



New Hampshire Fish and Game Department

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April 27, 2012

Kate Swails, ALWTRP Coordinator
National Marine fisheries Service
Northeast Regional Office
55 Great Republic Drive
Gloucester, MA 01930

Dear Ms. Swails,

The New Hampshire Fish and Game Department (NHFGD) would like to comment on the vertical line reduction proposals received by NOAA Fisheries (NMFS) during or after the January 2012 Atlantic Large Whale Take Reduction Team (ALWTRT) meeting.

First, during the November/December 2010 ALWTRT Northeast Subgroup meeting the members unanimously agreed that the co-occurrence model should serve as the primary platform for developing and analyzing a vertical line reduction management strategy. As such the States and NMFS drafted vertical line reduction proposals based on the co-occurrence model platform. While there are areas that appear to have seasonally high whale distributions according to the North Atlantic Right Whale Consortium Sightings Database, they may not coincide in areas where there are high vertical line densities with lobster gear. Therefore, the NHFGD believes proposals drafted with a management reduction strategy that is based on seasonal area closures should be very cautiously considered.

Those proposals that only consider seasonal area closures based on sightings data may not be fully considering gear displacement or additional gear conflicts. The industry may only move gear out to the perimeter of the proposed area closures or produce areas with higher vertical line density elsewhere, thereby not reducing whale/vertical line interactions. Additionally, the analysis conducted by NMFS indicates little or no significant change to the annual percent change in the number of vertical lines deployed with the "Closure Area" proposals to NMFS's vertical line reduction proposal.

Also during the November/December 2010 ALWTRT Northeast Subgroup meeting, fisheries representatives strongly advocated for an approach that would enable States to develop vertical line reduction strategies tailored for specific geographies and fisheries. These equivalency strategies, broadly supported by Subgroup members, would be developed to provide a level of vertical line reductions for consideration by the full ALWTRT and NMFS rather than insisting on a blanket formula (i.e., single buoy lines or minimum trap per trawl requirements) for those areas identified as high risk. This approach was endorsed as a way to tap into local initiative, bring affected parties together in a collaborative discussion, build incentives and buy-in for any eventual changes in fishery practices, and avoid top-down actions that may be unsafe or uneconomical for vertical line fisheries.

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The proposals that the States developed largely address this approach. Each State worked with their industry to either produce a reduction in vertical lines, prove the interaction risk is already reduced due to local fishing practices, show future vertical line reductions due to attrition, or instituting regulations that will reduce interactions during high co-occurrence months. These efforts produced variable percentages in changes of vertical lines deployed. Each of the State's proposals, combined with NMFS's, achieved a minimum of a twenty-four percent change in reduction of vertical lines from the baseline; resulting in a twenty-seven percent reduced co-occurrence score in the northeast region (see Attachment 1). However, these percentages are lower than what will actually be achieved as Maine plans on instituting its second proposal.

The NHFGD has provided the necessary data and shown that during high risk co-occurrence months, vertical lines in state waters have already been reduced due to the timing of the season or the industry is already primarily fishing more traps/trawl than NMFS has proposed. In the absence of a defined goal of the number of vertical lines to be reduced, the proposals received by the northeast states and NMFS have achieved management measures to reduce vertical line interactions with Atlantic large whales, therefore the NHFGD supports all the State's preferred proposals.

In addition, the NHFGD would strongly support an allowance for additional proposed equivalency strategies for harvesters that may not be able to fish the amount of required traps per trawl in a particular area in the federal rule. Additional equivalency measures can be developed that allow for a variety of fishing practices that may maintain or further reduce the required number of vertical lines without compromising a harvester's safety and remaining economically viable with current fishing practices.

Thank you for the opportunity to comment and if you have further questions or concerns please contact Cheri Patterson, ALWTRT state representative.

Sincerely,



Douglas E. Grout
Chief of Marine Division

cc: Glenn Normandeau
Cheri Patterson

Attachment 1: Summary of impacts of all vertical line reduction proposals presented by NOAA Fisheries, April 2012.

Summary of Impacts

Proposal	NMFS	ME #1	ME #2	NH	MA	RI	Jordan Basin	CCB to GSC	CCB (Young)	Jeffreys	GSC Sliver	NORTHEAST REGION		COASTWIDE		
												% Change in VL	% Change in Co-Oc.	% Change in VL	% Change in Co-Oc.	
NMFS	X												-36.1%	-34.6%	-34.2%	-34.3%
ME #1	X	X											-29.0%	-34.6%	-27.5%	-34.3%
ME #2	X		X										-30.4%	-36.0%	-28.8%	-35.7%
NH	X			X									-35.9%	-34.5%	-34.0%	-34.2%
MA	X				X								-31.2%	-26.8%	-29.6%	-26.6%
RI	X					X							-37.2%	-35.0%	-35.2%	-34.8%
Jordan Basin (Kraus)	X						X						-36.1%	-34.7%	-34.2%	-34.4%
CCB to GSC (Kraus)	X							X					-36.1%	-34.8%	-34.2%	-34.6%
CCB (Young)	X								X				-36.9%	-37.0%	-35.0%	-36.7%
Jeffreys (Young)	X									X			-36.0%	-34.7%	-34.1%	-34.4%
GSC Sliver (Young)	X										X		-36.1%	-34.6%	-34.2%	-34.3%
NMFS + All State	X	X	X	X	X	X							-24.1%	-27.0%	-22.8%	-26.8%
NMFS + Kraus et al.	X						X	X					-36.1%	-34.9%	-34.2%	-34.7%
NMFS + Young et al.	X								X	X	X		-36.9%	-37.2%	-35.0%	-36.9%