	2000 (1945=NOAA)	2333
	Year 1	1900	2216
	Year 2	1805	2105
	Year 3	1715	2000
	Year 4	1629	1900
	Year 5	1548	1800

Addenda XXI and XXII



- July 2016, NOAA suspended their rule-making process for federal trap caps and banking
 - Uncertainty surrounding Board's response to SNE stock
 - Trap caps and banking could encourage fishermen to invest significant funds in a fishery which could be severely restricted in the future
 - October 2016, Board agreed to revisit issue after action on Addendum XXV
- Would the Board like to provide a recommendation to NOAA regarding provisions of Addenda XXI and XXII?**

LCMA 4 Season Closure



- ASMFC received a letter from NY and NJ asking the Commission to address inconsistencies in the LCMA 4 season closure
- LCMA 4 closed April 30-May 31

State Waters	Federal Waters
Most restrictive rule applies	Most restrictive rule does not apply
Traps can stay in water if permitted for another species	Traps must come out of water

Most Restrictive Rule



- At the February 2012 meeting, the following motion was passed to address TC and LEC concerns about shifting effort and enforcement:

Motion that LCMT measures require the most restrictive rule apply to participants with multiple LCMA permits

- NOAA applied the most restrictive rule to everything except season closures

→To resolve: A two-thirds majority vote is needed to reverse the 2012 motion applying the most restrictive rule

Traps In Water



- During February 2012 Board meeting, the following motion was passed:
 - All closed areas proposed in Addendum XVII require that lobster traps are removed from the water during the closed period.*
- However, the Board discusses that this applies to “directed fishery lobster traps”
- This was not clearly reflected in the motion or in the Addendum
- As a result, NOAA requires all lobster traps be removed from the water

Traps In Water



To resolve:

- If the Board would like traps which fish for multiple species to stay in the water, a letter needs to be sent to NOAA clarifying this point in Addendum XVII
 - What about Jonah crab?
 - Can enforcement tell the difference between a lobster-only trap and a lobster trap that catches multiple species?
- If the Board would like all lobster traps to stay in the water, a two-thirds majority vote is needed to reverse the previous motion
 - What about the ALWTRT 30 day wet storage provision?

Note: There may be enforcement challenges if lobster traps can stay in the water and the most restrictive rule is not applied