

**PROCEEDINGS OF THE
ATLANTIC STATES MARINE FISHERIES COMMISSION
AMERICAN LOBSTER MANAGEMENT BOARD**

**The Westin Crystal City
Arlington, Virginia
Hybrid Meeting**

January 31, 2023

Approved May 1, 2023

TABLE OF CONTENTS

Call to Order, Chair Jason McNamee..... 1

Approval of Agenda 1

Approval of Proceedings from November 7, 2022..... 1

Public Comment 1

Comments from Assistant Administrator from NOAA 1

Review Report from the Atlantic Large Whale Take Reduction Team and Progress on Atlantic Large Whale
Take Reduction Plan 6

Consider Draft Addendum XXVII on Increasing Protection of Spawning Stock Biomass of the
Gulf of Maine/Georges Bank Stock 12

Update from the Working Group on Implementation of Addendum XXIX on Electric Vessel Tracking for Federal
Permit Holders..... 22

Other Business

100 Percent Harvest Reporting for the State of Maine..... 24

Adjournment 26

INDEX OF MOTIONS

1. **Approval of agenda** by consent (Page 1).
2. **Approval of Proceedings of November 7, 2022** by consent (Page 1).
3. **Move to modify Option E by including a 1/4” maximum gauge reduction in LCMA 3 with each annual adjustment, and set a maximum gauge size in the OCC management area of 6 ½” and include a 1/4” maximum gauge reduction in OCC with each annual adjustment. In the final year of adjustments, the maximum gauge size in LCMA 3 and OCC would be 6” at a minimum. The vent size in LCMA 1, LCMA 3 and OCC would be adjusted once, at the same time the final gauge size is implemented. The Board, during final action will specify the years of the schedule, with the first step occurring no later than 2026, and the second step occurring 2 years later** (Page 18).
Motion by Pat Keliher; second by Emerson Hasbrouck. Motion approved by consensus (Page 21).
4. **Move to approve Addendum XXVII for public comment, as amended today** (Page 21). Motion by Doug Grout; second by Steve Train. Motion carried (Page 22).
5. **Move to adjourn** by consent (Page 26).

ATTENDANCE

Board Members

Pat Keliher, ME (AA)	John Maniscalco, NY, proxy for B. Seggos (AA)
Stephen Train, ME (GA)	Emerson Hasbrouck, NY (GA)
Rep. Allison Hepler, ME (LA)	Joe Cimino, NJ (AA)
Renee Zobel, NH, proxy for C. Patterson (AA)	Peter Clarke, NJ, proxy for T. Fote (GA)
Doug Grout, NH (GA)	Adam Nowalsky, NJ, proxy for Sen. Gopal (LA)
Dennis Abbott, NH, proxy for Sen. Watters (LA)	John Clark, DE (AA)
Dan McKiernan, MA (AA)	Roy Miller, DE (GA)
Raymond Kane, MA (GA)	Craig Pugh, DE, proxy for Rep. Carson (LA)
Rep. Sarah Peake, MA (LA)	Dave Sikorski, MD, proxy for Del. Stein (LA)
Jason McNamee, RI (AA)	Mike Luisi, MD, proxy for L. Fegley (AA, Acting)
David Borden, RI (GA)	Shanna Madsen, VA, proxy for J. Green (AA)
Eric Reid, RI, proxy for Sen. Sosnowski (LA)	Jay Hermsen, NOAA proxy for A. Murphy
Colleen Bouffard, CT, proxy for J. Davis (AA)	Janet Coit, NOAA
Bill Hyatt, CT (GA)	Sam Rauch, NOAA

(AA = Administrative Appointee; GA = Governor Appointee; LA = Legislative Appointee)

Ex-Officio Members

Kathleen Reardon, Technical Committee Chair Rob Beal, Law Enforcement Committee Rep.

Staff

Bob Beal	Kristen Anstead	Chris Jacobs
Toni Kerns	Lindsey Aubart	Mike Rinaldi
Madeline Musante	Pat Campfield	Geoff White
Tina Berger	Julie DeFilippi Simpson	

Guests

Max Appelman, NMFS	Justin Davis, CT (AA)	Kiana Kekoa, Ofc. Sen. Reed
Pat Augustine, Coram, NY	Sam Duggan, NOAA	Ashley Law, Ofc. Sen. Blumenthal
Richard Balouskus, RI DEM	Glen Fernandes	Ed Liccione
Alan Bianchi, NC DENR	Joe Fessenden	Eric Lorentzen
Delayne Brown, NH F&G	Jared Flowers, GA DNR	Chip Lynch, NOAA
Michael Brown, ME DMR	Lauren Gaches, NOAA	Jerry Mannen, NC (GA)
Jeff Brust, NJ DEP	Emily Gilbert, NOAA	Genine McClair, MD DNR
Josh Carloni, NH F&G	Lewis Gillingham, VMRC	Kim McKown
Beth Casoni, MLA	Angela Giuliano, MD DNR	Conor McManus, RI DMF
Nicole Caudell, MD DNR	Jennifer Goebel, NOAA	Sean McNally, NOAA
Matt Cieri, ME DMR	Jon Hare, NOAA	Meredith Mendelson, ME DMR
Barry Clifford, NOAA	Amalia Harrington, Univ ME	Steve Meyers
Heather Corbett, NJ DEP	Olin Hartkopf, Ofc. Sen. King	Jeffrey Nichols, ME DMR
Jamie Cournane, NEFMC	Marin Hawk, MSC	Scott Olszewski, RI DEM
Jessica Daher, NJ DEP	Heidi Henninger, AOLA	Gerry O'Neill, Cape Seafoods

Guests (continued)

Jeffrey Pierce, Dresden, ME
Michael Pierdinock
Nicole Pitts, NOAA
Tracy Pugh, MA DMF
Rebecca Quinones, MA DMF
Elizabeth Rasheed, SELCNC
Gray Redding, NFWF
Story Reed, MA DMF
Sen. Cameron Reny, ME
Mike Ruccio, NOAA
Erin Schnettler, NOAA
Chris Scott, NYS DEC
Phillip Sheffield

Ethan Simpson, VMRC
Molly Smith
Somers Smott, VMRC
Ariana Spawn, Ofc. Sen. Booker
Renee St. Amand, CT DEEP
David Stormer, DE DFW
ElizaBeth Streifeneder, NYS DEC
Kevin Sullivan, NH F&G
Jason Surma, Woods Hole Group
Pam Thames, NOAA
Marisa Trego, NOAA
Maureen Trinka, NOAA
Mike Waine, ASA

Jesica Waller, ME DMR
Megan Ware, ME DMR
Craig Weedon, MD DNR
Ben Whalley
Ritchie White, CCA NH
Holly White, NC DENR
Wes Wolfe
Chris Wright, NOAA
Angela Young, ME Elvers
Darrel Young, ME Elvers
Erik Zlokovitz, MD DNR

The American Lobster Management Board of the Atlantic States Marine Fisheries Commission convened in the Jefferson Ballroom of the Westin Crystal City Hotel, Arlington, Virginia, via hybrid meeting, in-person and webinar; Tuesday, January 31, 2023, and was called to order at 10:00 a.m. by Chair Jason McNamee.

CALL TO ORDER

CHAIR JASON McNAMEE: Good morning, everybody; I'm calling to order the American Lobster Management Board. I hope everybody is doing well. The first thing we're going to start with is the agenda.

APPROVAL OF AGENDA

CHAIR McNAMEE: We have an Agenda that has been published for the meeting.

I have one modification that I will add, and that is to give a couple of minutes to the Assistant Administrator from NOAA Fisheries to give a few comments. We'll take that up right after we dispense with the proceedings from our November meeting. Are there any other modifications to the agenda? Okay, Pat, go ahead.

MR. PATRICK C. KELIHER: Just under Other Business, I've got a quick update on 100 percent harvest reporting for the state of Maine.

CHAIR McNAMEE: What was the topic again, Pat? I'm sorry, I didn't hear it. Very good, thank you. Okay, any other changes? Seeing none; I'll ask the question. Is the agenda approved as modified? Any objections to approving the agenda as modified? Seeing no objections, we'll consider that approved.

APPROVAL OF PROCEEDINGS

CHAIR McNAMEE: Next, we'll move on to the proceedings from our November meeting. Are there any changes, edits, deletions, any other sort of thing to those proceedings? All right,

seeing no hands, we will consider the proceedings approved as submitted.

PUBLIC COMMENT

CHAIR McNAMEE: Moving on, let's take a moment here to see if there is any public comment that anyone wants to make.

This would be public comment on things that are not already on the agenda. Looking around the room first, not seeing any hands. Any hands on the webinar? Okay, so there are no public comments, and why don't we then dig into our meeting.

COMMENTS FROM ASSISTANT ADMINISTRATOR FROM NOAA

As we modified the agenda, it is my honor and pleasure to introduce Janet Coit; Comments from Assistant Administrator from NOAA the Assistant Administrator from NOAA Fisheries, who would like to address the Board. Janet, whenever you're ready, please take it away.

MS. JANET COIT: Good morning, everyone. It's great to see all of you. Some of you I've gotten to know in person, and others I know your names very well, and I look forward to meeting you. I'm Janet Coit; as Jason said, and Jay and I work very closely together, so I have the utmost respect for him, and it's nice to be here with him as the Chair of the Lobster Board. I'm also here with another person I have utmost respect for, who is Sam Rauch, who is the Deputy Assistant Administrator of NOAA Fisheries. I know ASMFC very well, 35, 40 years ago when I worked for Senator John Chafee and we were working on striped bass conservation, we worked very closely with ASMFC, so I guess that dates me a bit.

I also was officially part of this Commission, when I was the head of the Rhode Island DEM. I just think it's a constructive, important venue, the way it brings state legislators and the representative state leaders together with NOAA and scientists and stakeholders. You're really a terrific entity, and we

have a lot of tough issues, and I'm really glad you're taking them on.

I wanted to talk to, and among those issues, of course, are climate change, and how our ecosystems are changing, which are affecting lobster and plankton, and the things for which plankton are prey. That brings me to talking about lobster and right whales. That's what I wanted to talk to you today.

