Cancer Crab Draft FMP

American Lobster Management Board
May 2015
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<td>May 2014</td>
<td>American Lobster Board Initiates FMP</td>
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<td>August 2014</td>
<td>American Lobster Board approves Draft Public Information Document for Public Comment</td>
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<td>September 2014</td>
<td>Public Hearings held on Public Information Document</td>
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<td>October 2014</td>
<td>American Lobster Board tasks Plan Development Team with drafting Interstate FMP</td>
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<td>American Lobster Board approves FMP for Public Comment</td>
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<td>August 2015</td>
<td>American Lobster Board selects options and recommends final approval for FMP; Commission approves FMP</td>
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Statement of the Problem

• Historically a bycatch of lobster, but in recent years an increase targeted fishing pressure and growing market demand for crab.

• With increased demand for crab, a mixed crustacean fishery has emerged
  – targets both lobster and/or crab at different times of year based on modifications to the gear and shifts in the area fished

• The majority of crab are harvested by lobster boats and lobster traps

• The mixed fishery makes separate crab/lobster management difficult
Statement of the Problem

• Poor status of the SNE lobster fisher
  – Additional crab traps with the potential to fish for lobster could negate trap reductions or pose management challenges

• NOAA Fisheries implemented rulemaking for the Large Whale Take Reduction Plan
  – decrease the number of vertical lines in state/federal waters
  – Increasing the number of vertical lines would have a negative impact on the goals and objectives of the Large Whale Take Reduction Plan
  – Due to recent SNE trap reductions, no additional measures needed

• Managers do not want to negatively impact the number of vertical lines in SNE with potential crab traps
Issues Identified by the PDT

- The crab resource is not directly regulated in federal waters, rather incidentally by the lobster regulations, but there are no crab regulations in federal waters or permit/license requirements.
- Landings have increasing rapidly in the past 10 years and without new controls effort could increase in an unregulated manor.
- With continued unregulated harvest crab, the long-term availability for harvest could be compromised.
- No minimum size protections, no restrictions on the harvest of females or egg carrying females no spawning biomass protections.
- Buyers are positioning to discontinue selling Jonah crab unless it is managed sustainably which would impact the ex-vessel price.
- Lack of universal permit and reporting requirements makes it difficult to characterize catch and effort in order to manage crab.
- A Jonah crab trap is not distinguishable from a lobster trap, therefore making it difficult to independently manage crab and lobster fisheries.
- Because crab traps are similar in design/function to lobster traps, but are not regulated, there may be implications with the lobster fishery and marine mammal compromising the effectiveness of their management.
Life History

- Distributed in the waters of the Northwest Atlantic Ocean primarily from Newfoundland, Canada to Florida
- Jonah crab are often confused with rock crab although the species are biologically and taxonomically distinct.
- Confusion is due to overlapping habitat and numerous regional common names attributed to both species
- The life cycle is poorly described, and what is known is compiled from a patchwork of studies
Abundance

- Some survey data from MA, RI, ME, NH, and NOAA but encounter crab infrequently
- Inferred high amounts of undocumented catch, along with spatial and temporal inconsistencies in reported landings make abundance difficult to estimate.
- MA survey trends for males and females in both the spring and fall have been declining in recent years
## Landings by State

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## Ex-Vessel Value by State

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MA and RI Landings by Area
MA Landings by Month

Landings (Pounds)

Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov Dec

2005-2011
2012-2014
RI Landings by Month

Landings (Pounds)

Jan  Feb  Mar  Apr  May  Jun  Jul  Aug  Sep  Oct  Nov  Dec

0  100,000  200,000  300,000  400,000  500,000  600,000  700,000
Need for Action

• It may be important for managers to respond quickly to increases in harvest in US waters

• In Canada, Jonah crab has quickly showed downward trends after increased fishing pressure

  – Jonah crab fisheries have developed in Atlantic Canada and despite a prohibition on landing females, minimum legal sizes, and a TAC, several LFAs in Canada have reported declining catch of Jonah crabs
Need for Action

How a FMP with complementary federal regulations would benefit the fishery:

• There is sporadic information gathered on the species, making stock assessments difficult
• There is lack of consistent state-to-state as well as state to federal regulations and goals
• An interstate FMP establishes a framework to address future concerns or changes in the fishery or population
• An interstate FMP establishes a framework to address future concerns or changes in other species regulations, e.g. Lobster FMP or Large Whale Take Reduction Plan
Goals and Objectives

• To support and promote the continued development and implementation of a unified coastal management program for Jonah crab—designed to promote conservation, to—reduce the possibility of recruitment failure—allow full utilization of the resource by industry

• The management program should be sensitive to the need to minimize social, cultural and economic dislocation
1. Protect, increase or maintain, as appropriate, the brood stock abundance at levels which would minimize risk of stock depletion and recruitment failure
2. Optimize yield from the fishery while maintaining harvest at a sustainable level
3. Implement uniform collection, analysis, and dissemination of biological and economic information; improve understanding of the status of the stock and the economics of harvest
4. Promote economic efficiency in harvesting and use of the resource
5. Ensure that changes in geographic exploitation patterns do not undermine success of the management program
6. To successfully manage Jonah crab in a manner that is compatible with ASMFC's management of American lobster and in harmony with state and federal management of other trust resources.
Option 1: Monthly Reporting

• This option applies to harvester reporting of catch, landings and effort data. Fishermen with a VTR requirement must fill out the VTR for all trips.

