



Lobster Tales

Atlantic Offshore Lobstermen's Association

August 2017

A Dozen Right Whales Found Dead this Summer page 20



Photo credit: Department of Fisheries and Oceans

Tagging Update page 17



Photo credit: Kathleen Reardon, ME Dept. of Marine Resources

Monument Review page 3

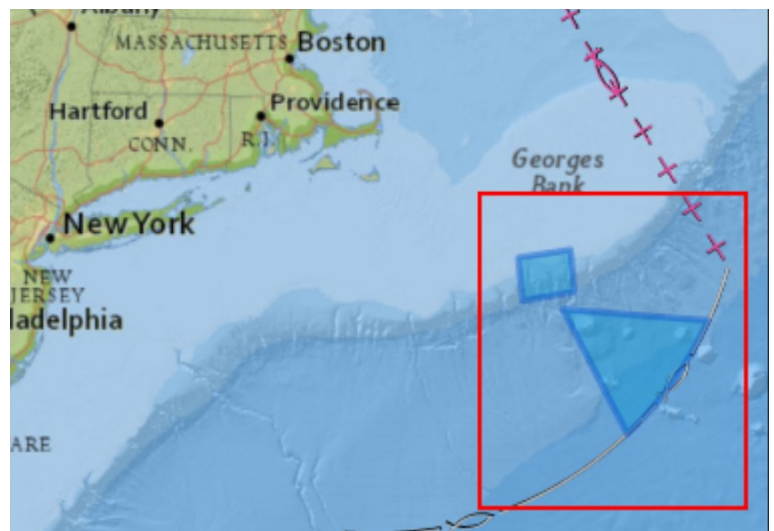


Image Source: NOAA Fisheries

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EVENTS

ATLANTIC LARGE WHALE TAKE REDUCTION TEAM

August 22

Informational conference call - AOLA staff to participate

JONAH CRAB TECHNICAL CMTE. INAUGURAL CONVENING

August 31

Conference call - AOLA staff to participate

WORKING WATERFRONT FESTIVAL

September 23

Steamship Pier and Fishing Heritage Center, New Bedford

NEW ENGLAND FISHERY MANAGEMENT COUNCIL

September 26-28

Beauport, Gloucester, MA

ATLANTIC STATES MARINE FISHERIES COMMISSION

October 15-19

Annual Meeting - Norfolk, VA

Save the date

2018 MLA ANNUAL WEEKEND & TRADE SHOW

January 18-21

Resort and Conference Center Hyannis, MA

REMINDERS

National Lobster Day
September 25, 2017

CAUGHT A TAGGED LOBSTER OR JONAH CRAB?

Call/text office at 603-828-9342
tagging line at 774-251-9454.

Email at heidi@offshorelobster.org

Please report: Tag #, date, and location.
Carapace size (or a photo next to a gauge),
egg & vnotch status also helpful.

Lobsters are tagged with yellow tbars.
Crabs have orange knuckle or green tbars.

FY 2018 TRAP TRANSFERS

Applications are due to GARFO by
September 30. Details on page 9

INVOICES BY EMAIL

Members or Associate Members interested
in receiving invoices by email instead of
traditional mail, please let Heidi know.

LOBSTER MANAGEMENT

LOBSTER BOARD: At the August 1 Atlantic States Marine Fisheries Commission Meeting the American Lobster Board decided against approving Addendum XXV (25). This decision was made after review of the Technical Committee's (TC) report that highlighted uncertainty around the biological impacts of trap reductions, review of the industry's response, and hours of discussion (see Grant Moore's letter responding to the TC, next page). This means that, for the time being, the Board is taking *no additional management action* in Southern New England.

Moving forward, the Board tasked a working group to investigate better management responses to populations, like SNE lobster, which are shifting primarily because of climate and ecosystem factors. This group will report back to the Lobster Board in October.

The Board continued work on Addendum XXVI (26) which aims to improve data collection, and initiated Addendum XXVII (27) with a goal of proactively shoring up the GOM/GBK lobster stock (see ASMFC's press release on page 8). Both of these Addenda will be advanced by the Commission's staff and reviewed in October. Finally, the Commission decided to respond to NOAA's recently released Law

Enforcement Priorities report to request that NOAA consider increased lobster joint enforcement funding to support operation of a vessel for federal Area 1 enforcement.

NOAA NMFS: Staff at the Greater Atlantic Regional Fisheries Office have initiated lobster rule making to address outstanding discrepancies between the Commission's approved Addenda and federal rules. This process will, hopefully, include the Area 3 trap cap. New rules should not impact Fishing Year 2018 transfers/trap reductions, however, we will need to track closely how NMFS responds to the recent Addendum 25 decision by the Lobster Board. We will circulate the proposed rule when it becomes available.

Speaking of trap transfers, the Fishing Year 2018 trap transfer application period is now open through September 30th. As always, GARFO staff will review transfer applications in the fall and provide approval/denial notification by the end of the calendar year. See page 9 for further information from NMFS or visit the following website where you can download a number of documents, including a list of Area 3 permits with current trap allocations.

<https://www.greateratlantic.fisheries.noaa.gov/sustainable/species/lobster/index.html>

MONUMENT & HABITAT UPDATE

MONUMENT: In response to Presidential Executive Orders, both the Departments of Interior and Commerce are conducting reviews of National Monuments, including the Northeast Canyons and Seamounts Marine Monument. As part of these reviews, public comments were accepted. Review of public comments are underway, however neither Department has announced a timeline for recommendations to the Administration.

The Association submitted comments, which are copied on page 5. The law firm representing industry in suit against the new marine monument, the Pacific Legal Foundation, also submitted comments which were excerpted in the June issue of *Lobster Tales* and included in full in the July MA Lobstermen's Association newsletter. Of note, the lawsuit is stalled, pending the outcome of ongoing reviews. For other statements, both for and against the Monument, see the article links on page 39.

HABITAT AND CORAL AMENDMENT: Staff at the Greater Atlantic Regional Fisheries Office continue to report that a proposed rule addressing the New England Fishery Management Council's Omnibus Habitat Amendment will be published "soon". The proposed rule is expected to include language formalizing the existing bottom sharing agreements on eastern Georges Bank between lobster, scallop, and groundfish fleets.

As reported in the June issue of *Lobster Tales*, the NE Council failed to take final action on all elements of the draft Coral Amendment at their June meeting. Coral is not expected to be on the agenda for the Council's September meeting, but Council staff continue to analyze alternatives. AOLA staff will continue to track this issue.

Grant Moore responds to ASMFC regarding Addendum XXV - July 24 2017

Bob Beal, Executive Director
Atlantic States Marine Fisheries Commission

Dear Bob,

I'm writing as the Chair of the Area 3 Lobster Conservation Management Team and President of Atlantic Offshore Lobstermen's Association to express my dismay in the Technical Committee's (TC) "review of LCMT Proposals for Addendum XXV" (June 29, 2017). While I take issue with the TC's findings, my primary concern is one of process. It is dismaying to have taken the time and effort to respond to the Lobster Board's solicitation for plans only to find that those plans were evaluated, not based on the parameters set forth by the Board during their June action, but rather by a different set of standards. It is unfair and frustrating to again and again respond to the requests of the managers, many times acting proactively to try to be stewards of the resource, to later be told that our efforts don't count, aren't enough, or are no longer valid because the rules of the game have changed.