The lobster sector is incredibly important to our nation. It's the economy of Maine and other states, and I know we're all here wanting to see it be sustainable, and continue to be an important industry going forward. We also, I think are all committed in wanting to conserve and restore threatened and endangered species.

The endangered North Atlantic Right Whale is really on the brink. Preventing its decline and conserving North Atlantic Right Whales, that's a tall task. We're legally required to do that under the Endangered Species Act, legally required to achieve Marine Mammal Protection Act Standards, and that is going to require us working together, and collaborating.

I wanted to give you, really an update and just a few thoughts, and urge that we collaborate and be as strategic and as thoughtful and as forceful as we can right now. A couple actions that you're probably aware of. NMFS has a Proposed Rule out on vessel speed. The second most lethal problem for right whales is vessel strikes, and we have a Proposed Rule out.

I believe the comment period closes shortly, and we'll be taking a look at thousands of comments, and looking at the best way to approach reducing vessel strikes. We also, Dan, are publishing the Ledge Rule today, which is something that is an emergency rule, and I think you are all aware we did it last year, and it's important to remove gear that is either being used or staged in that ledge area in Cape Cod

this time of year, when whales are congregating.

Really appreciate the leadership of the state of Massachusetts. We're continuing to consider how offshore wind affects right whales and other mammals and species. That is a tremendous task for NOAA Fisheries, and something we're putting a lot of resources in. You may have seen the guidance that we developed together with BOEM and also, we had right whale communication.

That is something we're trying to finalize, but we didn't want the identified research needs and gaps, things like understanding better the oceanographic impacts of these large wind farms, and how they affect productivity and placement, and how that might affect species like right whales. There is a lot that needs to be studied further. Then here is the work that we're doing together on developing ropeless gear. That is what I primarily wanted to talk about today. I know that for any of these issues, understanding the stakeholders and the sociology, for lack of a better word, you know what motivates people, what their concerns are, is part of being successful well beyond the technology.

I wanted to review quickly. If you don't already know about the provision in the FY23 Omnibus Budget Bill or Appropriations Bill, you will now. But I imagine everyone in the room does. We have a new legislation that was enacted in December that declared that our 2021 Final Rules of the Take Reduction Team worked on that NOAA promulgated in the Fall of 2021.

That law says that rule is sufficient to ensure that the federal and state American lobster and Jonah crab fisheries are in full compliance with the Marine Mammal Protection Act and the Endangered Species Act. That term of this provision gave us until December of 2028 to implement additional whale protections. Essentially, the rule we were working on with the TRT, and under the District Court remedy is now put off for another six years.

Between now and then we need to work really hard together on additional options to protect right whales. Fortunately, that Omnibus Bill also

included significant resources, including a large uptick to the ASMFC to work on developing ropeless gear, to work on developing better approaches to monitoring right whales, to consider what might be the foundations for a different approach, a dynamic approach to management.

I wanted to come here both because I wanted to address this group, which I haven't had a chance since I started in June, 2021, to address. But also, just to emphasize how important it is that we collaborate and are strategic about how we work with that pot of money, which is a total 26 million dollars to ASMFC for, not just ropeless gear, for a number of other monitoring and cost recovery.

But, I think primarily, that what I am anticipating is that we're working on all of the antecedent steps to having ropeless gear available, so that it can be used in closed areas close to vertical lines when you get to the 2028 Rule. We also have a new 20-million-dollar pot of money in that Omnibus Bill that we can work with the National Fish and Wildlife Foundation, an entity that is a partner to NOAA, and that can attract and leverage other funding, or we can do our own grant program.

But whatever we do, Congress has let us know they also would like to see that funding go primarily for on-demand for ropeless gear. The grantees for that 20 million dollar pot of money are much broader, it's not going to the states or through the states. But we are right now considering, how do we couple that with the money that ASMFC has to have the biggest bang for the buck.

There is also additional funds in that Bill that come to NOAA Fisheries, for additional work in the Gulf of Maine. There are some requirements for that bill. There is a lot of attention, while Congress can get a longer lead time for the next set of regulations. They also gave us tens of millions of additional funding, and we're looking at whether or how we might

supplement that with our Inflation Reduction Act Funding. We're still a few steps to go in that, so we can't announce anything. But essentially, it's just we have a moment, we have a historic moment in time where we can further right whale conservation, where we can potentially stop the decline and develop technologies and test pilot them, and work with people who are on the water, who are the best experts.

Working with the states, working with the state of Maine, working with a Sea Grant, which also got funding. Working with our industry, and we need to really put our shoulders to the wheel. Now Jason likes to quote the Jedi Master, Yoda. He probably has an appropriate quote for this. I like to quote country song writers.

One of the absolute bests is Willie Nelson, who turns 90 in April, and I just keep thinking of his song, Pick Up the Tempo. Pick up the tempo just a little, and bring it on home. We have got to accelerate this work. NOAA has been working with industry partners, NOAA has been working with some of the environmental stakeholders who are helping test different technology, encourage folks to try it out.

But, we have got to accelerate this work if we're going to have the necessary protections for right whales ready in time for that 2028 Rulemaking. If 2028 doesn't seem around the corner, but when you think of all the work that we need to do, and how far we need to go, and all the stakeholders and the TRT process. We would need to get going right away.

Among our challenges that I wanted to leave you with in regard, well how do we do things differently than we have in the past? You know what is the array of new technologies that we can develop and test pilot? How do we improve our monitoring, our modeling? How do we better understand what is happening with changing ecosystems to inform our decision making?

How do we think about managing in a changing environment? How do we think about managing in a more dynamic way? Those are some of the issues

I hope the Lobster Board and the Commission will consider, and continue to work with us, at GARFO, at the Northeast Science Center with Kim Damon-Randall in our Office of Protected Resources, with Sam.

We have a new right whale initiative across NOAA Fisheries, because we're committed to thinking both broadly and being innovative, but also looking at how all these component parts connect. It's truly, well Commissioners, with that 26 million dollars we have to think about how you are using it, versus how we are using it, and how these things connect.

To be successful we need to work together. I have the utmost confidence in Jason as your Chair, and the members of this Board. When I think about the spawning biomass resilient measures that you're about to discuss, they take a long time, like too long. I think that fisheries, I often feel impatient with fisheries regulation, and with changing ecosystems.

You know we have to move more quickly. I'm just urging everyone, we need to be thoughtful, we need to look before we leap. But we need to move in coordination, and we need to move quickly, if we're going to both conserve right whales and be ready in time for new rule making, and have more options on the table that allow our American lobster industry to continue as a new generation, and to conserve the magnificent right whale. That is what I wanted to say. I think of you as partners and collaborators in all of this, and either Sam or I are happy to entertain comments or questions.

CHAIR McNAMEE: Awesome, thank you so much, Janet. I thought you were going to bust out a Yoda quote. Obi-Wan Kenobi also would have been okay, but Willie Nelson is pretty good. The Assistant Administrator has offered to take a few questions, so open it up to the Board for any questions you might have for Janet. Dan McKiernan, go ahead.

MR. DANIEL MCKIERNAN: Thank you, and welcome, Janet. We got a six-year reprieve, and I totally agree with your perspective that we really need to get working on getting to a place where we have enough information and refinement, so that in 2028 we can have a different management scheme. But I just want NMFS to also understand that we've done something in the last couple of years that is new and novel, that is weak rope and marked rope.

I know there are three new entanglements that have come up since the infamous Omnibus. But I hope that we can really work, or that your staff will really work with us as states, because you've basically asked each of our states to be responsible for entanglements, be responsible for the marked gear.

We're ready to look at that gear, because if it is our state's gear, it is going to go a long way to convincing those that are involved in the fishery that we need to make those changes. We're really anxious to see the gear, particularly that new whale that came entangled and has been disentangled off North Carolina.

We're really anxious to see that, and we hope that the NOAA folks will work with us, and that we can mine into the new information, so that when we get to 2028, we can be more surgical, because even the ropeless road map states clearly that ropeless probably isn't needed everywhere. That's like the biggest challenge that we have on the waterfront is, you know a guy with a small open boat is looking at this saying, is this the end of my participation in the fishery?

It's like, well, not really, look at the ropeless road map. Anyway, so I hope that NOAA will try to use this interim period to gather the vetting information that we've been lacking. I know in the past it's well, 70, or 80 or 90 percent of the entanglements, you don't know where they came from. Well now we should, because of those two features. I hope that we'll work together to gather better evidence.

MS. COIT: Thanks, Dan, excellent points. We've all seen in several entanglements, as you've said, and

we were able to collect the gear from that last one. Determining whose gear, it is, where the gear is from is important. I won't restate your other points; I think they were all very good.

I think you all know, Colleen is going to speak next, I believe, that we're doing the Peer Review shortly of the Decision Support Tool. Actually, it might be underway. But I think one of the things that this, to quote you, "reprieve" that's your word, allows us to do is gather more information and then you input that information into that tool, among others. Thank you.

CHAIR McNAMEE: Discussion, go ahead, Pat.

MR. KELIHER: Thank you, Mr. Chairman, thank you, Janet, for those remarks. I agree there is a lot of work to do. We have heard people in Maine, industry members, talk about this as a six-year pause or reprieve, we don't have to do anything. That is certainly not the intent of the state of Maine.

We have four years to collect data, and so I want to make sure, you know just our focus is going to be on issues around gear. We know ropeless, but to Dan's point. You know ropeless shouldn't be needed everywhere, but we do need a ropeless system that works. That dynamic type of approach is also going to be important that you spoke of.

One hundred percent harvest reporting, trackers, there is a lot of data that we're going to have now that we did not have in the past, which I think is going to be instrumental on maybe seeing that we're in a different place, hopefully in four years when this rulemaking starts. But we're also not blind to the fact that big changes are coming.

We all recognize that, and so we do want to work together. The one thing I do want to bring up that I didn't hear you mention directly is, kind of tracking and the acoustical work that needs to be done. The state of Maine, and I

think others, are looking at the ways that we can expand our footprint within the Gulf of Maine or within the range of right whales.