• The PDT recommends the following elements be recorded daily by fishermen harvesting Jonah crab (directed or non-directed) and reported on at least a monthly basis:
  1. Total number of traps hauled by NMFS statistical area
  2. Total number of pounds landed by NMFS statistical area
  3. Total number of days fished
  4. Trap soak time
Data Collection

Option 2: Coastwide mandatory reporting
Applies to dealer and harvester reporting of catch, landings and effort data

1. 100% mandatory dealer and X% harvester reporting.

To determine the percentage of harvester reporting the Board would choose from the below options:

   - Sub-Option 1: 100%
   - Sub-Option 2: 75%
   - Sub-Option 3: 50%
   - Sub-Option 4: 10%

2. Two-ticket system to establish a check and a balance:
Harvester reports trip data and catch estimates (in pounds) and dealer reports landing weights (in pounds).

   a. Harvester reports include: a unique trip id (link to dealer report), vessel number, trip start date, location (NMFS stat area), traps hauled, traps set, quantity (lbs), trip length, soak time in hours and minutes, target species,
   b. Dealer reports include: unique trip id (link to harvester report), species, quantity (lbs), state and port of landing, market grade and category, areas fished and hours fished, price per pound
• **Option 3: Coastwide mandatory reporting and fishery dependent sampling**

• This option is the same as option 2 but includes mandatory sea/port sampling.

• Elements of the dependent sampling would be put together by the TC once it is fully formed.
Proposed Management

• Commercial Measures
  – Permits
  – Minimum size
  – Minimum size tolerance
  – Crab part retention
  – Prohibition of retention of egg-bearing females
  – Incidental bycatch limit for non-trap gear
Issue 1: Permits

- If left open access, a crab only permit will have the potential to increase the number of traps in both state and federal waters. A limited access crab only permit, will constrain proliferation in traps fished attributable to non-lobster trap fishing.

- Option 1: No new permit requirements in this plan but states/agencies must maintain their current permit requirements (insert what status quo means here)

- Option 2: Permit requirements are decided by state, for fishing or landing; and recommend NOAA Fisheries require a permit to retain Jonah crabs taken from federal waters by any gear.

- Option 3: Participation in the trap fishery would require a lobster permit and all traps must conform to specifications of the lobster management plan. Landing of Jonah crab by non-trap gears would require an incidental permit which would be subject to landing limits outlined in issue 6.
Permits

• **Option 4:** Participation in the trap fishery would require a lobster license or a crab-only permit and other gear types would require an incidental permit which would be subject to landing limits outlined in issue 6.

• Note: If this option were approved the Board would consider if crab trap specifications (e.g. trap size, vents, trap limits, trap tags) would be necessary through a subsequent addendum.

• **Option 5:** Participation in the trap fishery would require a lobster license or a new Jonah crab trap-permit. Jonah crab trap permit would be limited to the use of only traps designed to effectively target Jonah crabs while minimizing the retention of lobster. In the absence of an approved design, no Jonah crab trap permits shall be issued. Landing of Jonah crab by non-trap gears would require an incidental permit which would be subject to landing limits outlined in issue 6.

• Note: If this option were approved the Board would consider if crab trap specifications (e.g. trap size, vents, trap limits, trap tags) would be necessary through a subsequent addendum.
Issue 2: Minimum Size

• **Option 1**: No coastwide minimum size

• **Option 2**: 4” minimum size

• **Option 3**: 4.5” minimum size

• **Option 4**: 4.75” minimum size

• **Option 5**: 5” minimum size

• **Option 6**: 5.5” minimum size
## Minimum Size Limits

<table>
<thead>
<tr>
<th>Carapace Width</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>&lt; 139.7 mm (5.5&quot;)</td>
<td>34.8%</td>
</tr>
<tr>
<td>&lt;133.4 mm (5.25&quot;)</td>
<td>13.6%</td>
</tr>
<tr>
<td>&lt;127 mm (5&quot;)</td>
<td>2.5%</td>
</tr>
<tr>
<td>&lt;120.7 mm (4.75&quot;)</td>
<td>0.4%</td>
</tr>
<tr>
<td>&lt;114.3mm (4.5&quot;)</td>
<td>0.1%</td>
</tr>
<tr>
<td>&lt;108 mm (4.25&quot;)</td>
<td>&lt;0.1%</td>
</tr>
<tr>
<td>&lt;101.6 mm (4&quot;)</td>
<td>&lt;0.1%</td>
</tr>
</tbody>
</table>

**MA Port Sampling**

<table>
<thead>
<tr>
<th></th>
<th>4&quot;</th>
<th>4.25&quot;</th>
<th>4.5&quot;</th>
<th>4.75&quot;</th>
<th>5&quot;</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Females % under</strong></td>
<td>39%</td>
<td>50%</td>
<td>70%</td>
<td>93%</td>
<td>98%</td>
</tr>
<tr>
<td><strong>Male % under</strong></td>
<td>2%</td>
<td>4%</td>
<td>7%</td>
<td>15%</td>
<td>31%</td>
</tr>
</tbody>
</table>