The TC's findings are not entirely unexpected given prior statements, however it is frustrating to have this memo come out so late in the Addendum XXV process. While I agree that trap numbers don't correlate directly to fishing effort and, subsequently, egg production, the TC's precautionary assumptions continue to be overly biased toward less conservation impact. They rightly worry about changes in fishing behavior, but, as repeatedly noted by industry members, the scientific experts have not properly considered operational constraints that make it uneconomical, or physically impossible, to reduce soak time or otherwise increase fishing power in response to less traps. Similarly, the discussion of reactivation of latent effort continues to ignore the constraints inherent in transferring multi-area permits, for example more than 25% of permits with Area 3 designations also qualify for other LCMAs; the market for traps, i.e. in Area 3 the limited traps still on the market are selling for 70% more than in the first year of federal transferability; and the conservation tax on transfers, including transfers owners makes between their existing permits. These realities serve to draw down the amount of poten-

tial fishing effort inherent in transferred traps and shelved permits.

In regards to the TC's findings specific to Area 3, the TC makes an honest effort to look at trap reductions and transferability to date, but an analysis of Massachusetts' state water permits is certainly not a correlate for Area 3. A major flaw in the MA analysis is that crab effort was not distinguished from lobster effort. Both are mixed in the analysis which make it virtually impossible to reach any conclusions regarding effort changes. Although the TC noted that specific major flaw, they seem to totally disregard its impact when considering the Area 3 and Area 2 recommendations. As noted by the TC, a trap reduction of 25% results in up to a 13% increase in egg production, so the industry recommendation is vastly more conservative than the analysis and the Board requirements. For Area 3, NOAA GARFO can provide Area 3 specific transfer information, and permit history and fishing reports are available to categorize traps as active or latent and, perhaps, better categorize trips based on target species.

In closing, as the Board has readily acknowledged, the stock collapse in SNE is primarily a climate issue, not a fishing issue. We can't use fishery management to solve this problem and, frankly, it would be more appropriate to allow economic drivers to dictate fishing in SNE. We have already seen a shift toward Jonah crabs and this approach shouldn't be punished because data is lacking to properly categorize effort. I, therefore, ask that a good faith effort be initiated to distinguish crab effort from lobster effort well in advance of the next benchmark stock assessment, as this issue will surely come up during that process. I also request that the Board approve the Area 3 proposal as submitted.

Thank you for your time and consideration.

J. Grant Moore

Chair, Area 3 LCMT

President, Atlantic Offshore Lobstermen's Assn.

AOLA Comments to the Dept. of Interior re: Monument Review - July 7, 2017

Dear Secretary Zinke,

I write to you in my capacity as the Executive Director of the Atlantic Offshore Lobstermen's Association, member of the National Coalition for Fishing Communities, and litigant in the Pacific Legal Foundation's (PLF) lawsuit regarding the Northeast Canyons and Seamounts Marine National Monument. We very much appreciate your efforts to initiate a review of recent designations of National Monuments. Our Association and the Coalition did extensive work on this issue with the prior Administration, attempting to mitigate the negative impacts to the fishing industry of the Northeast Canyons and Seamounts Monument. I also attended your hearing in Boston, Massachusetts and had an opportunity to speak to you directly, and very much want to commend you for your efforts.

For over a year, members of the offshore fishing industry worked tirelessly with State personnel, Governors' offices, Congressional offices, Mayors in major ports, and others to dissuade the prior

Administration from closing vast areas in the Atlantic to commercial fishing. In our collective view, there was never a compelling reason or threat to the marine resources of the Atlantic that warranted the use of the Antiquities Act. However, with the mere stroke of a pen, President Obama closed approximately 5,000 square miles to fishing, immediately ejecting the trawl fishery, with a

near-term phase out of other industries. This action was taken without formal public hearings, without cost benefit analyses, without input from the most affected constituents, and counter to the

spirit of the open government initiatives that the former President himself advocated. Although select leaders in the fishing industry had limited access to members of the White House staff, the public and fishing industry were, by and large, excluded. At no time prior to the Presidential announcement did we receive a written proposal detailing the specifics of the Monument designation nor was there any cost benefit analysis conducted on the issue. To be blunt, the lack of transparency was totally appalling.

To assert my above comments, I herein submit to the Department of the Interior copies of ten letters that our Asso-

ciation's members, staff, and related groups submitted to the prior Administration and to 115th House of Representative's Committee on Natural Resources. These letters were submitted in the spirit of cooperation, with the intent of allowing the Monument process to continue, while reducing impacts on the environment and fishing industry. Our collective

objections to the Monument designation process via the Antiquities Act, can be summarized as follows, detailed legal analysis on AOLA's behalf will be provided by PLF representatives:

- There were no immediate threats to the marine resources that warranted the use of the Antiquities Act. Most documented corals are deeper than the areas fished and there are no active proposals for oil, gas, or mineral exploration. Monument supporters called the closure area "pristine" despite 40 years of fishing.
- Jurisdiction to manage fisheries in the Monument area is already contained in the Magnuson-Stevens Fishery Conservation and Management Act and Atlantic Coastal Fisheries Cooperative Management Act, promulgated by regional Fishery Councils/Commission and NOAA Fisheries. Those acts are subject to impact analyses and public input. It is our belief that the advocates for the Monument proposal specifically used the dated requirements in the Antiquities Act to circumvent the public process, and curtail public input on a key issue affecting thousands of individuals, as we do not believe that the action would have been approved following the Magnuson-Stevens Act requirements.
- U.S. marine Economic Exclusive Zones are not land owned or controlled by the United States and should, therefore, fall outside of Antiquities Act authority.

Various fishing interests provided detailed and highly confidential information to the White House Office of Environmental Quality in order to document the negative impacts on the fishing industry. We offered a range of different alternatives to the White House that would have avoided negative impacts on the fishing industry, but none were adopted. This included a proposal for a closure 5.5 times



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Lot 5030 - 36x22.5x15 green standard parlor haul, 10.5ga both with 1/mbi parlor, 2-6# wedges and 1-12# wedge, PTO runners

Lot 5031 - 48x21x13.5 black standard kitchen haul, 10.5ga both ends and bridges, 1/mbi kitchen, 3-6# wedges and PTO runners

Lot 5029 - 42x22.5x15 Black standard parlor haul, 10.5GA both ends & bridges, 3-6# wedges, PTO runners

Lot 5032 - 48x21x13.5 green standard parlor haul, 10.5ga both ends and bridges, 1/mbi Parlor, 3-6# wedges and PTO runners

Lot 5026 - 48x22.5x13.5 Yellow reverse kitchen haul, 12GA with 10GA bridges and hauling end, litlead runners with center PTO runner

Lot 1059 - 48X24X15 Black standard kitchen haul, 10.5GA hauling end with 3 MBI, oak runners & 4 red bricks

USED TRAPS

Lot 1060 - 48x22.5x15 yellow standard parlor haul, 10.5 hauling end and bridges w/ Rockbottom runners

Lot 1063, Lot 1064 - 49.5x22.5x15 yellow standard parlor haul, 10.5ga End & bridge, bridle braces, some steel runners some pvc ballast runners

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larger than the one designated, which would have protected deep water coral from the U.S./Canadian border to the Frank R. Lautenberg Deep-Sea Coral Protection Area in the Mid-Atlantic.