Using passive acoustics, we think it's going to be a critical tool to understand where they are, how they're behaving in those particular areas. But the Coast Guard and BOEM got a lot of money for passive acoustics too, so I would just urge the Agency to bring your parties together on passive acoustics, to make sure that we're not duplicating efforts in areas. I think that is going to be really important. There is a lot of money there, and I think if we use it wisely it will give us a lot of information to benefit right whales. Thank you very much.

MS. COIT: Thank you, Pat. We are meeting with the other agencies, and agree that's another set of coordination that needs to happen, so we can cover more ground. Improving monitoring is key to both your and Dan's comments, and we're committed to that. As you well know, Senator King is encouraging us to work more on satellite monitoring, and that is something that has promise, though perhaps not in the near term.

CHAIR McNAMEE: Representative Peake.

REPRESENTATIVE SARAH PEAKE: Thank you very much, Madam Administrator, nice to see you and nice to meet you here today, appreciate that and your comments. I would just like to offer a comment relative to climate change and the effects that that is having with ocean acidification as it may affect food sources for various species, and of course the warming of our waters.

I feel like having served on, as the Legislative Commissioner, I think since 2009 on this Board, I've had a front row seat to witness climate change. When I go out and meet with constituents I say, you know we never really used to care about black sea bass, now we have a fishery in Massachusetts. The gentlemen all sitting across the table from us, are seeing a fishery of black sea bass also. But getting back to the North Atlantic right whale. I think that climate change must be given equal weight or more

to what our management plan might be, whether it's ropeless fishing. I think the gear marking that Dan talked about is important.

But we have North Atlantic right whales right now in Cape Cod Bay that are visible from Herring Cove Beach in my district. There is a concern with that, because their food source is not webbed in Cape Cod Bay, but those right whales are in Cape Cod Bay, and obviously that affects their very viability, their strength, their ability to feed, and to nurse whatever calves that may be with them.

Although it may not be universally popular around this table, I believe that the efforts of Massachusetts, specifically, moving boldly forward with deep water offshore wind, to remove the carbonization out of the energy grid, in effect, is a critical and important thing for us to look at and continue to support.

As we're balancing potential effects of offshore wind projects, let's keep in mind that, I think you talked about moving quickly, that that is the swiftest way that we are going to meet our carbon reduction goals that we need to, in order to slow the warming of this planet that we live on, and this giant ecosystem that includes human beings and the North Atlantic right whale. Thank you.

MS. COIT: Thank you very much for those comments. Sam has corrected me that the comment period is closed for the Vessel Speed Rule, so I just wanted to correct the record on that. Jason, we closed October 31st.

CHAIR McNAMEE: All right, good discussion. Thanks for that update. Any remaining questions, comments for Janet? Anyone online raising their hand? Okay, I think that will do it then. Janet, I know you can't stick with us, but thank you so much. Really appreciate you taking the time to address the Board. Great to see you.

MS. COIT: Thank you, and if you ever want to talk about black sea bass, Representative, talk to Jason.

REVIEW REPORT FROM THE ATLANTIC LARGE WHALE TAKE REDUCTION TEAM AND PROGRESS ON ATLANTIC LARGE WHALE TAKE REDUCTION PLAN

CHAIR McNAMEE: All right, on to our next agenda item. We are going to get a Review Report from the Atlantic Large Whale Take Reduction Team and Progress on Atlantic Large Whale Take Reduction Plan from Colleen Coogan and Marissa Trego. I'm sorry if I mispronounced that.

MS. MARISSA TREGO: That was correct. This is Marissa Trego; I'm going to be giving the presentation for the most part, but Colleen is also on, and will be available for questions as well. I am going to give you guys a summary of the results of our meeting, meetings that we held in November and December of last year.

I'll just note that this is a draft meeting summary, since the key outcomes isn't final yet, and we haven't found team feedback just yet. I'll be talking a little bit about that as well as our next steps. Just a short overview of what I'll be talking about. First, I'll talk about what the charges to the Atlantic Large Whale Take Reduction Team, what the Risk Reduction measures were that we discussed at our meeting, the overview of that package that the team pulled together and voted on at the end.

I'll give you a little preliminary interpretation of the Consolidated Appropriations Act, though Janet already went into that in a little more detail. Then finally, I think we do have some information on large whale strandings that I'll kick off to Colleen, if that is of interest. The Atlantic Large Whale Take Reduction Plan was created at the end of the nineties.

NMFS is mandated by law to create a Tier T when incidental mortality and serious injury in U.S. Commercial fisheries exceeds PBR. This Atlantic Large Whale Take Reduction Plan was implemented primarily to look at mortality of right, humpback

and fin whales, and make sure to get those mortality levels below that potential biological removal level.

It's largely focused on right whales, since the population is very small, and the mortality is much higher than PBR. The goal of the team is to develop recommended measures to reduce that mortality and serious injuries. It's a consensus-based process, and the team is comprised of 60 members, which includes 23 fishermen, as well as stakeholders from states, fishery management organizations, NGOs and academics.

Ultimately, while we get recommendations from the Team, NMFS is responsible for taking action in the end. There are several fisheries that are covered under the Atlantic Large Whale Take Reduction Plan. I won't go over all this in detail, but the PBS will be available if you want to look at all the details.

In general, it's mostly trap pot fisheries along the east coast, as well as several gillnet fisheries, including sink gillnet, drift gillnet and sharks, for example. In 2022 the charge to the Take Reduction Team was to create recommendations to us, to reduce mortality and serious injuries of right whales in U.S. commercial fisheries to a level below that population's potential biological removal level, which for this population is really low at 0.7 whales per year.

We estimated that this would require about an 88 to 93 percent total risk reduction, which is at 41 to 46 percent additional risk reduction on top of the September 2021 Final Rule that modified the Northeast lobster and Jonah crab fisheries. There are several recommended measures that were brought to a vote, and these were among three different categories.

Largely, closure to buoy lines, so either moving or removing lines in a particular area seasonally. Line reductions including things like trap caps, line caps, trawl ups, and using only one buoy

line for a trawl, and weak rope, which is using a 1700-pound maximum breaking strength, for example.

Then there are a lot of implementation challenges that were discussed throughout the meeting, including things like economic concerns, the affordability and readiness of on-demand gear, things like gear conflict and enforcement, some equity concerns for things like trap caps, as well as safety. There are a lot of things that we discussed in relation to these that kind of determine where these types of measures might be most useful and least concerning, in terms of their implementation. I'm just going to go through a list of the different areas and trap pots and gillnet Package Elements, so you can know what was put for a vote at the end of our TRT meeting. First, I'm going to focus on the trap pot elements that were discussed by the team.

In LMA 1, different trap pot closures were suggested that got at really key areas of overlap between the lines and whales. Those included closure in Maine Zone A from June and July, and expansion of the LMA 1 restricted area slightly, and then additional closures around Jeffrey's Ledge, and as well as other areas close to the Massachusetts Restricted Area that would expand into high cooccurrence habitats in that region.

In terms of line reduction, there were several options that people discussed, including things like a 400-trap limit in certain Maine areas and Jeffrey's Ledge, where there is a lot of concern for reducing the amount of gear in that area, without using closures. There is also a line cap that was discussed that was seasonal that would occur in Jeffrey's Ledge and then some other trawl length-base scenarios in Massachusetts.

In terms of weak rope, that was something that was widely discussed throughout the region. That would vary by distance from shore. Taking into account some of those implementation concerns I touched on earlier, where in deeper water there is more of a concern for using weak rope, and so there is a lighter use of weak rope in offshore

versus onshore, where weak rope in this package was a little more heavy.

In Outer Cape Cod this was a pretty low risk area already, given the closure of the Massachusetts Restricted Area. But there was a suggestion to expand that closure in Outer Cape Cod a little bit in space and time, so all federal waters and going into January, as well as to May 15. There was also a trawl length suggestion to reduce line reduction in December, which is a higher critical month without closing that area, and using 100 percent weak rope.

In Southern New England, which we know is a critical area as well, and has been more frequented by right whales recently. There were a lot of suggestions to have large seasonal closures to buoy lines in this area, including the entire LMA 2, as well as a 2/3 overlap between January 15 through April 30.

This was really the most effective way to remove lines from the water, rather than moving it into new areas that would create other areas of risk. In this area in particular, moving gear just created more risk. Some way to remove that risk was the most affective. Other line reduction options looked at trawl length, based on latitude, and 100 percent weak rope again to have lower chances of creating serious entanglement, should one occur.

In Lobster Management Area 3, we had some proposals. This group in particular did not necessarily propose all of these items. We took a few elements from this group, but largely the package that we pulled together didn't quite get to the risk reductions. We were asked to show an example of what did get to the risk reduction that might be needed. Several of these were proposed by NMFS as well, to kind of make up for that gap. These blue line closures look fairly large, and that's because it's really hard to remove line from the water in this area in particular. That would include some really large closures in the purple area during

the summer months, and in Southern New England during the spring months that line up with the Southern New England closures I just mentioned, as well as an extension of the LMA 1 restricted area that I noted on a few slides earlier.

For line reduction, some of the ideas that were put forth were line caps. The example in the package that was voted on included a 45-line cap for lobster, and also removed one end line in areas north of the Canyon year-round, and seasonally south of the 100-fathom line in the Mid-Atlantic.

There was also a weak rope suggestion just in the top 33 percent, given those concerns we have about implementation of weak rope in deeper water. For Lobster Management Areas 4 and 5 in the Mid-Atlantic there was a suggestion to have a minimum trawling for lobster and black sea bass of 20 traps per trawl in certain areas.

Then one end line as well in some of those fisheries in Delaware, Maryland and Virginia, and in this area another thing that was of interest is 100 percent weak rope to reduce the lethality of those lines. I'll just move on to the gillnet package elements, there is just a few of them. I'm just going to go over these combined.

Gillnet is also one of the fisheries that was lower in terms of risk reduction, but we were able to get really decent risk reduction from some of these closures, in areas where most important, which was in Gulf of Maine and Southern New England. There was a closure proposed west of 70 degrees and north of 42.5 degrees in orange, during springtime.

This was pretty effective at reducing risk of the gillnet fishery in this region. That was the area of most risk where gillnet fishing was occurring. Then the Southern New England there is a suggestion to apply that South Islands Restricted Area that is already implemented for trap pot to gillnet in this critical area.

