

# ASMFC Lobster Advisory Panel

March 27, 2008

## Meeting Summary

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### Meeting Participants

Robert Baines (ME) (Chair)  
John Carter (ME)  
Nick Jenkins (NH)  
Bob Nudd (NH)

John Carver (MA)  
Bro Cote (MA)  
Angelo Correnti (MA)  
David Spencer (RI)  
Lanny Dellinger (RI)

Nick Crismale (CT)  
John Whittaker (CT)  
*ASMFC Staff:*  
Toni Kerns

### Recommendations to the Board:

#### Draft Addendum XII for Public Comment

##### Section 4.2 Most Restrictive

The AP supports option (a) status quo or the ASMFC Addendum IV definition of the most restrictive rule. This definition of the most restrictive reflects the fishermen's history and will encourage more transfers. Even if more traps are fished initially the benefits of more transfers in the long-term will decrease traps.

It is important to determine if implementing status quo will increase the number of traps fished. The AP recommends that the Board wait to vote on this issue (without holding up the rest of the document) and have a sub-committee further analyze the most restrictive definition to determine if "fishable" traps would increase.

##### Section 4.3.1 Interjurisdictional Database

The AP supports the establishment of an interjurisdictional database. The AP suggests that federal/state funding should pay for the set-up of the database. The database should be established with the flexibility to make changes in the future. Industry should be responsible for funding a portion of the maintenance of the database through a tax on tags. The majority of the AP suggested only those with an allocation in an area with a trap transfer program should pay a tax. While a few suggested all fishermen should pay a tax because they have the ability to put a transfer program in place.

##### Section 4.3.2 and 4.3.3 Conservation Tax

The AP supports a conservation tax of at least 10%. The tax should be LCMA specific. They would also support a provision that would end the conservation tax when no more latent traps were fished or if the status of the stock is improved.

##### Section 4.3.3.3 Transfer Trap Migration

Some members of the AP do not support restricting trap transfers by historical access (trap allocations that are restricted with access to state or federal waters only would not be transferred or in any way converted to allow migration between jurisdictions) because they felt individuals should be able to transfer traps within the same LCMA regardless of jurisdiction, meaning an

area 2 trap could be transferred anywhere within area 2; state or federal waters. This provides more flexibility to those in states with few fishermen that fish in the same area (for example CT only has 4 Area 2 fishermen). By providing more flexibility more transfers will be made thus removing more traps from the water through the transfer tax.

#### **Section 4.3.4.1 Trap History**

The AP does not support that the recipient of a multi-LCMA trap (for example a trap that the original owner could fish in LCMA 2, 3, or 4) must choose one area to fish in and the trap loses its other area history. Instead the AP recommends that the recipient of a multi-LCMA trap must choose one area to fish in but the trap will keep its area history, up to 2 or 3 areas. This allows more flexibility for the fishery and maintains the current practices of the fishery.

#### **4.4 The Effect of Permit & Trap Allocation Transferability on LCMAs without History-based Allocations (currently LCMA 1)**

The AP recommends option (c): Permit holder would no longer be authorized to elect to fish traps in LCMA 1, once any LCMA transfer has been made. The AP also recommends that this regulation sunset once LCMA 1 implements a limited entry program.

#### **Other Business**

The AP also discussed crab traps in offshore waters. There has been an increased awareness that crab traps are being set in large. There appears to be some confusion on the part of some fishermen if trap tags are necessary in these traps. These traps have the potential to increase effort and lines in the water in areas where the Board and NOAA fisheries have promulgated regulations to decrease effort. This is also becoming an issue in near shore waters with sea bass, scup, & conch traps.