- Economic impacts were not analyzed. Using confidential industry information, we estimate financial impacts on the lobster, crab, squid, mackerel and butterfish fisheries to be approximately \$30 million directly and \$100 million when multiplied across the economy.
- Habitat and social impacts were not analyzed. The Monument closure forces fishing effort into neighboring shallower waters that are inhabited by endangered right whales and forces larger vessels inshore, com-

peting with small, community based, day boat fisheries.

In conclusion, we ask that the Trump administration modify the current boundaries and/or fishing restrictions of the Northeast Canyons and Seamounts Monument, with the goal of eliminating the negative impacts to the domestic fishing fleet. To achieve that result, I am willing to offer and discuss with you different alternative strategies. You and your staff should also feel free to contact me directly at 401-451-9312 to discuss the issue.

Thank you for the opportunity to comment.

David Borden
Executive Director



American Lobster Board Initiates Addendum to Increase Resiliency of the Gulf of Maine/Georges Bank Stock. AUGUST 2, ASMFC

The Commission's American Lobster Management Board initiated Draft Addendum XXVII to Amendment 3 to the Interstate Fishery Management Plan for American Lobster. The Draft Addendum seeks to increase the resiliency of the Gulf of Maine/Georges Bank (GOM/GBK) stock by considering the standardization of management measures across Lobster Conservation Management Areas (LCMAs). This is a proactive management action and is in response to signs of reduced settlement. Initiating an addendum charges the Plan Development Team (PDT) with developing management alternatives for consideration in the Draft Addendum. The American lobster fishery is one of the largest and most valuable fisheries along the Atlantic coast. In 2016, over 158 million pounds were landed coastwide totaling \$666 million in ex-vessel value. The vast majority of harvest occurs within the GOM/GBK stock area, with over 130 million pounds landed in Maine alone. Since 2012, settlement surveys for the GOM/GBK stock have indicated a consistent decreasing trend in young-of-year lobster. This decrease could foreshadow a decline in recruitment and landings. Given the high value of the fishery and the economic importance of the fishery to coastal communities throughout New England, the Board initiated Draft Addendum XXVII as a proactive response to build resiliency in the stock.

The Draft Addendum will consider, to the extent possible,

the development of consistent management measures for the GOM/GBK stock, including gauge size and v-notch definitions. Currently, disparate regulations allow lobsters protected in one LCMA to be harvested in another LCMA. A uniform set of regulations would add an additional biological buffer to the stock through the protection of spawning stock biomass across LCMAs. In addition, this action may address enforcement concerns, particularly regarding the sale and transfer of lobsters across state lines which are subject to different minimum gauge sizes. The PDT will provide an update on the development of Draft Addendum XXVII at the Commission's Annual Meeting in Oct.

Regarding the Southern New England stock, the Board decided to not move forward with Addendum XXV for management use at the current time. After considering the proposals put forth by the Lobster Conservation Management Teams (LCMTs) and Technical Committee input, the Board was divided in its support of the Draft Addendum. Some members felt the proposed measures did not go far enough to protect the stock, while others were concerned the majority of LCMT proposals would not achieve the required 5% increase in egg production. Others believed significant reductions have already occurred in the fishery and no further action was needed. Ultimately, the Board decided to establish a Workgroup to discuss ways to manage SNE lobster.



Federal Lobster Permit Holders - Trap Transfer Program Information

Contact: Sustainable Fisheries Division
(978) 281-9315

FOR IMMEDIATE RELEASE:
July 21, 2017

Effective Date: August 1, 2017

In 2015, we began the Lobster Trap Transfer Program which allows permit holders the flexibility to buy and sell trap allocation for Lobster Conservation Management Areas 2, 3, and the Outer Cape. We are continuing this program this year, and to help facilitate the process, we are posting a detailed guide, as well as individual trap allocations and contact information under the "Trap Transfer Program" tab on our website at: <https://www.greateratlantic.fisheries.noaa.gov/sustainable/species/lobster/>.

Frequently Asked Questions

Are there regulations that could affect this program in the future?	In response to the poor condition of Southern New England Stock, the Atlantic States Marine Fisheries Commission is considering new management measures that have the potential to significantly restrict lobster fishing in Areas 2, 3, 4 and 5; as well as the trap transfer program. We advise Federal permit holders to stay informed and proceed at their own risk. You can follow ASMFC management updates at: http://www.asmfc.org/species/american-lobster .
How can I find more details about the Trap Transfer Program?	You can find a detailed description and FAQ of the Trap Transfer Program in the Guide under the "Trap Transfer Program" tab on our website (link provided above). Please contact the Sustainable Fisheries Division (978-281-9315) or the Analysis and Program Support Division (978-282-8483) with any further questions regarding trap transfer policy or your application, respectively.
What information is available online?	We posted several items on our website, including: An updated version of the Trap Transfer Program Guide, a worksheet of examples that walk you through the transfer process, the application form, and a list of contact information and trap allocations for Area 2, 3, and Outer Cape permit holders.
What if I can't access the internet, but would like this information?	We are posting information online to reduce paper use. If you would prefer that we mail you a hard copy, call us at the phone number above to request one.
What do the posted allocations represent?	The allocations posted represent the number of traps available for transfer after applying fishing year 2018 reductions (5% for Areas 2 and 3).
Is any of this information confidential?	No. All information posted on the website is publicly available information.
Will NMFS help broker trap transfers?	No. Potential trap transfer participants must contact each other directly to negotiate trap transfers.
Will NMFS provide price information?	No. We do not regulate the value of transfer transactions, and are not asking for participants to provide pricing information. Potential trap transfer participants must negotiate trap transfers and prices before submitting an application.
When may I submit an application?	We will accept applications from August 1, 2017 – September 30, 2017, and all approved transfers will take effect May 1, 2018.

Fishermen's View

Seafood Market & Restaurant



Local fishermen Bob and Denny Colbert have fished out of the Sandwich Marina for over thirty years. In August 2015, the two brothers obtained an adjacent piece of land on the Cape Cod Canal and constructed a boat-to-table seafood market and restaurant, which opened in August of 2016. With a focus on fresh, locally-sourced seafood coupled with stunning views of the canal and marina, the brothers hope to give guests a truly unique dining experience -- Fishermen's View!

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AOLA Comments to NOAA re: Mahi & HMS - August 18, 2017

Dear Ms. Denit,

I'm writing as representative of the Atlantic Offshore Lobstermen's Association to provide comments responding to the Federal Register notice titled "Streamlining Regulatory Processes and Reducing Regulatory Burden (NOAA-NMFS-2017-0067)". Specifically, I'm providing comments relevant to Executive Order 13777, which is aimed at alleviating unnecessary regulatory burdens.

I ask that NOAA NMFS modify the authorized gear restrictions, defined in U.S. Code of Federal Regulations section 622.272 (Atlantic dolphin and wahoo) and section 635.19 (highly migratory species), to allow properly permitted lobster vessels to harvest and possess dolphin fish, wahoo, and Atlantic tunas by rod and reel. Current regulation are as follows:

§ 622.272 - Authorized gear.

(a) Atlantic dolphin and wahoo - (1) Authorized gear. The following are the only authorized gear types in the fisheries for dolphin and wahoo in the Atlantic EEZ: Automatic reel, bandit gear, hand line, pelagic longline, rod and reel, and spearfishing gear (including powerheads). A person aboard a vessel in the Atlantic EEZ that has on board gear types other than authorized gear types may not possess a dolphin or wahoo.

§ 635.19 - Authorized gears.