A few other options for gillnet was brought to line reduction through use of an end line cap in the Gulf of Maine and Southern New England, and the use of

one buoy line in the Mid-Atlantic in certain fisheries from New York to Virginia. In terms of weak rope, this looked a little bit different by region.

In the Gulf of Maine there was a suggestion to use weak rope based on depth, to account for different gear weights. In other areas they chose to go with more of a hundred percent weak rope that kind of was a mix of full manufactured weak rope and weak at the bottom. At the end of these meetings, on December 2, the Team was able to vote on this final package, and we had a mix of responses.

Seventy percent supported the package, 45 percent supported it with reservation, 32 percent could not support it and opposed it, and we had 16 percent abstain. You can see on the right this is the representatives, the caucuses that were represented in those votes. We had fishery managers throughout each of those votes. We had some support from industry and some opposition from industry, and the NGOs did not support or abstain, largely, and we had a few academics on either side as well. Some of the areas of general support that we did hear was that there wasn't a lot of strong opposition to a lot of the gillnet measures that were discussed, nor was there as much opposition to measures in the Mid-Atlantic and Southeast for both gear types. We had some mixed support for some of the package measures.

NGOs and academics largely didn't support the use of weak rope as much as was relied upon in those packages. Then they also had an interest in really supporting measures, but showed progress toward ropeless, and there was a statement of support for some deadlines using these that didn't quite achieve consensus.

There are a few other things that were discussed that didn't go in the ultimate package but did get some mixed support from the team as well, which is including the increased value of the Massachusetts restricted area in the total

risk reduction package, and a dynamic closure proposal for Maine's Zone A, which also didn't end up in the final package.

One of the main concerns we heard from people about the rope was that LMA 3 requested to accept the package proposal that went to vote as interim, until AOLA submitted their own proposal of equal value in January. But as Janet mentioned, the Consolidated Appropriations Act was passed in December, which changed a little bit of the next steps that we have.

Our previous charge was, according to the court mandated deadlines, and for now I kind of want to go over what that, given all of the information we got from the TRT meeting, what that means in terms of next steps for TRT plans. We still got a lot of really helpful information from those meetings that we will use to inform all of the rules that we work on moving forward. It will just be at kind of a different pace.

As she mentioned, there is a lot of research that will be invested in, especially efforts to advance ropeless gear and other technological solutions, especially given some of those closure areas that you saw. They are really large areas, and things like ropeless can circumvent that and really be a solution that allows people to keep fishing during those closures.

That sort of development is also really essential to some of those other ideas, including fishing with one buoy line. Certain areas like gillnet and other trap pots, we discussed the idea of using ropeless on one end. That is something that we would really need to develop if we were to implement that for other fisheries like gillnet and other trap pot.

There is additional money that will likely go into things like prioritizing surveys and other data collection that will really inform all of the models for our decision making. That will hopefully be a really important tool as we move forward, developing our world of the future. In terms of rulemaking, we will be closing that wedge area that

is circumscribed by the Massachusetts restricted area.

That will be effective as of February 1st, and run through April 30th, in line with the Massachusetts restricted area in federal waters. We'll also be moving forward with reducing risk in Atlantic gillnet and mixed species trap pot fisheries, similar to what we used to haul our Phase 2 efforts. We'll use all of that information we got from the TRT to inform that rule moving forward on those other fisheries. We'll obviously be working really closely with the Councils and Commission to explore those options to use things other than buoys as gear marking schemes, which is really important for advancing that ropeless technology. The goal will be to have a rule effective by 12/31/28 that reduces risk within the lobster and Jonah crab fisheries in line with that Consolidated Appropriations Act deadline.

We would propose regulations earlier than that, and aim to have something effective by the end of 2028. Though this isn't necessarily TRT related, it's associated, and we just wanted to give a short update on some of the entanglement incidents we've had this month, since there have been quite a few.

One of these in red you will see is a resighted entanglement. This is an entanglement that we were aware about that was first sighted in Canadian waters. These other ones are new entanglements. The one on January 8th, to the 20th, and the 27th, are new entanglements. The first up there is a 4-year-old female, had previously been seen with no gear in May, 2022.

It is a serious injury and has not been resighted. The last two, we were able to get some gear from these. Both were, so I guess the January 20th Nimbus was sighted without entanglement as of August, 2022, in the Gulf of St. Lawrence, and Argos was last seen without an entanglement in May 2022 in the Great South Channel.

Both of these last two we were able to get some gear. Some gear analysis is underway. There is a transboundary gear analysis process that will last at least 45 days before we can release anything about that information. But once that analysis is complete, we'll notify the TRT and let them know what the results of that are.

It's really helpful when we are able to get that gear in here. That is about it, and I'll open it to questions, unless there is anything else Colleen wants to add. Oh, she did note that it's up to 45 days, so we won't necessarily take 45 days for the transboundary gear analysis. It may be sooner.

CHAIR McNAMEE: Okay, thank you very much, Marissa. Are there questions for Marissa or Colleen from the Board? We have one online, David Borden, go ahead. We can't hear you, David, if you're talking. Sorry, David, we're not hearing you. It looks like you're unmuted, so hopefully we can come back to David once we get that squared away. But I saw another hand, so I'll go to you, Dan. Go ahead.

MR. McKIERNAN: Could I just get clarification on the transboundary gear analysis. Is that a new agreement with U.S. and Canada to share the gear information? It's new to me.

MS. COLLEEN COOGAN: I'll jump in here, Marissa. Hey, Dan, this is Colleen. We have been working with them really over the last few years. We don't have a strict agreement with them. The 45 days is our typical gear investigation time period. We try and get a report out, at least a preliminary report within 45 days. We are in the case of these last two events, working as well with Canada, because so much of the gear retrieved over the last five or six years has been Canadian. We have told them that we'll be releasing results within 45 days. It's not so much that it's a 45-day process with them, we do look at the gear. We do look at it with them, and we ask them to do the same when there is an entanglement in Canadian waters. It's an informal agreement not a formalized one.

CHAIR McNAMEE: Thanks for that, it looks like Dan is satisfied with that. Let's try David again. Go ahead, David, if you're able to, or if we're able to hear you. Go ahead, Toni.

MS. TONI KERNS: Jason, David has texted me his question. Colleen, he's wondering, or Marissa, I'm not sure who it's to. But the last entanglement where you actually retrieved the gear, where was it from?

MS. COOGAN: We have not finished the gear investigations on the last two entanglements that we retrieved gear from this month.

CHAIR McNAMEE: Okay, Toni can keep her eye on her text if Dave has a follow up there. Nothing so far.

MS. COOGAN: Just to clarify a little bit, we actually don't even have that gear in our gear warehouse yet. While we've done some remote review, and the folks that did retrieve it have looked at it. Again, we haven't done our formal gear analysis yet.

CHAIR McNAMEE: Thank you for that. We have Beth Casoni on line, go ahead, Beth.

MS. BETH CASONI: Beth Casoni, Executive Director, Massachusetts Lobsterman's Association. I would like to put this on the record that we feel that the emergency action taken to close the wedge outside of the month of April, is in violation of the language in the Omnibus Spending Bill. You know I'm getting e-mails from our members, and they are not seeing any whales up there now, and they have 500, 600 traps up there. I am aghast.

You know Massachusetts is lightyears ahead for right whale conservation, and to take this two months away from the industry, when the language was clear, it was for existing emergency action. The month of April was last year, and now our industry is facing February, March, April. We just want it on the record that

we think it's a violation and we don't support this. Thank you.

CHAIR McNAMEE: Thanks, Beth, Colleen or Marissa, any response?

MS. TREGO: There wasn't a question in that. I will say that the most recent aerial survey conducted by the Center for Coastal Studies did identify 16 right whales. I think it was done yesterday in the Cape Cod Bay area. Also, we understand there may still be gear there, and as always, our enforcement will be working closely with the Mass Environmental Police to support compliance while gear is removed from the area.

CHAIR McNAMEE: Thank you for that. Any remaining questions from the Board? Ray, go ahead, Ray.

MR. RAYMOND W. KANE: Question. I heard this conversation that they had retrieved gear, a rope type. But it's not in the warehouse, so who maintains custody of the gear and the rope type if it's not at the warehouse? Who has got it right now? Where is it?

MS. COOGAN: That gear, I think one of those was disentangled off of Georgia, the other off of North Carolina. I believe that the Georgia DNR folks that we work closely with, and that were involved in both of those disentanglements, are working with enforcement to maintain a chain of custody and transfer the gear to the warehouse.

CHAIR McNAMEE: Okay, got a thumbs up from Ray. Any final questions from the Board before we move on to our next agenda item? I don't see anyone online. No one around the table, so Colleen and Marissa, thank you both very much, appreciate the information and your response to those questions. Thank you very much.

MS. TREGO: Thank you for the time.

CHAIR McNAMEE: You're more than welcome.

**CONSIDER DRAFT ADDENDUM XXVII ON
INCREASING PROTECTION OF SPAWNING
STOCK BIOMASS OF THE
GULF OF MAINE/GEORGES BANK STOCK.**

CHAIR McNAMEE Moving on to our next item, this is our action item for the day, so we are going to now Consider Draft Addendum XXVII on Increasing Protection of Spawning Stock Biomass of the Gulf of Maine/Georges Bank Stock. The goal here is to decide if we want to send this document out for public comment.

We've been working on this for a while. You know I think we can make some small adjustments today without delaying further. If the adjustments are more significant, we'll have to think that through a little bit. With that, I am going to turn it over to Caitlin to give us a quick blast through the Addendum, and we'll meet back on the other side.

MS. CAITLIN STARKS: I'm going to go over Draft Addendum XXVII. This is again on increasing protection of the spawning stock in the Gulf of Maine and Georges Bank stock, and the PDT has revised this document since the last meeting per the Board's request. I'll go over those changes.

I'm going to start off with some very brief background on the Addendum Action Timeline, then I'll review the proposed management options in the document, and provide a quick update on the discussion related to the Magnuson-Stevens Act implications for changing the minimum gear size. Then I'll wrap up with next steps and a tentative timeline for the Board. We've covered the full history of this action over the last few meetings.

