

Final Results Federal Lobster Trap Area Eligibility Program

State, Federal, and Constituent Programs Office
NMFS, Northeast Region

ASMFC Lobster Board Meeting
August 14, 2006

NMFS Final Rule and Regulations - March 2003

- Consistent with Commission recommendations in Addendum I to Amendment 3 of Lobster ISFMP
 - Cap and control trap fishing effort in Areas 3, 4 and 5
 - Limited access program for the Federal lobster trap fishery
 - Eligibility based on proven historical participation during the qualification period

Area 3, 4 and 5 Trap Fishery Eligibility Requirements

- Eligibility is based on permit history
- Application period April 28-December 31, 2003
- Required proof of:
 - Current Federal lobster permit
 - Fishing history of Federal permit during a single year within March 25, 1991 - September 1, 1999
 - 200 traps fished over a two consecutive months in chosen qualifying year
 - Total number of traps fished in each area
 - Minimum of 25,000 lbs. of lobster landed during qualifying year (Area 3 only)

Rulemaking and Application Review

- Several opportunities for public comment prior to implementation:
 - 4 coast-wide public hearings;
 - 9 separate opportunities for written comments from 9/99 to 1/03;
 - the need to apply discussed during Add. IV public hearings in 2003;
- News releases, permit holder letters and compliance guide;
- Nine month application period;
- Broader eligibility period due to Federal law;
- Allowed vessel logs and other credible documentation – not restricted to VTR or state records only;
- Process considered differential coast-wide reporting/record keeping requirements;
- Allowed applicants ample opportunity to provide sufficient documentation, not just one chance;
- Provided updated information on website regarding application process.

Summary of Eligibility Decisions

- 301 applications received and reviewed
- Area 3: 139 approved; 54 denied
- Area 4: 81 approved; 24 denied
- Area 5: 42 approved; 14 denied
- 11 appeals, 5 granted eligibility, 6 rejected
- Enforcement agents investigated several cases, resulting in at least 1 allocation change.

Eligibility Determinations by Area, by State

	APPROVED			DENIED		
	A3	A4	A5	A3	A4	A5
CT	4	4		*	*	
DE	*		10			
FL				*		
MA	42			16	*	
MD			7			
ME	17	*		17	*	*
NH	9					
NJ	11	49	23	4	9	5
NY	5	22		5	8	4
PA			*		*	
RI	49	4		8	*	*
VA	*	*	*			*
TOTAL	139	81	42	54	24	14

Note: a single application may have more than one area represented as approved or denied, if multiple areas were requested in the application.

301 applications received, each representing a single vessel/permit history.

*Indicates a value of less than 3 permits. total number not disclosed for confidentiality reasons.