**CRFC Sea Sampling**
Issue 3: Commercial Minimum Size Tolerance

• **Option 1**: No tolerance for undersize crabs.
• **Option 2**: 5% tolerance for undersize catch
• **Option 3**: 10% tolerance for undersize catch

• *If a tolerance is allowed then the following procedure could be an example of how to apply tolerances. This procedure will be reviewed with the LEC for recommendations to the Board:* **Minimum Size Tolerance / Jonah crab sampling procedure**: It is unlawful for any vessel or person to take, possess, have on board, land or off-load any Jonah Crabs which are less than XX inches in the longest shell diameter to the amount of more than XX% of any batch unless authorized by a permit issued by a State or Federal agency. Enforcement personnel will sample 1-5 batches of Jonah crab, depending on the volume of crabs being landed or possessed, at the discretion of the Enforcement agency personnel.
Issue 4: Crab Part Retention

- **Option 1**: Crabs may be retained and sold in any form
- **Option 2**: Only whole crabs may be retained and sold
Issue 5: Prohibition on Retention of Egg-Bearing Females

Note: If the minimum size is set correctly, then this option would not be an issue. The PDT strongly discourages the use of option 1.

• **Option 1**: No prohibition on retention of egg-bearing females.
• **Option 2**: Egg-bearing females may not be retained.
• **Option 3**: No females may be retained; 1% tolerance for females (total percentage of catch that is female cannot exceed 1%).
Issue 6: Incidental Bycatch limit for Non-trap Gear

- **Option 1**: No coastwide possession limit
- **Option 2**: 200 pounds per day up to a max of 500 pounds per trip
Recreational Measures

- Possession Limits
- Prohibition on Retention of Egg-Bearing Females
Issue 1: Possession Limits

- **Option 1**: No coastwide possession limit
- **Option 2**: 50 (whole crabs); or 100 claw possession limit per person
Issue 2: Prohibition on Retention of Egg-Bearing Females

Note: If the minimum size is set correctly, then this option would not be an issue. The PDT strongly discourages the use of Option 1

- **Option 1**: No prohibition on retention of egg-bearing females.

- **Option 2**: Egg-bearing females may not be retained.
De Minimis

• Option 1: Recreational and Commercial separate de minimis status
• Option 2: Recreational and Commercial combined de minimis status

For the preceding 3 years, the average landings constitute less than X % of the average coast wide landings for the same period. Exemption: Port and sea sampling

• Sub-option 1a: X = 1%
• Sub-option 1b: X = 2%
• Sub-option 1c: X = 3%
Other Sections

- Habitat
- Impacts of the FMP (social, economic, fishery, Biological)
- Adaptive Management
- Recommendation to the NOAA
- Cooperation with other management groups
- Management and Research (biological, social, economic, habitat)
- Protected Species
Draft Addendum XXIV for Final Action

American Lobster Management Board
May 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

March – April 2015
Public Comment Period

May 2015
Management Board Review, Selection of Management Measures and Final Approval

Current step
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.
• 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.
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.
• 5 written comments were received during the public comment period
  – 4 individuals and 1 group (AOLA)
• No public hearings were held
### Lobster Draft Addendum XXIV Public Comment Summary

<table>
<thead>
<tr>
<th>Issue 1: Conservation Tax</th>
<th>Option Favored</th>
<th>Individual</th>
<th>Group Letters</th>
</tr>
</thead>
<tbody>
<tr>
<td>Option A: Status Quo</td>
<td>1</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Option B: Removal of tax on full business transfers</td>
<td>3</td>
<td>2</td>
<td>1</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Issue 2: Trap Transfer Increments</th>
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<tbody>
<tr>
<td>Option A: Status Quo</td>
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<td></td>
</tr>
<tr>
<td>Option B: 10 Trap transfer increments</td>
<td>4</td>
<td>3</td>
<td>1</td>
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</tbody>
</table>

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<thead>
<tr>
<th>Issue 3: Dual Permit Transfers</th>
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<tbody>
<tr>
<td>Option 1: Status Quo</td>
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</tr>
<tr>
<td>Option 2: Allowance of State-to-State Dual Permit</td>
<td>3</td>
<td>2</td>
<td>1</td>
</tr>
</tbody>
</table>
Questions?
Fishing for Energy Workshop

American Lobster Management Board
May 2015
Ghost Panels

• Study to test efficacy of the biodegradable escape panels verses traditional panels equipped with ferrous metal rings
• 8 participants in both ME and MA
• No significant difference in catch
• Biopanel is stable even when exposed to air
• Traditional ferrous rings degraded faster when actively fished
  – Premature breakage
• Ferrous rings did not degrade timely when trap is lost
Recommendation

• Task the Gear Technology Working Group with industry to assess the effectiveness of the ghost panel
  – Review studies on ghost panel use
  – Have industry work with the working group
  – Make recommendation to the lobster board for effective ghost panels