But I just want to remind the Board of the more recent changes to the Addendum. The objective that is here on the slide is ultimately what the Board provided for the focus of the document, after receiving the results of the 2020 stock assessment, and acknowledging the continued low indices in the settlement surveys,

and declines in recruit abundance in the ventless trap survey and trawl surveys for the Gulf of Maine and Georges Bank stock.

The objective is to increase the overall protection of spawning stock biomass of the Gulf of Maine/Georges Bank stock by establishing a trigger mechanism, whereupon reaching the trigger management measures would be automatically implemented. That is our focus, and then for the timeline, this is what we had done so far, and where we're going. We started off with the re-initiation of work on this Addendum XXVII in February, 2021, and then in January 2022, the Board approved the Draft Addendum for public comment. However, at that same meeting the Policy Board chose to delay the release of the document for public comment, to allow some time for upcoming actions and information to potentially better inform the public comment on this Addendum.

Then at the last meeting of the Board in November, 2022, it reevaluated the Addendum and decided to rescind the documents approval for public comment, in order to make some changes to the proposed management options. Today the Board will be considering the modified draft addendum document for public comment.

These are the motions that were passed at the November meeting, just as a reminder, which directed the PDT to make some changes to the Draft Addendum XXVII document. First the Board asked to simplify Section 3.2 by creating a single trigger level, rather than multiple triggers that would act as a backstop to protect the stock from further declines.

Specifically, the Board asked for the trigger to fall between the range of 30 to 45 percent decline in the index from the reference period. Then additionally, the Board asked to change Option E to shift those years in which the scheduled changes to gauge and vent sizes would occur to 2025 and 2027, rather than 2023 and 2025.

I'll go over the proposed management options in the document that have been modified. First, the

proposed options in the Addendum are still separated into two issues, with Issue 1 addressing the standardization of a subset of management measures within LCMA's and across the Gulf of Maine and Georges Bank stock.

Then Issue 2 considers either a trigger mechanism or a predetermined schedule to implement the biological management measures that would be expected to provide increased protection to the spawning stock biomass. Since the last meeting the options under Issue 1 have not changed. But just for a quick recap of these.

The two main options are A, status quo, or B implementing some standardized measures upon approval of this Addendum. Under the Option B, there are 4 sub-options that define what those standardized measures would include. B1 is standardizing measures only within LCMA's where there are current discrepancies.

B2 is standardizing the v-notch requirement across the LCMA's. B3 is to standardize the v-notch possession definition across the LCMA's, and B4 is to standardize the regulations for issuing additional trap tags for trap losses. I guess I didn't move forward on that last one, but just as a quick note from this list of sub-options. The Board, as an option, could select as many of those sub-options as desired.

All right, so that Issue 2 focuses on implementing the management measures to increase protection of the spawning stock biomass, specifically using changes to the minimum and maximum gauge sizes, along with corresponding vent sizes for the LCMA's within a stock that are expected to increase the spawning stock biomass, and also increase the minimum gauge size, to meet or exceed the size at 50 percent maturity for each LCMA. Each option the vent sizes would change according to the final minimum gauge size that is implemented in a specific area. Then for the

way that these options are set up, there are two approaches.

The first is using this trigger mechanism, and that would result in a predetermined set of management measures being triggered upon reaching a defined trigger level, based on changes in recruit abundance indices. The second approach is using a predetermined schedule for future changes to the management measures. These are the five options that are under Issue 2, and these are modified based on the Board motions in November.

A, status quo, no additional changes to the management measures. B is that the gauge size changes would be triggered by a 32 percent decline in the trigger index. C is that gauge size changes would be triggered by 45 percent decline in the trigger index, and then D is a 32 percent decline in the index, triggering a series of gradual changes in gauge sizes over several year.

Option E is the scheduled changes to minimum gauge sizes, and as a note, Option E only has changes to the minimum gauge size in LCMA 1, happening on a predetermined schedule. These are the proposed measures for Option B that would be implemented when the trigger level is reached. Again, this is a trigger at a 32 percent decline in the index.

First, I want to make a note about why the PDT chose to use this 32 percent as the low end of the trigger range, although the November Board motion said a range of 30 to 45 percent. The reason is that when the TC was originally proposing a range of possible trigger levels to the PDT to include in the Addendum, 32 percent was one of the proposed trigger levels, because it's approximating a decline in reference abundance, so the level where the stock abundance regime from the stock assessment shifted from moderate to high abundance.

The PDT thought this was a more justified option than the 30 percent, because the 30 percent number was an arbitrary number that was thrown out as an additional trigger level by the Board after

the 32 percent had already been proposed. Under this option, when the trigger index shows a 32 percent decline from the reference period, then the minimum gauge size for LCMA 1 would increase to 3 and 3/8 of an inch for the following fishing year.

In addition, the maximum gauge sizes in LCMA 3 and Outer Cape Cod would decrease to 6 inches. The vent size in LCMA 1 would be adjusted once as well, to 2 x 5-3/4 of an inch rectangular, and 2 and 5/8 of an inch circular. These final vent sizes were chosen to maintain similar retention rates of the legal-size lobsters, and protection of sublegal sizes.

They are also consistent with the current vent size that is used in Southern New England for the same minimum gauge size of 3 and 3/8 of an inch. For Option C, the management measures are identical to what is in Option B. The only difference is the trigger level. This trigger level is a 45 percent decline in the index.

That would trigger the same exact management measures that I just described for Option B. The 45 percent trigger level is approximating a decline in stock abundance to the 75th percentile of lobster abundance during a moderate abundance regime from the stock assessment. Since the document includes these two alternative trigger level options with 32 and 45 percent, that means the Board would establish a single trigger at final action, and that could fall anywhere within that range.

For Option D, this is the one that considers implementing a series of gradual changes in gauge sizes that would be triggered by a 32 percent decline in the trigger index. Only at that fifth level the 32 percent, that could also be changed at final action to fall within the range of 32 percent to 45 percent as provided in Options B and C.

With this option, when the trigger level is reached, the minimum gauge size would increase in increments of 1/16 of an inch, and

the maximum gauge size would decrease in increments of 1/4 inch, with changes occurring every other year. If the trigger level is reached in Year 0, then the first gauge change would occur for Year 1, and that's what is shown in the first row of changes.

Then the second change would occur in Year 3, and the final change in Year 5, and that's shown in the last row. Similar to the other options, the vent size in LCMA 1 would be adjusted once to correspond with the final minimum gauge size change in Year 5. Then the last option is E, and instead of using the trigger mechanism, this option would establish a schedule for changing the minimum gauge size and vent sizes in LCMA 1.

That choice was put in by the PDT To provide an option that only focused on LCMA 1, because proportionately the amount of impact that changing the minimum gauge size in LCMA 1 has is larger than in LCMA 3 and Outer Cape Cod, in terms of positive impact on the spawning stock biomass.

As a reminder, this first step would increase the minimum gauge size in LCMA 1 to 3 and 5/16 of an inch for the 2025 fishing year, and then two years later for the 2027 fishing year, the final adjustment would be an increase in the minimum gauge size in LMA 1 to 3 and 3/8 of an inch. At that time the vent size in LMA 1 would also change corresponding to that final gauge size.

Again, all of the other measures for LMA 3 and Outer Cape Cod would stay status quo as written. This is where we are with the trigger index. This is calculated through 2021 with the available data. The top left panel shows the combined index, which is what would be used to determine when the trigger level is reached. Then each of the other surveys, their indices that go into this combined index are shown individually in the other panel.

Then the two horizontal lines in each box represent the proposed trigger levels of a 32 percent decline and a 45 percent decline. At the last meeting, just want to give a quick update on the MSA issue that we discussed. The Board discussed this concern

that the minimum size being proposed for LMA 1 in the Addendum.

There are some implications that it could have for commerce, given the language in the Magnuson-Stevens Act. But since the last meeting, staff has spoken with NOAA Counsel, and determined that this Addendum will not have an effect on the legal minimum size in effect or enforced. While the Addendum proposes a gauge size change for Area 1 that is larger than 3 and a quarter inch, the Commission's FMP still maintains a 3 and 1/4 inch coastwide minimum size. That would act as a baseline that no LMA can go below, and because that is still in the FMP with the lobster that would be imported from Canada at 3 and 1/4 inch would still be allowed, if this Addendum is adopted. That is the guidance that we've received and that has been modified in the document as well.

With that the next steps for the Board for today are to consider approving Draft Addendum XXVII for public comment. If desired, of course, the Board could make any simple changes to the document before releasing it. Significant changes would potentially delay our timeline. If the Board approves the Addendum for public comment today, we would be able to work on publishing it and getting the hearing schedules over the next few weeks

Those hearing would probably be able to occur in late February or early March. Then we could hold an Advisory Panel meeting to review public input on the document in March or April, and then the Board could consider final action on this Addendum in May. I'm happy to take any questions on that.

CHAIR McNAMEE: Awesome, thank you, Caitlin, great job getting through all that. Let's start with any clarifying questions folks might have for Caitlin. Looking to the Board, folks around the table first. I see Dan, go ahead.

MR. McKIERNAN: I guess this would be a Rob O'Reilly style question. I'm concerned, not in the content of the Addendum, but sort of the logical order. I'm wondering if we could endeavor to actually reorder some of these things in a more logical way. What I'm getting at is, I think there ought to be a feature of this Addendum where it says, choose a trigger.

Then when you choose the trigger, then it's like, okay under this trigger you either do it right away, or you do it in a three-year period. Then like those kinds of sub-options. I just find that the way it's written now, it's with a 32 and a 45 is really difficult to follow, because we're going to choose one trigger. I'm just wondering, and I would be happy to dedicate my time to working with Caitlin to maybe reorder this. Is this ringing true with anybody else, in terms of how it is structured?

CHAIR McNAMEE: Go ahead, Caitlin.

MS. STARKS: I am sure we can make that change. I don't think it would be too complicated to rewrite it so that there is one issue that specifically addresses the trigger level, and then a sub-issue that addresses the management options, and how they change when that trigger is hit.

MR. McKIERNAN: Right, sub-options, in other words. You would choose one of the two, for example in that case. Yes, I'm not taking issue with any of the content. I just would wonder if it would be easier for the public to digest it in that fashion.