Cumulative Trap Allocations by Area

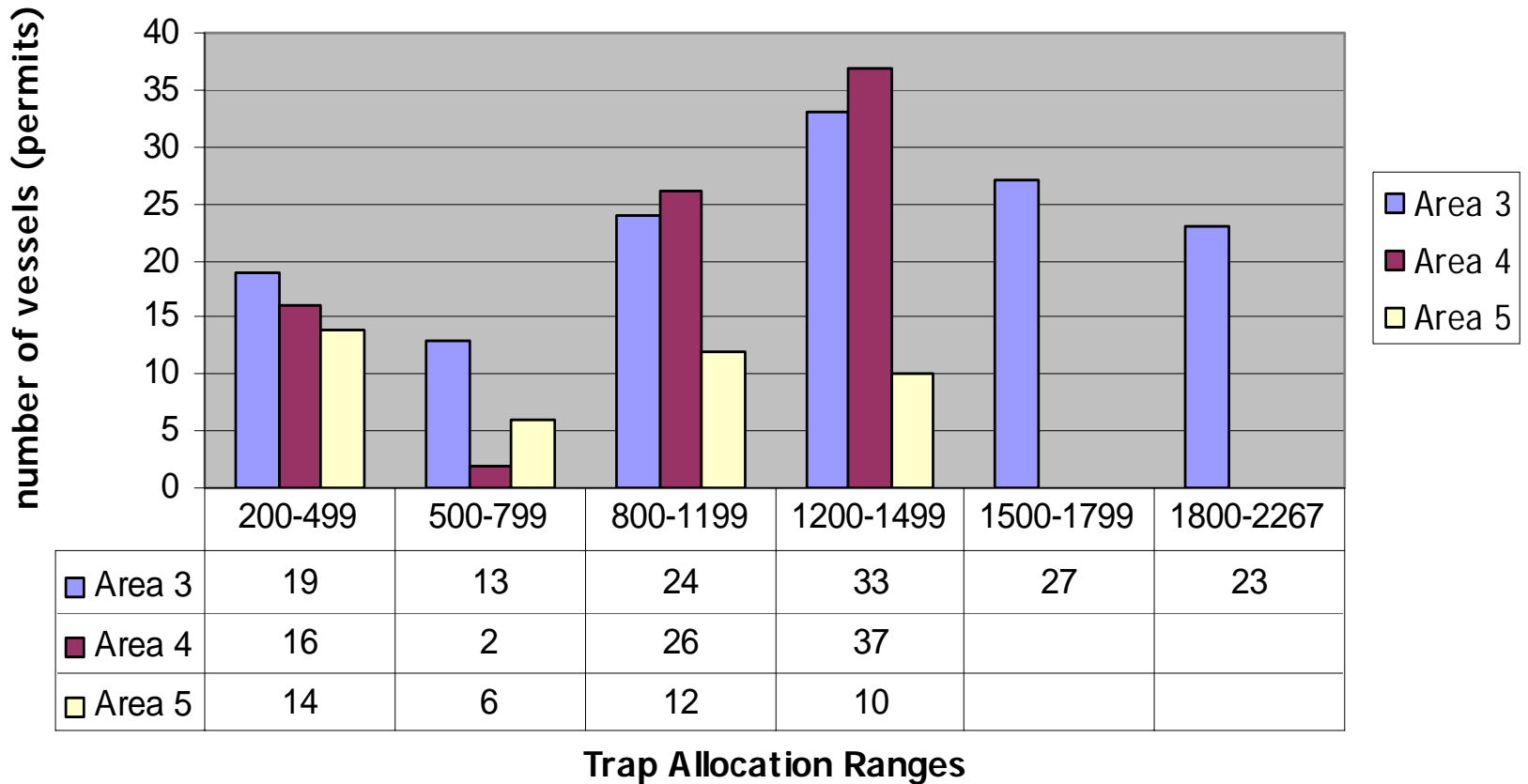
Initial Approved Allocations vs. 2006 Maximum

LCMA	Total # Traps Proven in Applications*	Trap Ceiling in 2006 (maximum allowable traps)**
Area 3	211,408	172,627
Area 4	82,837	80,456
Area 5	34,469	32,084

*total number of traps allocated based on demonstrated fishing history after all applications fully reviewed.