(a) General. No person may fish for, catch, possess, or retain any Atlantic HMS with gears other than the primary gears specifically authorized in this part. Consistent with § 635.21 (a), secondary gears may be used at boat side to aid and assist in subduing, or bringing on board a vessel, Atlantic HMS that have first been caught or captured using primary gears. For purposes of this part, secondary gears include, but are not limited to, dart harpoons, gaffs, flying gaffs, tail ropes, etc. Secondary gears may not be used to capture, or attempt to capture, free-swimming or undersized HMS. Except for vessels permitted under § 635.4(o) or as specified in this section, a vessel using or having onboard in the Atlantic Ocean any unauthorized gear may not possess an Atlantic HMS on board.

It has been a long-standing practice for federally permitted offshore lobstermen to fish a few lures behind their vessels to target pelagic species while transiting between lobster gear, especially when they encounter the Gulf Stream.

During this activity, they are typically in possession of Jonah crab, lobster, and lobster traps. Recently, one Association member was notified during a dockside inspection by NOAA law enforcement, that it is illegal to possess dolphin and lobster during a single trip. This member holds both valid federal dolphin and American lobster permits, but was notified that he violated the above quoted regulation, because lobster pot gear is not an authorized or exempted gear type for the dolphin and wahoo fishery. No citations were issued in this case.

Given the distinct nature of the gear and fisheries, meaning you can't catch dolphin and tuna with lobster pots, and you can't catch lobsters with rod and reel, I'm of the opinion that both gear types and species should be allowed in possession on the same trip. The regulations as currently written and interpreted by law enforcement are unnecessarily burdensome, provide little to no conservation benefit, and prevent lobstermen from participation in highly selective fisheries, which could substantially increase revenues on lobster trips. Therefore, I ask that NOAA NMFS initiate rulemaking to allow the possession of dolphin, wahoo, and other highly migratory species on properly permitted vessels with lobster pot gear onboard.

In conclusion, I note that earlier this year I addressed these concerns to the South Atlantic Fishery Management Council (SAFMC) and I complement their staff and councilors for their efforts to include this issue in draft Amendment 10 of the dolphin wahoo FMP. However, at this time, Amendment 10 has been suspended until late 2018 due to staff time and data availability issues relevant to unrelated actions in the Amendment. While I applaud the Council's responsiveness, timely NOAA action on this issue via the Streamlining Regulatory Processes and Reducing Regulatory Burden (NOAA-NMFS-2017-0067) will potentially eliminate two separate federal actions (one by HMS and the other by SAFMC), reduce costs, and expand economic activity in a very selective fishery.

Thank you for consideration of this matter. Happy to discuss by phone 401-451-9312.

Best Regards,

David Borden, Executive Director

Congress of the United States

The Honorable Robert E. Lighthizer
U.S. Trade Representative
600 17th Street NW
Washington, DC 20508

The Honorable Wilbur Ross
Secretary
U.S. Department of Commerce
1401 Constitution Ave NW
Washington DC 20230

For more information on MA Lobstermen's Association's efforts see: [Local lobster industry seeks to level playing field with Canada](#), CapeCod.com, August 4

Dear Ambassador Lighthizer and Secretary Ross,

We are writing to express our concern regarding the consequences of the Comprehensive Economic Trade Agreement (CETA) reached between Canada and the European Union (EU) on U.S. lobstermen and to ask for your assistance in mitigating any adverse impacts.

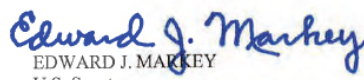
We have heard from several concerned stakeholders in Massachusetts, including members of the Massachusetts Lobstermen's Association and local restaurant owners, wholesales, and distributor, that CETA may place an undue burden on U.S. lobstermen to compete with their Canadian counterparts. As you are aware, CETA eliminates a standing 8% EU tariff on the importation of Canadian lobster within the trading block and leaves American lobstermen at a significant disadvantage when attempting to export to the EU.


The EU is one of the largest markets for American lobster, accounting for one-fifth of all United States lobster exports worth more than \$150 million. Without action, Canadian lobstermen may have an advantage over the Massachusetts lobster industry and the New England maritime economy. Our lobster fishery is the second-largest in the nation, with lobstermen hauling in more than 15 million pounds every year. The positive economic effects of the lobster industry are far reaching, providing a source of income and jobs for lobstermen, lobster dealers, vessel and trap manufacturers, restaurants, and other shore side businesses across the United States.

It is for these reasons that we encourage you to swiftly take action to mitigate the concerns of U.S. lobstermen. We thank you for your immediate attention to this issue and welcome your response.

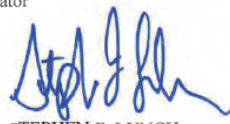
Sincerely,


ELIZABETH WARREN
U.S. Senator


EDWARD J. MARKEY
U.S. Senator


WILLIAM R. KEATING
Member of Congress


SETH MOULTON
Member of Congress


STEPHEN F. LYNCH
Member of Congress

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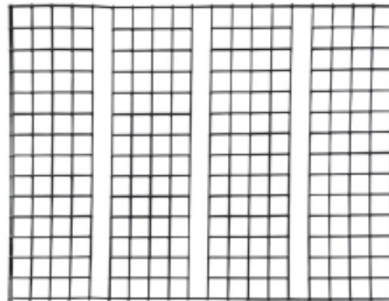


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RESEARCH UPDATES

CRAB TAGGING AND DATA COLLECTION: Crab tagging [know](#).

efforts have intensified this summer and we are now well on our way toward our goal of deploying 40,000 tags. MA Division of Marine Fisheries has a dedicated staff member tagging crabs, plus staff are opportunistically tagging during other survey work. Additionally, ME Department of Marine Resources and NH Fish & Game staff have volunteered to tag crabs during their lobster ventless trap surveys and other field work. That said, we are still looking for offshore Gulf of Maine vessels to help us deploy tags in that region. If you are willing to take out the tagging technician please let Heidi know; crews will be compensated for food costs and paid market value for all legal crabs that are tagged.

Tags are being deployed in SNE, GB, and GOM, so everyone should be on the lookout for tagged crabs. Call, text, or email Heidi with recapture reports, including tag number, date, and location. Carapace width (or a photo next to a gauge) and egg status are also helpful. Crabs have green streamer style tags inserted on their backs and/or orange knuckle tags.

LOBSTER TAGGING: Reports of tagged lobster recaptures have increased recently, suggesting that the animals tagged in 2015 and 2016 are again aggregating on Georges Bank. Thanks to those crews reporting these recaptures; if you fish this area, please make sure to report recaptures to Heidi. It is important that we hear from the entire fleet to get as much information as possible about recaptured tagged lobsters.

If you haul a tagged lobster, please note the date, location, and tag number at a minimum. Carapace length, egg status, and vnotch status are important too. Call, text, or email Heidi the information. If you notice a tagged lobster when you offload, we would like to hear about that too.

We are currently preparing for the next round of lobster tagging in the Georges Bank and the Gulf of Maine region. Tags have been ordered and technicians are being organized with the hopes that we can start offshore tagging efforts in September. We will be deploying up to 15,000 tags in the next few years. If your vessel is willing to take out a technician from MRAG Americas please let Heidi

Least we forget, we are still working diligently to secure funds to conduct similar lobster tagging research and look at climate change adaption in the Southern New England lobster population. We are currently in discussions with possible collaborators about 2019 funding.

Congratulations to the Jonah crab and lobster tagging project raffle winners!