CHAIR McNAMEE: Thanks, Dan, good suggestion. It's just sort of working what is already there, so not a significant change necessarily. I will work around the table really quick, to see if other folks think that is a kind of logical way to sort of do this. It sounds intuitive to me, but wondering if anyone else feels differently. Adam.

MR. ADAM NOWALSKI: I'll just ask if we're going to start by choosing a management trigger, how would that impact Option D here, because Option D is written, I believe it's just for one of those two triggers, not both. I can understand how choosing

on or the other would flow with B and C, but then how would that impact D, if you wound up choosing the 45 percent trigger, which the Option D is silent on?

MS. STARKS: I would just have to restructure the whole document so that there is a trigger level option that is either 32 or 45 percent, and then besides that there are two options, really for the management measures. Either it's one and done, it all changes at once, or if it's like Option D, where there is a series of gradual changes that occur when that trigger is hit. Then Option E would remain as a separate option.

CHAIR McNAMEE: Go ahead, Adam.

MR. NOWALSKI: Just for clarity, we would include gradual changes for the 45 percent trigger, which this document doesn't currently contemplate, or are we saying only the 32 percent trigger is going to have the gradual changes?

MS. STARKS: I think that is a decision of the Board today. If the intent is to allow for the potential to have a 45 percent decline trigger level, that then triggers gradual changes in measures, then I can make that happen. But if the Board does not want that to happen, does not want to allow that to be an option, then I can structure it that way.

CHAIR McNAMEE: I'll ask a question in follow up, and that is if we, so all of those things exist, right in the document now, it kind of changes one of the elements. Would we consider that significant, or is that something that we can do and still get this document out?

MS. STARKS: I believe that there is clear agreement from the Board today, then I can make those changes before really seeing the document without needing to come back to the Board.

CHAIR McNAMEE: Excellent. Thank you very much. Steve.

MR. STEPHEN TRAIN: Coming off of Adam's thing, how are we going to do this in stages if we hit 45 percent, and we're talking about how we may have to do something else? If we're at 45 percent and then we start talking about slowing what we're doing down, we're not doing this industry any favors. I would hate to see that happen. I can't speak for the whole Board. You said if it's a decision of the Board we can put it in steps, but if we get that far and then we delay what we're doing and do it in stages, we might as well not be here.

CHAIR McNAMEE: Thanks, Steve, appreciate that. Other questions, and I think we can then switch to actual deliberations. Pat, go ahead.

MR. KELIHER: I think this is in keeping with the question that Dan asked, or the type of question that Dan asked, because it's about the makeup of the document itself. I've had a chance to talk to staff about this. I think the rationale within the introduction is really good, but I think there could be some strengthening of that rationale.

Maybe with the use of some of the tables within the document, especially showing the trends of both young of the year and trawl survey data, where we're seeing that trend now, since we're past the assessment data. I think that would be beneficial for the document. I think also, adding where we are with the current reductions within a statement within the introduction, so people understand we're already in that decline, and it's already equal to around 23 percent.

CHAIR McNAMEE: The suggestion here is to just bolster, not change anything, but just bolster the kind of informational lead-in to the Addendum. Caitlin, comments on that?

MS. STARKS: Yes, I think that is something I can easily do. There is already information to what Pat Keliher was asking for in the document, but it's in the appendix that includes the data update from this past year, so I can pull information directly from

that into the introduction, just to show the most recent trends.

CHAIR McNAMEE: Good, follow up, Pat.

MR. KELIHER: Yes, just a couple more points. Throughout the document we used the term fishing year, but I think we need to define fishing year. That could either be done by receiving comments through the public process, and then defining what the fishing year is at final action or defining it now. I don't know about the rest of the Board, but the idea of doing these changes on June 1st, versus January 1st, I think January 1st is probably a more logical time. I would be happy to define it now or happy to do it at a later date.

Just while I have the floor, the Magnuson issues that were raised, I think I get it. I think it's clear. But the Magnuson piece is footnoted on Page 8, and I'm wondering if there should be a little bit more clarity around that. Because this is where a lot of consternation is coming from dealers. I wonder if we could just add some clarity, by bringing that out of the footnote and putting it into the main part of the document.

CHAIR McNAMEE: Thanks, Pat, I think the fishing year comment, just being more explicit on, I get confused all the time as to what we're talking about, so I think that's a great idea. It doesn't substantively change the document. The second thing, I'm kind of looking either at Caitlin or Toni.

MS. KERNS: I think we can take the language from the footnote and just put it into the paragraph, if that works for you, Pat. Okay.

MR. KELIHER: I think that works fine.

CHAIR McNAMEE: Dan, go ahead.

MR. McKIERNAN: A question on fishing year. I believe National Marine Fishery Service defines the lobster fishing year as May 1st. Can we get clarification on that?

CHAIR McNAMEE: Clarifying fishing year, we like that idea, and this is exactly why. Jimmy, are you able to respond to that? You're far away.

MR. JAMES BOYLE: Yes, the fishing year for lobster is May 1st through April 30.

MR. McKIERNAN: As a follow up, May 1st works for us, because our state waters fishery, you know most of it's closed until May 1st, May 15th, depending on whale departure. Anyway, I think most of the gauge increases historically have, at least like the Area 2 gauges and stuff and Area 3. I think they have been effective in the spring. I think it's something we should establish in this document.

CHAIR McNAMEE: Back to the concept of the fishing year. I'll take from your comments, Dan, that you would suggest that be defined to start on May 1st, is that what you are driving at there?

MR. McKIERNAN: Yes, but I'm comfortable if I'm outvoted. I just want to introduce that as, A, there is precedent in the federal system, and B, it kind of feels like that's where we've been doing it in the past in other LMAs.

CHAIR McNAMEE: Yes, got it. Pat, a response?

MR. KELIHER: Yes. I appreciate that, Dan, earlier is better. But I'm still not sure I'm 100 percent comfortable with May 1, if we're talking about some of these changes. Maybe the best thing to do is define it at final action.

CHAIR McNAMEE: I'm seeing nodding, but just to make sure it's on the record.

MS. STARKS: Yes, I think when you take final action on this document, under the compliance section we can be very specific about the dates by which things are required to be implemented.

CHAIR McNAMEE: In the short term then, we won't be changing the way it's defined in the document. Is that the idea, we'll wait for final action, or are we going to put something in there?

MS. STARKS: I'm happy to add a sentence that says fishing year will be defined at final action, if that would help.

CHAIR McNAMEE: Okay, seeing nodding around the table, so that sounds good. Any remaining questions before we get down to business here? Pat.

MR. KELIHER: My last one is a bit more substantial, but not so much that I think it would take any additional time here today to resolve. Throughout our options we deal with the maximum gauge in Area 3, in establishing a gauge for outer Cape Cod. I think for the document to be consistent we should add those to Option E. I have a motion prepared, but I'm also happy to just deal with it by consensus, whatever the Chair would like.

CHAIR McNAMEE: Yes, I think giving a motion and then sort of working from that, I think is the way to go there, Pat. Before we go there, I just want one more pass through on questions, and it's pretty long, so it gives people time to take a look. Doug, go ahead.

MR. DOUGLAS E. GROUT: All I want to do is clarify one of the points that was made concerning the fact that we don't have a phase-in. Option D looks at things where it only applies to a 32 percent increase. I think I agree with Steve's comment that we should have that option where there is a phased-in only for a 32 percent, as opposed to adding something for a 45. I don't know how the rest of the Board is, but I just want to add my two cents on that.

CHAIR McNAMEE: Okay, thanks, Doug, yes. We sort of brought that up, but that is the first direct comment to it other than Steve's initial comment, so I appreciate that. I do see there is a hand online, Eric, we see you. I will provide some time for the public to offer comments, but I want to get a motion on the Board here before we do that. It doesn't look like there are any more hands at the table, so why don't we get down to it, and Pat you have offered a

motion, it is up on the board. Would you like to read through that to get it into the record?

MR. KELIHER: I apologize, because this is a David Pierce type motion, now that I see it actually in big print on the screen. I was trying to make it a little shorter here. **I would move to modify Option E by including a 1/4" maximum gauge reduction in LCMA 3 within each annual adjustment, and set a maximum gauge size in the Outer Cape Cod management area of 6-1/2" and include a 1/4" maximum gauge reduction in OCC with each annual adjustment.**

In the final year of adjustments, the maximum gauge size in LCMA 3 and Outer Cape Cod would be 6". The vent size in LCMA 1, LCMA 3 and Outer Cape Cod would be adjusted once, at the same time the final gauge size is implemented. The Board during final action will specify the years of the schedule, with the first step occurring no later than 2026, and the second step occurring 2 years later.

CHAIR McNAMEE: Okay, we have the motion on the table from Pat. Is there a second to the motion? It looks like folks are still discussing a little bit. I'm looking for a second. Emerson seconds the motion, thank you, Emerson. Pat, as the maker of the motion, I'll come back to you for first comments.

MR. KELIHER: As I said, I think it's important that we be consistent within each option, and this option was missing those maximum gauge components. I also think there is some benefit to the stock. It was noted within the TC documents. These larger animals are carrying more eggs, they are potentially more robust eggs, and it does provide forever protections for these oversized lobsters that do have a valuable contribution to the resource.

CHAIR McNAMEE: Emerson, anything as the seconder of the motion?

MR. EMERSON C. HASBROUCK: No, I don't support nor do I oppose this motion. I seconded it so that we could debate and discuss it. Thank you.

CHAIR McNAMEE: Thank you, Emerson. We have a motion that is a modification to Option E, and I see a hand up from Dan McKiernan. Go ahead, Dan.

MR. MCKIERNAN: I have a question. In the spirit of the operating procedures that have been brought forth by John Clark in previous iterations on other addendums for other species. Would it be acceptable as a final action if we were to adopt that option, but not include Pat Keliher's modification? Are we going to be able to go forward with an Option E as a potential final action, and not include that in that? I just want to know if we have that chance to kind of deviate from the option as written.

CHAIR McNAMEE: Got it, Dan, thank you.