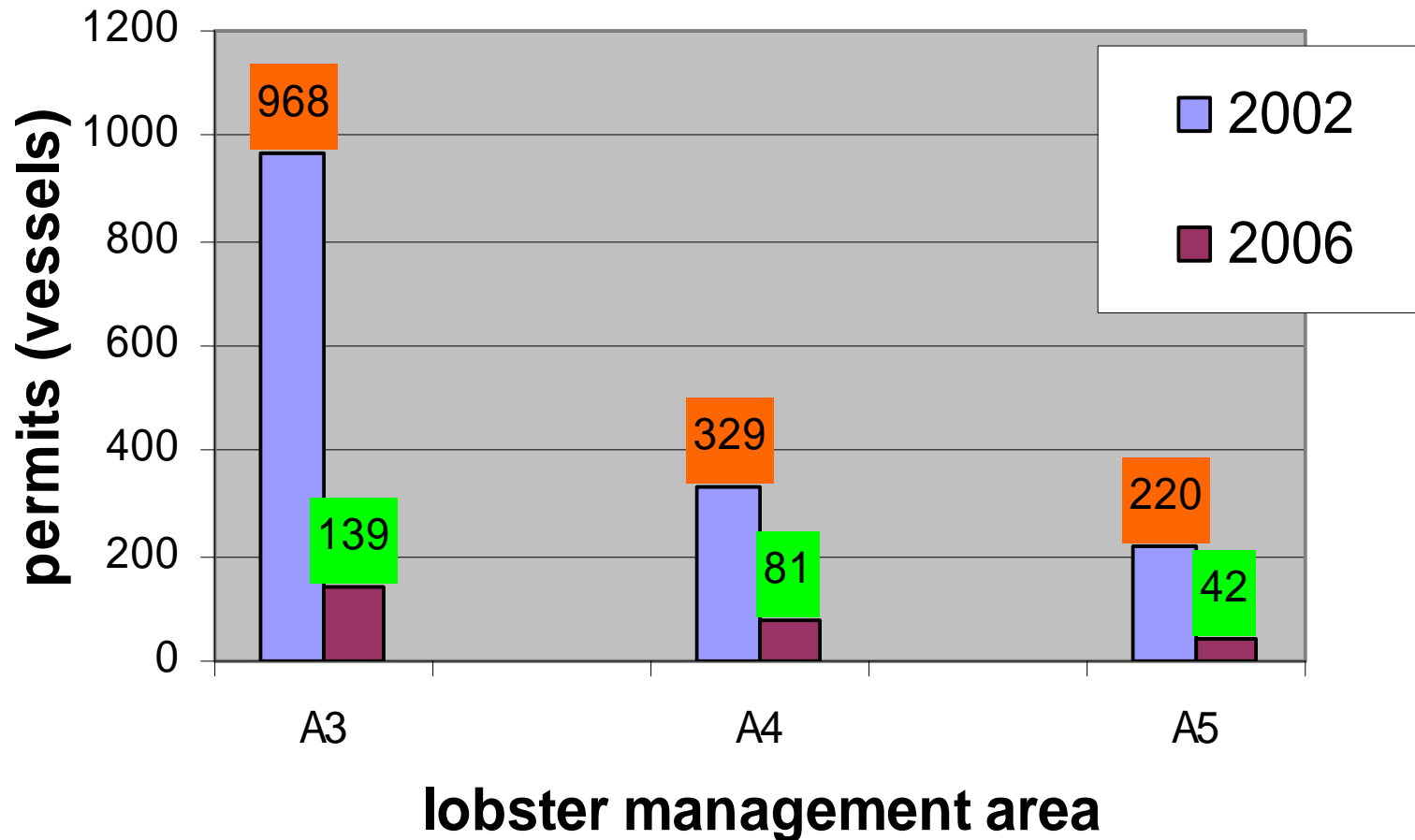
**considers 2006 reductions for Area 3 and 1,440 trap cap for Areas 4 and 5 7

Trap Allocation Ranges for Eligible Federal Lobster Permits Areas 3, 4 and 5



Considers Area 3 Trap Cap and Reductions Through 2006 and 1,440 Trap Cap in Areas 4 and 5.