Jonah Crab regular raffle:

\$500 - F/V Rachel Leah

\$300 - F/V Direction

\$200 - Erik Trager, Skip's Dock.

Jonah Crab high value (reported size) raffle:

\$1000 -F/V Cailyn Grace

\$500 - F/V Ashley Ann.

Lobster raffle:

\$500 - F/V Direction

\$300 - F/V Jersey Girl

\$200 - F/V Nora J.

Don't worry if you missed out, additional raffles will be held in July 2018. All tags reported between July 2017 and June 2018 will be eligible.

FALL BOTTOM TRAWL SURVEY

In early August the NOAA research vessel Henry B. Bigelow headed to dry dock in Norfolk, VA for motor repairs. Normally this time of year the HB Bigelow is in Newport, RI preparing for the fall bottom trawl survey, which has historically started the first week of September. This year the survey is expected to start in mid-September, assuming no federal government closure.

Heidi will send members further details about timeline and survey stations shortly.



MA Division of Marine Fisheries Progress Report excerpt — Jonah Crab Tagging and Data Collection JULY 10, 2017

To: Toni Kerns, ISFMP Director, ASMFC
 CC: Deke Tompkins, ASMFC
 Robert Glenn, Chief Marine Fisheries Biologist
 Tracy Pugh, Senior Marine Fisheries Biologist
 Heidi Henninger, Program Coordinator AOLA
 David Borden, Executive Director AOLA
 From: Derek Perry, Marine Fisheries Biologist

Subject: Status report for the "Jonah Crab Tagging Project to Evaluate Migration, Stock Connectivity, and Growth" project funded by ASMFC

We have tagged 1,708 Jonah crabs from January 1, 2017 through June 30, 2017, bringing the total to 6,013 since the project started. Fifty-four recaptures have been reported so far in 2017, bringing the total number of recaptures to 200 (3.3%). An additional few thousand crabs have been tagged over the last couple of weeks, but have not yet been entered in to the database.

Based on the 200 recaptures observed to date, the number of days from release to recapture ranged from four days to 350 days. The average distance traveled by recaptured crabs is roughly two nautical miles. Nine crabs have been recaptured multiple times. Two recaptured crabs measured larger upon recapture than when released. One was

found dead in a trap after being released 16 days earlier and measured 10 mm larger than reported upon release (100 mm → 110 mm). The other was at large for 11 days and was reported to be 18 mm larger than reported at release (115 mm → 133 mm).

The size distribution of male and female crabs tagged during this project is given below. The vast majority of male crabs are above legal commercial size, while the majority of females are below the legal size limit.

Differences in movement patterns by season, sex, size and region will be explored as more crabs are recaptured and more data becomes available. MA DMF and AOLA will continue to work together on the tagging project and encourage industry participation.

We conduct port sampling as part of our effort to collect fisheries dependent information, and measured 4,923 Jonah crabs from nine commercial trips from January 1st through June 30th. This brings the total number of crabs sampled over the past four years to 27,210 (Figure 4).

A new technician was hired and started in April, 2017. This position is a backfill that replaces the previous technician who left in September for another job. The first of two tag reporting reward raffles was held by AOLA on July 3, 2017 to reward participants that reported a recaptured tagged crab.

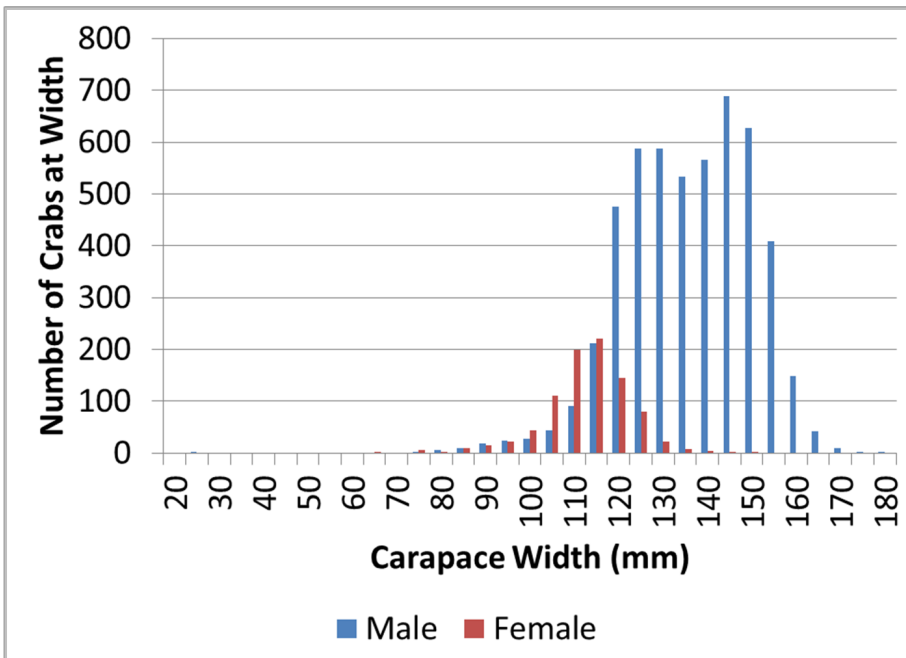


Figure (left): Crabs tagged as of June 30, 2017 by size and sex. The vast majority of male crabs have been above legal commercial size, while the majority of females have been below the legal size limit.

Recapture Reports: If you haul a tagged crab please note tag #, date, location, carapace width, and egg status and contact Heidi via email, text, or call. If possible, please release the crab with tag intact.



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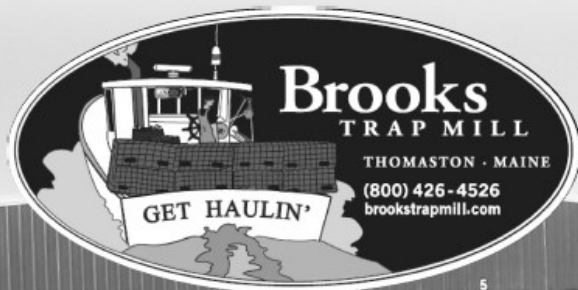
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NEWS *briefs*

RIGHT WHALE DEATHS

Right whales are congregating in new places and this is causing quite a problem in Canada where 80-100 whales are estimated to be foraging in busy shipping and fishing areas of the Gulf of Saint Lawrence. These whales are expected to stay in the region until late November. As of mid-August, 10 of these right whales have been found dead in the region with two additional dead whales in New England. Necropsies are underway on many of these animals to determine their causes of death; to date it has been reported that one of the animals was entangled in rope and three exhibited signs of blunt trauma, such as from ship strikes. However, it is possible underlying illness has weakened these whales.

Canada's Department of Fisheries and Ocean's is taking steps to prevent future whale deaths, including: closing snow crab fishing areas; instituting speed reductions; enhancing surveillance and notices to mariners; and increasing funding for necropsies, a real time whale alert system, and other initiatives. AOLA staff will receive an update on this issue from Canadian officials later this month as part of an Atlantic Large Whale Take Reduction Team conference call. Links to articles about these deaths are provided on page 39.

In other whale news, MA DMF has received grant funds from NOAA Fisheries to improve whale monitoring and entanglement prevention in Cape Cod Bay, which is another location seeing increased aggregations of right whales. Whales typically aggregate in the Bay in early spring before migrating north later in the year.