MS. STARKS: I think we just got this at the last meeting. I think there was the intention to be able to combine different aspects of these options. But I think it might be clearer to the public if the option were included. I do think without including this option you could do it. If that were the case, we could just add some language to the document to specifically clarify that the management measures from each option could be mixed and matched.

CHAIR McNAMEE: Just to make sure I understand. The response back is, what is being proposed here by this motion could be adopted. The motion potentially could not pass now, but it could still be adopted at final action. Is that what we just said, Dan? Okay, got it. Adam.

MR. NOWALSKY: Is the desire by the maker of this motion to as this says, modify Option E, so modifying Option E would allow basically for just one Option E to read as it's up here on the

board right now, or is the intent here to create this as a second sub-option under E for us to choose from Option E as it exists, or from this version?

CHAIR McNAMEE: Go ahead, Pat.

MR. KELIHER: Well, at the time that I drafted this we weren't talking about having sub-options as we described these changes earlier in the meeting. I'm happy for it to be a sub-option. Really, the only thing I'm looking for is consistency within the document so it's clearer for the public on what they are voting.

At the end of the day, it doesn't mean the Board supports or rejects, it's just putting this out for the public and having clarity, so when they are commenting they know that every option or sub-option would include these potential maximum gauge changes in those management areas.

CHAIR McNAMEE: Follow up, Adam? Okay. Doug.

MR. GROUT: The first question I have for the maker of the motion is, you know we had in Option E specific years that the measures would be in. The first one would be 2025, the second would be in 2027. But clearly, you're proposing to have something different in the document. What is the rationale? Why wouldn't we put before the public a specific first year of it and a specific follow up year?

CHAIR McNAMEE: Pat, response.

MR. KELIHER: Thank you for that question, Doug, and I should have been explicit in my justification. I think what I was looking here for is a little bit more flexibility with the Board, knowing that if we make a determination to use this particular option, we have some challenges when it comes to gauges and gauge manufacturing, and it could take some period of time. I didn't want to lock ourselves into a certain year, trying to give us a little bit of flexibility, but saying occurring no later than. I hope that adds some clarity.

CHAIR McNAMEE: Eric Reid.

MR. ERIC REID: I totally understand the intent of this motion, but the sentence that reads in the final years of adjustments the minimum gauge size would be 6 inches, and I don't think that's what you really mean. I would suggest a change that says in the final year of the adjustment the maximum gauge size would be a minimum of 6 inches.

CHAIR McNAMEE: A suggested modification, I believe. I haven't done this one yet. It looks like Pat is in agreement, so officially do we make this a friendly amendment to the original language? I'm like eavesdropping over there, because I knew there would be a good discussion on the parliamentary procedure. It sounds like perhaps the way we should go about this is to actually make it an official amendment. Now what I'm not sure about is, do we need to vote on this first, or can the amendment kind of come in here directly? Okay.

EXECUTIVE DIRECTOR ROBERT E. BEAL: We'll learn about this tomorrow. If this is fixing an error in the motion, which I think it is. I think if everyone around the table is comfortable with that change, then I think it's okay. I was eavesdropping as well on Dennis saying, it's not really Pat's and Emerson's motion at this point.

The Board owns it, and changes should be agreed to by the Board. But I think since this is fixing an error, if everyone around the table is comfortable with it, then I think it's fair to move forward. But you should just ask if there are any concerns about the change.

CHAIR McNAMEE: Okay. I did see nodding as Bob was talking there, but just to be clear. Eric Reid's suggestion is correcting a potential error in your motion, Pat. Do you agree with that?

MR. KELIHER: I completely agree with Mr. Reid's fixing of the error in my motion.

CHAIR McNAMEE: Just to round it out, Emerson, are you okay with that as well?

MR. HASBROUCK: Yes, I'm good with that.

CHAIR McNAMEE: Okay, so it sounds like we can make that modification. I didn't see if the text changed up there. Has it been corrected? Thank you. Great. Further discussion on the motion. Okay, actually I do have virtual hands up. They have since gone down, but I'll check just in case. David Borden, do you have a comment on the motion?

MR. DAVID V. BORDEN: No, I'll pass.

CHAIR McNAMEE: Colleen, did you have a comment on the motion? We're not hearing you, Colleen, if you're speaking. But you did put your hand down.

MS. COLLEEN BOUFFARD: Can you hear me now?

CHAIR McNAMEE: We've got you.

MS. BOUFFARD: Sorry, I couldn't unmute. Eric made my point, thank you.

CHAIR McNAMEE: Excellent, thank you, Colleen. Maybe before we vote, we did have one hand up from the public, so why don't we go to that now, so Eric, I can't quite see the last name there. Eric Lorentzen, go ahead, Eric. You can unmute and make your comment.

MR. ERIC LORENTZEN: I'm a lobsterman from Area 1, Massachusetts in Federal Area 1. I guess my comment looking at this conservation measure. If this or something like this were to go into effect, I would have to change all the vents in my traps, which some traps have three vents, some traps have five vents.

I would alone need 2,400 to 4,000 escape vents to change. Thinking of the manufacturer of these vents. Would they be able to produce enough vents for the entire industry to change them all out? Not to mention the manufacturer. One of my other thoughts was, with all the whale regulations coming down, they also act as though a conservation equivalent for the lobsters, with all the traps being out of the water and things like that.

I just see these changes, because of the stock assessment and things like that, having a huge impact on the industry. It's not something that's going to be easily done, in my eyes as a fisherman. If we're all competing to get new vents for our traps, and we have all these whale rules telling us to get out of the water, which also helps the lobsters, because there is less pressure being put on them and things like that. I just think some of that needs to be taken into account when looking at this adjustment to the industry.

CHAIR McNAMEE: Thank you, Eric. I appreciate the comment, and the manufacturing piece, we talked a little bit out that with gauges. But I think there is time to kind of investigate that question as well before we take final action. I appreciate you kind of putting that on the record so we can check on that before we make the final action on this. Steve, go ahead.

MR. TRAIN: I just want to address part of that. You are only required to change one vent to be legal.

CHAIR McNAMEE: Thank you for that, Steve. Looking around the table I'm not seeing any additional hands. Don't see any additional virtual hands, so I think we are ready to call the question here. I think I can do it this way. I'm not sure how this is going to go, but are there any objections to the motion that is before us? If so, please raise your hand, either virtual or real.

Not seeing any hands around the table and not seeing any hands online, so we will consider this motion approved by consensus. That made a small adjustment to one of the options. Any additional adjustments that anyone wants to make to the document before we approve it for public comment? Yes, go ahead, Caitlin, if you have a clarifying question.

MS. STARKS: I just want to make sure that the Board is all in agreement on the issue of reordering the management option, such that

we would have one set of options that specifically chooses the trigger level, and then a second set of options that specifies what the management measure would be and when they're implemented, and then a third option for Option E, which is a scheduled change to management measures.

CHAIR McNAMEE: Okay, there is a nodding around the table, I saw a couple thumbs up. I think we're good. Thanks for that clarification, Caitlin. Okay, one last pass through to see if there are any other modifications requested on the document. Not seeing any, so the final step then is looking for someone to make a motion to approve the document as amended today. I see a hand up from Doug Grout. Go ahead, Doug.

MR. GROUT: I make that motion to approve this document as amended today for public comment.

CHAIR McNAMEE: Okay, we'll take a minute to get that up on the board. The motion up on the board specifies Addendum XXVII. Is that okay, Doug? Great, is there a second to that motion? Seconded by Steve Train. Thank you, Steve. Any discussion on the motion? Doug, I'll give you a first crack at it if you want. Okay, Steve.

MR. TRAIN: Just one thing. We've been working on this a while. We've already had to adjust the date to a fixed date thing because it's taken so long to get out. We actually have a lull in our whale regulations, where this won't be a double impact if it goes through. If this resource is in decline, or continues to go into decline, this is our chance to get something done.

CHAIR McNAMEE: Thanks for that comment, Steve. Any other comments on the motion before we take a vote? Not seeing any hands at the table, not seeing any little green virtual hands either. I'm going to check one thing, hang on one second. I think we can go ahead and call the question at this point.

Are there any objections to the motion that is up on the board before us? Please, raise your hand, whether at the table or online if you object. Not

seeing any hands anywhere, so we will consider this motion approved, which approves the Addendum as modified, which will go out for public comment. Caitlin, any kind of parting thoughts on this before we move on to the next agenda item?

MS. STARKS: I think I have a clarity from the Board to move forward with the changes, without needing to bring it back to the Board. It's not my intention to resend the document out to the Board before publishing it for public comment. I will be reaching out to all the states to schedule public hearings, so please, try to respond as soon as you can to that with your available dates for those hearings.

CHAIR McNAMEE: I'll just emphasize that point. You know we want to keep this moving so that we can take action in a reasonable amount of time, to Steve Train's comments before. Great, all right, so with that nice job everyone. We got the document out the door. Well done!

UPDATE FROM THE WORKING GROUP ON IMPLEMENTATION OF ADDENDUM XXIX ON ELECTRIC VESSEL TRACKING FOR FEDERAL PERMIT HOLDERS

CHAIR McNAMEE: Let's move on now to our next agenda item, which is an Update from the Working Group on Implementation of Addendum XXIX on Electric Vessel Tracking for Federal Permit Holders, and this won't be Caitlin it will be Toni, so Toni, whenever you're ready.

MS. KERNS: Caitlin and I have been sharing some duties on this, and I've been doing a little bit more right now, so we switched up on you. Sorry about that. In terms of moving forward on implementing the Addendum, we are now in the process of getting out to fishermen which devices that we have type approved.

We are moving towards our deadline of December 15th for all federal lobster and Jonah

crab vessels to have tracking devices on them at that time. We approved four tracking devices out of the five that applied. You will see them all listed on the board here. They vary from, 3 of these devices are 100 percent cellular, and 1 of the devices does have both satellite and cellular capabilities.

The next steps in moving forward on working on the tracking devices is to get the information out there for fishermen to purchase these devices. We're just working with the companies to get all the appropriate information on the Commission's web page, and I think other states will also have it available on their web pages as well.

Then we'll work also with the states to make sure that the harvesters get them installed, installed and approved by the states, prior to their first trips. Then if there are any measures that the states need to put in place, they are working towards getting those done for these federally permitted vessels. ACCSP is on track and moving forward with the interface for tracking the data.