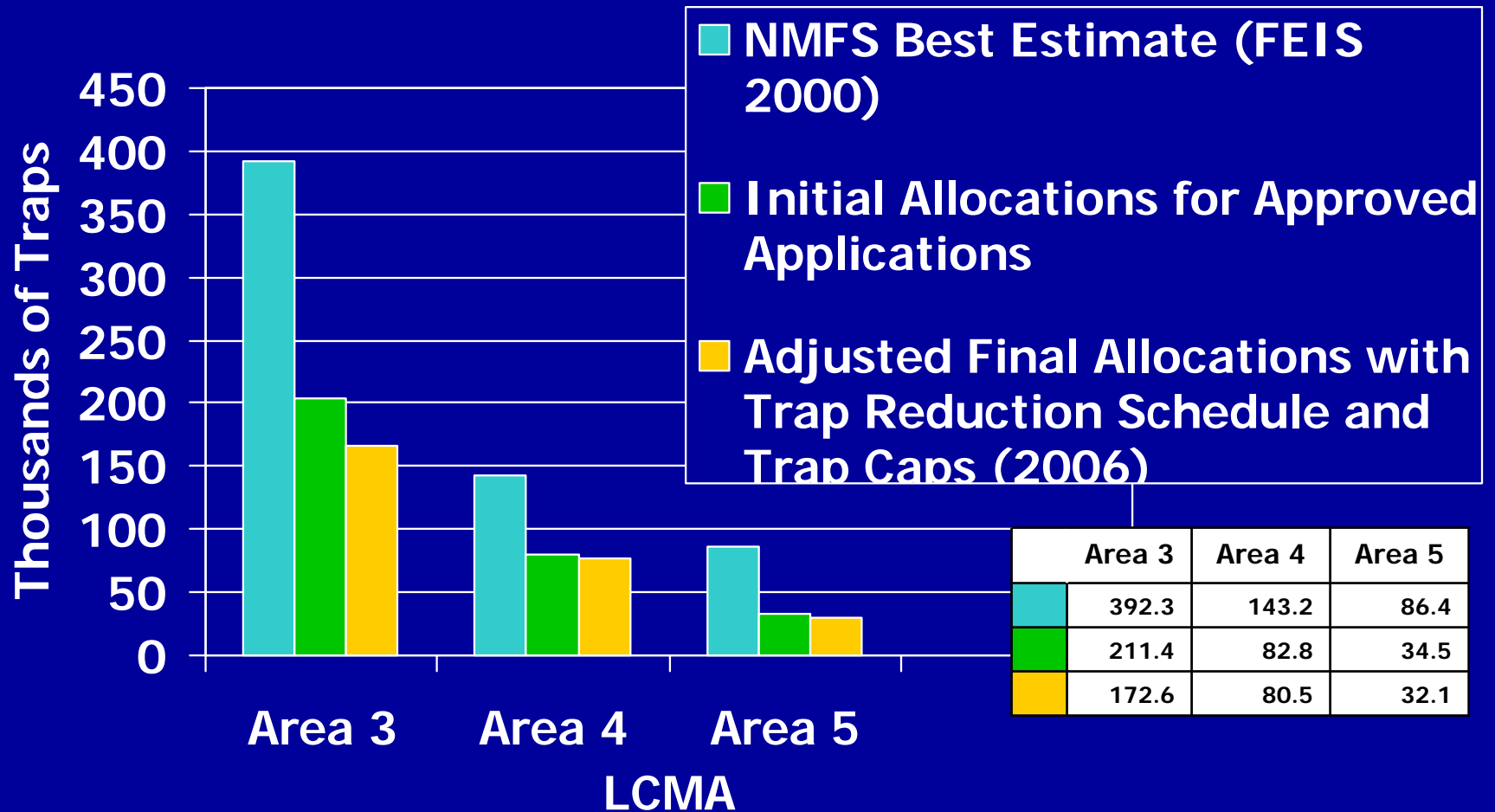
Area 3, 4 and 5 Federal Lobster Permits 2002* vs. 2006**



*In 2002, Federal vessels could select any and all LCMAs.

**Total number of qualified permits after review of all applications and appeals, March 2006.

Number of Traps by Area: Before and After Program Implementation



Key Accomplishments

Lobster Trap Area Eligibility Program

- Controlled effort
 - limited entry, capped number of vessels
 - capped overall number of traps by area
- Eliminated latent effort and prevented future effort shifts and trap escalation
- Established a firm baseline of effort to facilitate future management decisions