



New Hampshire Fish and Game Department

HEADQUARTERS: 11 Hazen Drive, Concord, NH 03301-6500
(603) 271-3421
FAX (603) 271-1438

www.WildNH.com
e-mail: info@wildlife.nh.gov
TDD Access: Relay NH 1-800-735-2964

September 24, 2014

David Gouveia
Assistant Regional Administrator for Protected Resources
NMFS Northeast Region
55 Great Republic Drive
Gloucester, MA 01930

Reference: **Request for Conservation Equivalency consideration for the number of traps per trawl in federal waters**

Dear Mr. Gouveia,

The New Hampshire Fish and Game Department (NHFGD) would like to file a request for the Atlantic Large Whale Take Reduction Team to consider a conservation equivalency proposal towards allowing less than the minimum traps per trawl through a trap reduction program to either be equivalent or less vertical lines than in current regulations.

Thank you for the opportunity to request a reconsideration to include conservation equivalency to the current limits to the number of traps per trawl that are in the Atlantic Large Whale Take Reduction Plan's 2014 Final Rule.

Sincerely,

Douglas E. Grout
Chief of Marine Fisheries

cc: Kate Swails, Protected Resources Division
Cheri Patterson, NHF&G

REGION 1

629B Main Street
Lancaster, NH 03584-3612
(603) 788-3164
FAX (603) 788-4823
email: reg1@wildlife.nh.gov

REGION 2

PO Box 417
New Hampton, NH 03256
(603) 744-5470
FAX (603) 744-6302
email: reg2@wildlife.nh.gov

REGION 3

225 Main Street
Durham, NH 03824-4732
(603) 868-1095
FAX (603) 868-3305
email: reg3@wildlife.nh.gov

REGION 4

15 Ash Brook Court
Keene, NH 03431
(603) 352-9669
FAX (603) 352-8798
email: reg4@wildlife.nh.gov

New Hampshire's Conservation Equivalency Proposal to the Atlantic Large Whale Take Reduction Plan

1) Description of proposal.

While the New Hampshire Fish and Game Department (NHFGD) supported the trap per trawl requirements of the 2014 Final Rule to the Atlantic Large Whale Take Reduction Plan in federal waters (3-12 miles = 10 trap trawls and 12+ miles = 20 trap trawls), we would like further consideration by the Atlantic Large Whale Take Reduction Team to allow a trap reduction program for the lobster fishing industry to fish a lesser number of traps equating to either equal or less vertical lines if fishing with the current required number of trap per trawls in federal waters. See Table 1 for example.

New Hampshire would like a provision to allow conservation equivalency strategies to reduce trap per trawls in federal waters if fishing fewer traps than the minimum allowed under the individual's/vessel's lobster license/permit. This consideration was requested by NHFGD while commenting on the vertical line reduction proposals received by NOAA Fisheries during or after the January 2012 Atlantic Large Whale Take Reduction Team meeting (Attachment 1). There are industry members that would like to continue individual fishing practices and are willing to reduce their number of traps fished to be able to fish fewer traps per trawls while fishing in federal waters. This recommendation was taken into consideration within inshore waters due to safety concerns, local fishing practices, etc. and should be considered in federal waters. NHFGD feels a conservation equivalency program can be developed through a trap tag return program while still being conscientious to rules in reducing vertical line and whale interactions.

The NHFGD is willing to work with its lobster industry to accommodate requests in lowering the number of traps they fish in federal waters in order to fish less traps per trawl without compromising a harvester's safety, allowing their business to remain economically viable with current fishing practices, and stay below the current baseline of vertical lines based on 10-trap per trawls.

Table 2 shows that as the number of traps per trawl is reduced the number of vertical lines increase from the current 10-trap per trawl baseline. However, through a trap reduction program that could be accomplished by the return of trap tags to the State as shown in Table 3 the conservation of vertical lines will be maintained and still allow the individual lobster harvester to continue to fish according to their personal fishing practices.

Some States are already using trap tags as a method to control the number of allowable traps per lobster harvester that may be different from federal regulations through Memorandum of Agreement. An example is New Hampshire has a more conservative allowable number of lobster traps for a component of its licensed lobster harvesters; Part-Time (100-trap limit) or Limited Commercial (600-trap limit) lobster licensees. If a lobster harvester holds either of these New Hampshire lobster licenses while also federally permitted to harvest lobsters in a Lobster Management Area (LMA) that allows more traps they can only order the more conservative number of trap tags to fish traps in state and/or federal waters. If they relinquish their State lobster license to fish solely in federal waters they can then obtain the appropriate number of trap tags allowed in their LMA but can't fish in State waters.

In summary, the NHFGD is requesting reconsideration of the ALWTRP's 2014 Final Rule to allow the lobster industry to participate in a trap per trawl reduction program so an individual can continue their fishing practice of fishing with less traps per trawl than the mandated 10 or 20-trap per trawl.

Table 1. The number of total traps that a New Hampshire licensed and/or federal permitted lobster harvester can fish in federal waters between 3 and 12 miles within Lobster Management Area 1, the current traps per trawl (ten traps/trawl) and the associated baseline vertical lines based on current regulations.

Current			
Traps	Traps/Trawl	# Trawls with 10 traps per trawl	Baseline Vertical Lines
800	10	80	160
600	10	60	120

Table 2. Various scenarios of as the number of traps per trawl decreases the number of vertical lines increases from the baseline based on current regulations.

Without Conservation Equivalency Program				
Traps	Traps/Trawl	# Trawls based on traps/trawl	Vertical Lines based on traps/trawl	Baseline Vertical Lines if at 10 traps per trawl
800	9	89	178	160
600	9	67	133	120
800	8	100	200	160
600	8	75	150	120
800	7	114	229	160
600	7	86	171	120
800	6	133	267	160
600	6	100	200	120

Table 3. Proposed conservation equivalent to reduce the required traps per trawl in federal waters with less vertical lines than the baseline at 10-traps per trawl.

With Conservation Equivalency						
Traps	# trap tags returned to State	# of reduced traps (reduce # of trap tags)	Proposed Traps/Trawl	# of trawls (based on proposed traps per trawl)	# of Vertical Lines (based on proposed traps per trawl)	# of Vertical Lines reduced from Baseline
800	100 (+10*)	700	9	78	156	4
600	100 (+10*)	500	9	56	111	9
800	200 (+20*)	600	8	75	150	10
600	150 (+15*)	450	8	56	113	8
800	250 (+25*)	550	7	79	157	3
600	200 (+20*)	400	7	57	114	6
800	350 (+35*)	450	6	75	150	10
600	250 (+25*)	350	6	58	117	3
*-10% replacement trap tags						