We have tested all of the vendor's data submission, and these four companies have passed that test. NOAA Fisheries is working on complementary rulemaking to the Commission's requirements. I do not know where they are, in terms of meeting that December 15th deadline, and I can let Jay speak to that when we're done here. If there are any questions, I am happy to entertain them.

CHAIR McNAMEE: Jay, any comment to the timeline portion that Toni just asked?

MR. JAY HERMSEN: I think that's something that we could have published for December 15th, but we would have to ask leadership about an implementation timeline for that.

CHAIR McNAMEE: Thank you for that, Jay. Questions from the Board. I see Dan's hand.

MR. McKIERNAN: When we approved this last spring, we said it was to be implemented no later than, I think the end of the year, December

something. But there are a whole lot of reasons we need this data sooner than later. My Agency has moved forward with rulemaking, and we're requiring it on May 1.

We were under the impression that NOAA Fisheries would be on or about the same timeframe with their EVTR, because the EVTR and the tracker data have to be integrated. I would beg NMFS to fast track this thing, because on May 1, the Massachusetts fleet, we're going to have these installed.

CHAIR McNAMEE: Comment for Dan, Jay? I don't think there is an obligation or any response to what Dan just offered.

MR. HERMSEN: Not at this time, Mr. Chair, thank you.

CHAIR McNAMEE: John Clark.

MR. JOHN CLARK: I was just curious about the four approved devices. Is the idea to kind of winnow it down to eventually a single device, or are all these compatible? Is all the data that comes in compatible between systems?

MS. KERNS: All these devices are compatible; fishermen can choose from the different devices on their own. I don't have all the costs of the devices for all of them, so I can't tell you the total range. But it will be up to the fishermen to decide which device works best for their vessel, and they can use any one.

CHAIR McNAMEE: Okay, thanks. Eric Reid.

MR. REID: That is an interesting point about who gets to choose. You've only got one company that has satellite tracking, is that right? I agree that the data needs to be produced as soon as possible. I agree with that 100 percent for a lot of reasons, and I've been on that bandwagon for a long time.

But starting with Madam Coit this morning, we were talking about ropeless fishing, which is not

going to happen tomorrow. But it is a solution that people are very interested in making solve a problem. My question is, is there any discussion about which device can be integrated into ropeless fishing in the future?

You've got to know where you are, and of course real time for positioning of where the gear is, is going to be critical, because that way the lobsterman don't lose it, and the trawlermen don't find it, and so that other lobstermen can find it as well. That's just a question. If you don't have an answer today that's fine. But I'm interested to know what the answer is, and people might want to consider what device they pick that they're going to get paid for to install that is adaptable in the future, because the cellular ones are probably not going to be able to do it.

CHAIR McNAMEE: The question I think is, have we thought ahead a little bit to integrating with all of the other sort of things going on in the lobster world. Looking over at Toni for this one.

MS. KERNS: Thank you, Mr. Reid. As you are aware, we started up this project, I don't know, it might have been three or four years ago when we first started piloting them. The on-demand gear wasn't really being developed at that time. When we started this project, it wasn't something that we were thinking about. You know in the last 6 to 8 months it is something that we have thought about. At this time, it was not incorporated into the RFA, so none of the devices that we have right now can do that.

It is something the tracker group is thinking about and trying to think about how the technology can evolve, and work with the companies that are out there, or other companies that did not choose to participate in the RFA at this time. It is something that we are hoping to be able to do if on-demand gear becomes something that the entire industry is using, or even a small portion of the industry, if that is something that is going to be helpful. We will continue to keep it in mind.

CHAIR McNAMEE: I'll offer a comment as well, just from a couple of the, I don't know what you would call them, meetings that I've been to on this. They may not be integrated yet. It certainly could be integrated in the future. But they don't necessarily need to be either. I think some of the technology with on-demand gear would exist as like an APP on your phone, that kind of thing. They can both exist without like a large burden to the fishermen. But in any case, it sounds like we're working on it. Pat.

MR. KELIHER: Yes, I think the key here is the sub-sea gear technology that is being worked on, so mobile gear fleet can see this, so law enforcement can see this gear. I'm not sure if this technology is right, but this technology, certainly we're looking at it from the harvester reporting side.

Having the harvester reporting APPs and these types of devices be linked. That's one thing that is being looked at to simplify those particular processes. I think in the long run as this technology improves, hopefully it's all going to come together. I agree with you, Eric, that we can't lose sight of those things.

CHAIR McNAMEE: David Borden, go ahead, David.

MR. BORDEN: On the federal rulemaking, I would just like to make the suggestion that this is really a critical part of this whole exercise. I think we should get a formal report at the next meeting by the NOAA Representative.

CHAIR McNAMEE: We made that request; I see Jay nodding his head. He heard that request. Thanks for that. Okay, anything further on this agenda topic? Not seeing any hands around the table. I see a hand online, Mike Luisi. Go ahead, Mike.

MR. MICHAEL LUISI: I'm sorry for not being there today. I just had a quick question for the Commission. There was a conversation in the past, and I'm sorry if I might have missed this

during the presentation. The Commission had talked about trying to get funding to pay for the initial tracker system. Is that still in the plans, or is it going to be up to the states or the individual fishermen, at this point? Does anyone have any feedback on that?

CHAIR McNAMEE: It looks like Toni does. Go ahead, Toni.

MS. KERNS: Yes, Mike, this is the 14 million dollars that was allocated to the Commission, and included in that is to pay for trackers and the subscription fees for X amount of time, hopefully up to three years. The discussion at lunch we'll be talking about how the states are putting together spend plans for that money.

MR. LUISI: Excellent, okay, thank you so much.

CHAIR McNAMEE: Looking around the table, I'm not seeing any other hands. No hands online.

**OTHER BUSINESS
UPDATE ON 100 PERCENT HARVEST REPORTING
FOR THE STATE OF MAINE**

CHAIR McNAMEE: We had one additional item that was added to the agenda, and that is on 100 percent Harvester Reporting. Pat Keliher, I'll look to you to take that one away.

MR. KELIHER: I'll just be brief. I just wanted the Board to know that the state of Maine has implemented 100 percent harvest reporting one year ahead of schedule. Certainly, this pertains to the, excuse me, my apologies, Mr. Chairman. The state has implemented it. In order to implement it with the amount of harvesters we have, we have added 10 new staff members.

We had to set up a call center. This came at some really serious expenses to the state. We did have a lot of early infusion of cash from the ACCSP program as well, with some additional investments with general fund as well. It is a learning process, what we're doing right now. This is a big lift.

I can't remember what the total amount of data is, but I think it's more data than is collected in almost combined between all the rest of the fisheries between Maine and Virginia. It's a big amount of data that ACCSP will be handling, and we are hopefully, we're doing it in stages, dealing with the active harvesters now, and then we'll be fully integrated.

We do have quite a few people who are not going to be able to do this electronically, so that has been a challenge, and we're trying to work through that as well. I just wanted to make the Board aware that we are plowing some new ground here as we move forward, so thank you.

CHAIR McNAMEE: Awesome, thank you, Pat. Any comments or anything for Pat on that? Renee, go ahead.

MS RENEE ZOBEL: Pat, just a process question for you. You said that they had a hunch that they probably wouldn't be able to go all electronic, despite that being the intention. What is the process in your state for the paper reporting, and how does that integrate? Just a curiosity question.

MR. KELIHER: To date we've only, I think approved, maybe a couple dozen individuals to supply us with paper, and then what we do is have staff enter that information electronically, with the idea that those individuals will continue to work with those individuals to get them up to speed to try to make sure that they can do that electronically in the future. It's not in any way, shape or form us saying, you know you don't have to do this forever. It's a one-year process. There will be individuals though, that will not be able to do it, and so we're taking those types of things into consideration.

CHAIR McNAMEE: Thanks for that. I see a hand online, Mike Luisi, comment.

MR. LUISI: Yes, I just had a question for Pat. We've been talking about this a lot down here in our state in Maryland. Let me just ask you,

Pat. Do you have regulations that mandate the electronic reporting, and then you make exemption for folks who just can't physically do it? How does that work? I'm just thinking about how we're going to, because we're talking about the same kind of thing down here as well.

MR. KELIHER: Certainly, all of this is in statute, it's required. But I have broad authority to be able to waive, in some instances, those type of requirements. We do so not liberally, very targeted, we're very targeted in those type of approaches. It was all considered in the development of the reporting though.

MR. LUISI: Okay, thank you very much.

CHAIR McNAMEE: Good discussion, thanks for that. Any other hands, questions, comments on this topic? Not seeing any around the table, I'm not seeing online. Before we wrap up, I'm going to give one last call out for any additional Other Business to come before the Board. I'll look for a hand.

I'm looking mostly online. Not seeing a hand, so I'm assuming we're okay. Waiting one last second. I'll make the pause really uncomfortably long. I've got 45 minutes in the bank here. Just a very explicit, David, do you have anything you want to bring before the Board?

MR. BORDEN: If you would like, Mr. Chairman.

CHAIR McNAMEE: Not trying to coerce you, just making sure.

MR. BORDEN: I can give you a one-minute comment, and the comment is that the Lobster Board moving ahead and looking ahead, is going to have to deal with a really diversified list of issues. I think that the solution to some of the problems we're going to deal with, we're going to have to consider other mechanisms.

At some point I think we need a broader discussion of how we're going to get at some of these problems. The whale issues aren't going to go away, wind issues aren't going to go away. We

have too much effort in certain areas. I think we need that type of broader discussion at some point at a subsequent meeting. Thank you.

CHAIR McNAMEE: Great, thank you, David, appreciate that. Good comments. Any reaction to that around the table? Not seeing any, all right so that takes us to the end of the agenda.

ADJOURNMENT

CHAIR McNAMEE: I think we can go ahead and adjourn, if anybody wants to make that motion. Motion made by Dennis, seconded by Steve Train. Any objections to that motion? Not seeing any around the table, so that is a wrap. Thanks everybody.

(Whereupon the meeting adjourned at 12:00 p.m. on Tuesday, January 31, 2023)