LEGISLATIVE ACTIONS

The Senate Appropriations Committee recently voted to reduce NOAA's 2018 budget by \$85 million, but this reduction is much smaller than the \$900 million in cuts proposed by the Administration. The current Senate budget fully funds fisheries management and rejects the Administration's proposed elimination of NOAA programs including Sea Grant, the National Estuarine Research Reserve System, and Coastal Zone Management and Regional Coastal Resilience grant programs.

The Senate has passed out of committee a bill that would create an advisory committee to guide nationwide seafood marketing and research. The American Fisheries Advisory Committee Act would create a 25 member panel to advise the Secretary of Commerce on projects aimed at boosting fisheries research and seafood marketing. The panel would include representatives from processing, harvesting, distribution, retail, foodservices, aquaculture, seafood marketing, and recreational sectors. The same bill has been introduced in the House of Representatives and has been referred to subcommittee for review.

Finally, Congress has once again declared September 25th as "National Lobster Day".

WIND FARM ACTIVITY

Surveying and construction activities in the RI/MA wind farm lease areas continue to gain momentum. There are currently three companies working in three neighboring sites and keeping track of timelines, permits, notices to mariners, etc. could be a full time job.

AOLA staff will continue to pass along notices as they come across our desks (see latest on pages 26-27). In the coming months, we also plan to distribute detailed updates developed by the Massachusetts's Lobstermen's Association. You can also find these updates in most MLA newsletters.

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NEWS *briefs*

TRAP TAG QUALITY

We have heard concerns from members about the quality of this year's trap tags. Reports indicate that a subset of the tags don't properly secure onto traps. We have notified the manufacturer, managers, and law enforcement about this issue.

The manufacturer is currently examining defective tags to determine the source of the problem. If you have any tags that don't close properly, I encourage you to mail them to: Cambridge Security Seals, Attn: Brian Lyle One Cambridge Plaza, Pomona, NY 10970

Anyone with additional concerns or comments about 2017 trap tag quality should contact Heidi.

BLACK SEA BASS

Both the Mid-Atlantic Fishery Management Council and Atlantic States Marine Fisheries Commission recently reviewed 2016 landings and updated survey indices data for black sea bass. The update indicates that biomass continues to be high, and the 2015 year class appears to be above average. With these new data in mind, the Bodies voted to maintain the 2018 fishing specifications, despite requests from industry to increase 2018 commercial and recreational quota.

Currently the fishing year 2017 commercial quota is 4.12 million pounds and the fishing year 2018 commercial quota is set at 3.52 million pounds. Another assessment update is tentatively scheduled for 2018.

BAIT

As reported last month, the New England Fishery Management Council is in the process of taking action to stabilize herring and skate bait supplies. Now the Atlantic States Marine Fisheries Commission is similarly addressing menhaden bait supplies.

The latest menhaden stock assessment update finds the resource not overfished nor is overfishing occurring. With new stock level data in mind, the Menhaden Board approved an Amendment for public comment which seeks to manage the resource in a way that balance menhaden's role as a prey species with consideration of new quota allocation methods to equitably distribute landings across states.

The public comment document is available on the Commission's website. Written public comments will be accepted until October 20th and public hearings will be held as described

below. AOLA will be submitting comments in favor of alternatives that benefit the bait supply.

For more information, contact David Borden, he sits on the Commission's Menhaden Board.

ME Dept. of Marine Resources

October 5, 2017; 6 PM
Yarmouth Town Hall
200 Main Street, Yarmouth, ME

NH Fish and Game Department

October 3, 2017; 7 PM
Urban Forestry Center
45 Elwyn Road, Portsmouth, NH

MA Division of Marine Fisheries

October 2, 2017; 6 PM
Thayer Library, Logan Auditorium
798 Washington Street, Braintree, MA

&

October 5, 2017; 6 PM
Bourne Community Center, Room 2

239 Main Street, Buzzards Bay, MA

RI Division of Fish and Wildlife

October 4, 2017; 6 PM
URI Bay Campus
Corless Auditorium, South Ferry Road
Narragansett, RI

NY Dept. of Enviro. Conservation

September 12, 2017; 6 PM
NYSDEC Division of Marine Resources
205 N. Belle Mead Road
East Setauket, NY

NJ Division of Fish and Wildlife

September 13, 2017; 6 PM
Manahawkin (Stafford Township)
Courtroom
260 East Bay Avenue, Manahawkin, NJ

Hearings will also be held in CT, DE, MD, VA and FL. Full hearing schedule available on the Commission's website.



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More information will be forth coming at
www.lobstermen.com

Save these dates!

Looking for vessels to carry crab sampler...

AOLA has partnered with MA Division of Marine Fisheries (MA DMF) on a Jonah crab tagging and data collection project. To make this project successfully, we need to deploy 40,000 tags! All crews willing to carry a sea sampler from MA DMF to tag crabs, please contact Heidi. Crews will be compensated for food costs as well as paid market value for all legal crabs that are tagged. MA DMF can also help with Insurance, if needed.

Tags are being deployed in SNE, GB, and GOM, so everyone should be on the lookout for tagged crabs. Please call or text Heidi with recapture reports (see reporting details on page 2.)

Please call Jim Kendall for the latest information: 508-287-2010

Geophysical Survey
 Beginning on or about: July 28
 Estimated duration: up to 3 weeks

Vessel: R/V Henry Hudson
 LOA 45 Feet
 Flag: USA
Cell Phone: +1 201 995 7185
Vessel Email: jbailey@alpineocean.com
Standing by on VHF channel 16



Geotechnical Survey
 Beginning on or about: August 1
 Estimated duration: up to 3 weeks

Vessel: R/V Shearwater
 LOA 110 feet
 Flag: USA
Bridge VSAT Phone: +1 201 297 6015
Vessel Email: wporter@alpineocean.com
Standing by on VHF channel 16



In July and August, geophysical & geotechnical surveys will take place between the Vineyard Wind lease area and Cape Cod including Muskeget Channel and Nantucket Sound. The survey will cover a much larger area than needed for the cables, so as to identify best cable locations. Please see reverse side for chart of expected survey area. Survey may vary in the field. Please check in with the contact below for latest information.

Both vessels may be towing geophysical equipment up to 300' astern, and generally following long survey track lines on the same bearing. The R/V Henry Hudson may be operating an ROV. The R/V Shearwater may be conducting shallow coring or collecting sediment samples while maintaining station.

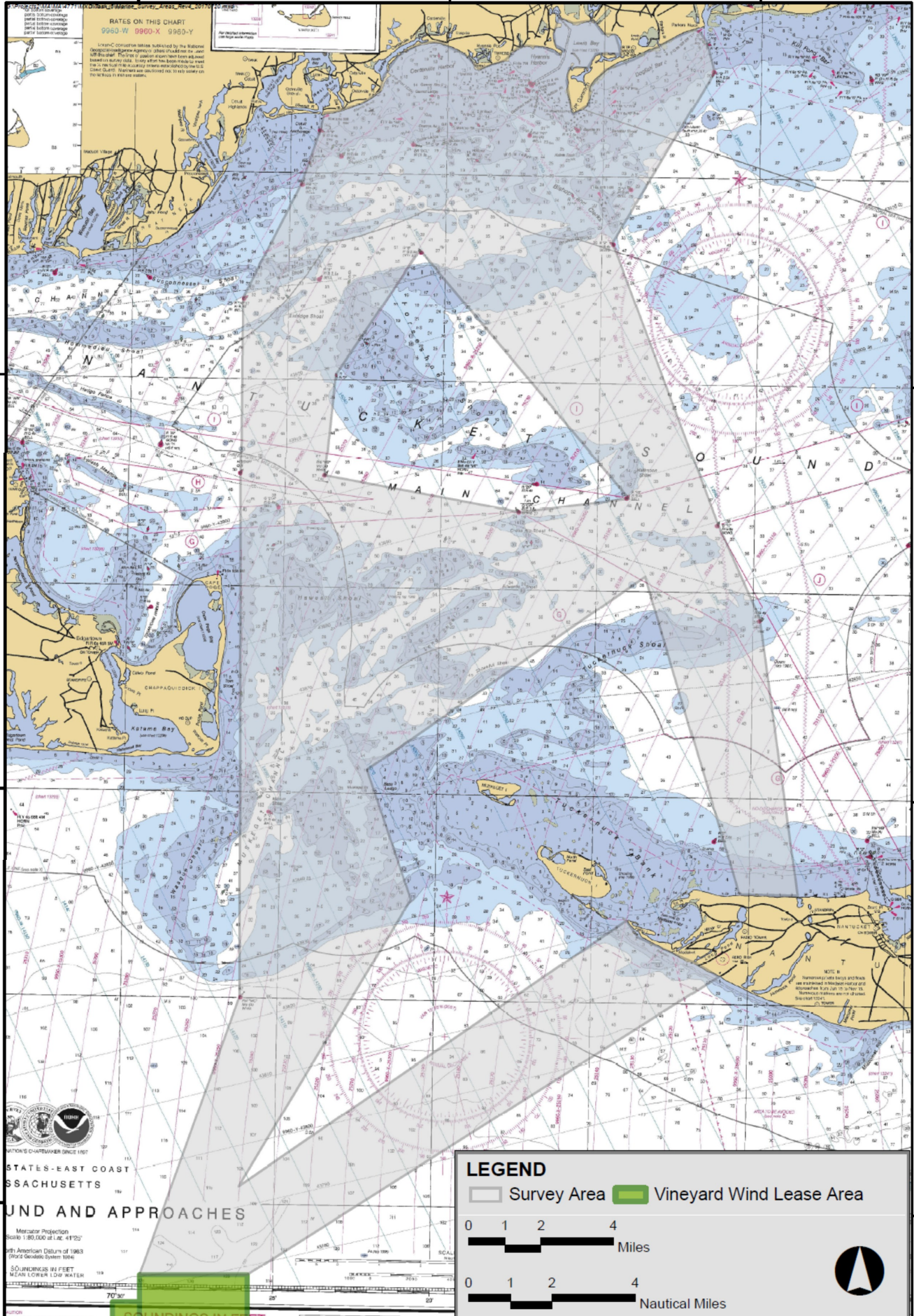
Collecting data and working with the local fisheries

Vineyard Wind is committed to communicating and working with the local fishermen in the region across all fishery sectors and during all stages of development of the proposed offshore wind farm. Information gathered will be used to design the wind farm and select the location for the cable route from the project area to shore.

In advance of and during survey operations, we seek contact with fishermen who are or may be working in the survey area (see reverse side). Please contact:

Vineyard Wind Contact	Company	Role	Phone	Email
Jim Kendall	New Bedford Seafood Consulting	Fishery Representative	cell: 508-287-2010 office: 508-997-0013	nbsc@comcast.net

For general inquiries please contact Vineyard Wind
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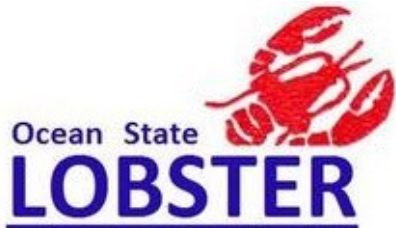
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SAFETY

LIFE JACKET SETUP: PACK IT TO SURVIVE A FALL OVERBOARD

Mario Vittone—July 20, 2017, SoundingsOnline.com

When people fall overboard, more often than not it's at the marina when stepping on or off the boat. They slip or trip and end up in the water. The surprised swimmer is usually unharmed, except perhaps for a damaged ego, and is quickly recovered and made fun of.

Fishing is another activity that sees a lot of unplanned exits from the deck. But most people fish with friends, and the wet crewman is usually quickly recovered, unharmed, and made fun of.

Fall off a vessel that's underway, however, and everyone quits laughing.

The most dangerous part of boating is unexpectedly falling overboard. How dangerous? If those left aboard lose sight of you, there is a 40 percent chance you will never be seen again — dead or alive.

Read that again.

I'm not trying to take the fun out of boating, but when to wear a life jacket and what to carry in its pockets is the most important discussion I've had with boaters. After a lifetime of looking for PIWs (persons in the water) and usually coming back empty, I've developed some rules about life jackets and their use. If you follow them, your chances of being rescued go way up.

Rule 1: Wear a life jacket with pockets

Life jackets have pockets for a reason, and it's not to carry snacks. The best jackets have loops of webbing or tabs inside the pockets for tying in gear (I'll come back to that). The idea is that if you don't carry signaling gear and other survival tools in your life jacket, you won't have them if you fall overboard.

No one ever said, "I'm going over! Toss me a strobe light!"

Life jackets without pockets solve only half of your problem if you end up in the water. Sure, you have to stay above the surface to stay alive, but pockets hold gear that will solve the other part of your problem: being found.

If your current PFD doesn't have pockets (this is true of many inflatables), you can often buy them to attach to the webbing belt. If you can't, you've got the wrong device. Get a new one.

Rule 2: Pack more than one thing, but always pack a rescue beacon

I'm often asked, "What is the one thing you should always carry with you?" My first reaction is to say a life jacket with more than one thing, but if I had to pick one it would be a personal locator beacon, set up and registered correctly.

A PLB that's activated and attached to your life jacket is the best guarantee — no matter what else happens — that someone will be in your general area looking for you. AIS can't guarantee that; it requires other boats to be close enough to get the signal and be AIS-equipped. A handheld radio can't guarantee that. Your cell phone definitely can't.

I know, PLBs cost more than most life jackets, but if you ever have to activate it while alone in the water, you'll think it's the best money you ever spent.

Rule 3: Being found is about being seen — pack signaling gear

A brightly colored life jacket can be a signal, but only during the day. You want something that you can actively use to attract attention. Carry at least the following signaling gear:

- **Lights:** It's best to have a water-activated strobe attached to the upper shoulder of your vest, though keeping one in a pocket is better than not having one. At a minimum, stuff a few 12-hour chemical lights in the PFD.

Signal mirror: It may seem like a last-chance survival device, but a mirror is lightweight, inexpensive and small, and it has unlimited range and never runs out of battery power. Like whistles, a mirror falls into the no-good-reason-not-to-carry-one category. Coast Guard-approved mirrors are too big (4 by 5 inches, on average) to fit into most pockets, but the sun doesn't know the difference

CONTINUED NEXT PAGE

SAFETY



Coast Guard updates electronic chart policy

JULY 18, COAST GUARD NEWS

The U.S. Coast Guard announced today an update to its navigation guidance for the use of electronic charts in lieu of paper charts and publications.

The updated version of Navigation and Vessel Inspection Circular (NVIC) 01-16 identifies voluntary acceptable equivalencies to paper charts and publications as well as position fixing and plotting requirements under Coast Guard regulations.

The NVIC also provides guidance and recommendations to

vessel owners and operators and chart display manufacturers.

“We took into account feedback from agency partners and industry stakeholders to adjust our electronic charts policy,” said Capt. Mary Ellen J. Durley, the chief of the Office of Navigation Systems.

Mariners are not required to use electronic charts or electronic charting systems. The updated guidance offers a voluntary alternative means to comply with U.S. chart and publication carriage requirements.

View the NVIC through this link: https://www.uscg.mil/hq/cg5/nvic/pdf/2016/NVIC_01-16_electronic_charts_and_publications.pdf

NEW EDITION OF RESCUES specific to ME and NH

A new edition of Responding to Emergencies at Sea and to Communities Under Extreme Stress (RESCUES) specific to Maine and New Hampshire has been released by Madeleine Hall-Arber, Ph.D. MIT Sea Grant College Program Kristina Pinto, Ed.D. Fishing Partnership Support Services Ann Backus, M.S. Harvard T. H. Chan School of Public Health, EOME. PDF copies available at: https://cdn1.sph.harvard.edu/wp-content/uploads/sites/82/2012/09/RESCUES_Maine-and-New-Hampshire-screen-version.pdf

Continued from last page, Fall Overboard

when it reflects off a smaller one.

- Waterproof flashlight: This is my favorite. I carry two. Nothing turns a helicopter around like a waving flashlight. Strobe lights have a range of about 3.5 to 4 miles, but the focused beam of a strong flashlight can reach almost anything on or above the water.

Rule 4: Make sure your hands aren't required

You will be opening pockets that are under the water, and you might be working in the dark. The gear must be tied into or onto the vest. If you drop something, it's gone. The Coast Guard had us tie our gear in with 36-inch lengths of nylon cord. It always served me well and seemed like the correct length.

Devices such as strobes and PLBs must be securely

attached as high above the water as possible. You won't be able to hold to either device for long, and just because some beacons float doesn't mean they work well when floating. The antenna must be high to effectively transmit a signal.

Of course, none of this will help if you aren't wearing a life jacket when you go over. Next week, I'll discuss when you should wear your life jacket — and why it isn't “always” — as well as the pros and cons of inflatables and fixed flotation.

Going overboard is the most dangerous part of boating. Choose your life jacket and set it up as if you knew you were about to fall overboard. Plan on it. The gear you leave on the boat won't be of any help once you're in the water.

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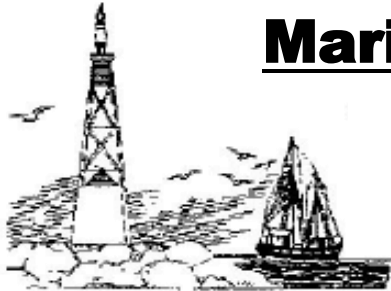
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Hardworking American fishermen make their living under the most rigorous rules in the world. U.S. fisheries are required by law to be sustainably managed, and strict limits have been put in place to prevent overfishing. But for too long, well-funded special interests have convinced the public that our nation's fisheries are at risk. We're asking you to join with Saving Seafood as we set the record straight, and let the world know that American Seafood is Sustainable Seafood™.

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Saving Seafood has been a voice for U.S. fishermen since 2009, when we began covering abuses in NOAA's Office of Law Enforcement. We have worked for nearly a decade to bring our readers the most important news impacting our nation's fishermen and their communities, and to combat inaccurate and misleading information on U.S. fisheries

that has too often driven the narrative in the mainstream media.

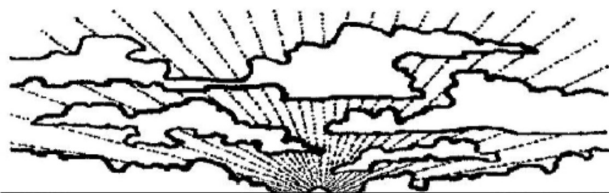
Saving Seafood also joined with industry partners around the country, from the Atlantic and Pacific Coasts to the Gulf of Mexico and Hawaii, to establish the National Coalition for Fishing Communities. Our Coalition brings the concerns of U.S. fishermen to policymakers in Washington and across the country, and has helped lead the fight against overly restrictive marine national monuments designated through executive authority.

In the last year, we informed the public and the media about the detrimental effects of marine monuments on our nation's fishermen, organized a visit from the Chairman of the House Natural Resources Committee to meet with fishermen, and just two weeks ago, arranged a meeting between representatives of fishing groups and the Secretary of the Interior as he begins his review of these monuments.

Thank you again for your support of Saving Seafood as we continue our vital work on behalf of American fishermen.

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- * [The bipartisan fight for quieter oceans](#), *The Atlantic*, July 5

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- * [What's next for the 'Cofather'?](#), *Cape Cod Times*, July 29
- * [No new rules for declining southern New England lobster](#), *Associated Press*, Aug. 2
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- * [Catastrophic die-off of right whales in NE, Canadian waters puzzles scientists](#), *Portland Press Herald*, Aug. 15

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- * [Northeast Canyons and Seamounts National Monument should be left in place](#), *Daniel Hildreth*, Aug. 12
- * [Marine Monument Economics: The Atlantic Red Crab Fishery](#), *Saving Seafood*, Aug. 15

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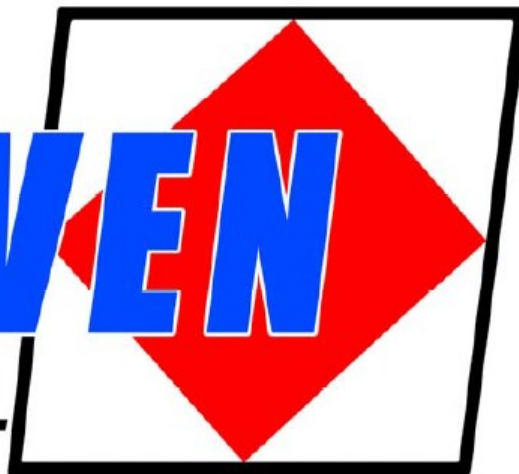
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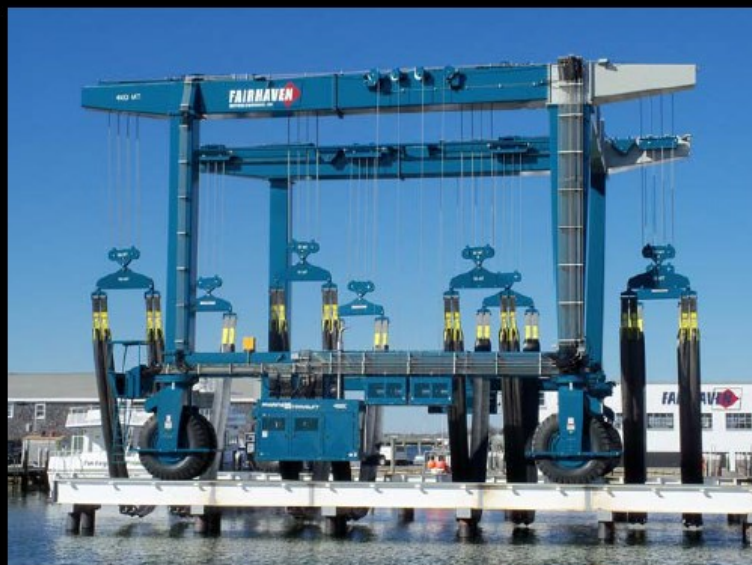
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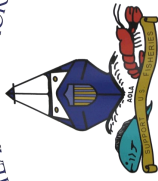


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