

**ALWTRT Meeting
Northeast Offshore Trap/Pot Subgroup**

10AM - 1PM
June 17, 2003
NMFS Northeast Regional Office
Gloucester, MA

FINAL MEETING SUMMARY

ALWTRT Members:

State & Industry:

Peter Cooke (Red Crab Fishery); Bonnie Spinazzola (Atlantic Offshore Lobstermen's Association)

Scientists & Conservation/Environmental Groups:

Erin Heskett (International Fund for Animal Welfare); Mason Weinrich (Whale Center of New England); Sharon Young (Humane Society of the U.S.)

Federal Government & Fishery Management Organizations

Diane Borggaard (National Marine Fisheries Service); Kristy Long (National Marine Fisheries Service - Call In - Alt. For Greg Silber)

Interested Parties:

Bro Cote (Area 3 Lobster Fishery); Nick Jenkins (Area 3 Lobster Fishery); Robert Campanale (Area 3 Lobster Fishery); Roy Campanale, Jr. (Area 3 Lobster Fishery); Charlie Raymond (Area 3 Lobster Fishery); John Higgins (National Marine Fisheries Service); Jon Williams (Red Crab Fishery)

Ms. Borggaard, NMFS Large Whale Coordinator, introduced herself and welcomed the group. The meeting began with Ms. Borggaard asking the group if they were interested in a gillnet subgroup meeting on June 25th. She then reviewed the meeting objectives and agenda and asked for additional agenda items. Industry representatives suggested sending additional ideas via e-mail.

Offshore Trap/Pot Proposal - Effort Reduction and Neutrally Buoyant Line

The meeting began with a review of the suggestions from the April ALWTRT proposal for Offshore Trap/Pot Fisheries. Industry representatives stated that they are engaged in a two-year program of trap reduction.

They are also in the process of identifying appropriate line, somewhere between neutrally

buoyant line and sinking line. Subsequently, they will initiate a phase-in of the proper line, which will probably take four years to effectively implement. Industry representatives inquired about financial assistance to help implement use of the appropriate rope. Environmental representatives noted some fishermen are using neutrally buoyant line (NBL) and asked for some kind of estimate on the amount. Industry representatives answered that this is difficult to quantify, but that most fishermen are looking for line that works and is financially feasible.

Industry representatives raised the issue of temperature changes and the effect that will have on the components of NBL. They reminded the group that the research phase is still in progress as far as developing neutrally buoyant line that is fishable/operationally feasible.

Environmental representatives asked for an update on the research. Industry answered that there are seven boats using several lines while varying fishing types and number of trawls. Also, they are using line from different manufactures. Environmental representatives inquired whether they were finding any consistent problems with line from different manufacturers. Industry answered yes, that chaffing from the inside out was an issue, especially with regard to safety as you can't see when the line is worn on the inside, and where and when it might break (this is a concern when hauling as line could snap and cause injuries). External chaffing is also an issue in some areas. Industry plans to test some types of line with a simulator at some point in the future through a research project with the Massachusetts Division of Marine Fisheries (MADMF). Mr. Higgins stated the problem with requiring different types of line was keeping it affordable. Industry representatives stated that it could cost up to \$90,000 per boat to replace line. In terms of a time frame, Industry representatives felt line could be replaced within four years of the time a workable line is developed.

During the discussion on short-term actions, Industry stated that effort reductions are occurring (i.e. Area 3 was closed, traps are regulated, and will be reduced), and that within a four-year period, the number of traps per person will be reduced as much as 50%. Some environmentalists supported a short-term action to include expanded SAM areas (possibly allowing Cape Cod gear modifications) in order for NMFS to meet mandates until groundline profiles are reduced.

Environmental representatives asked industry for risk reduction, accelerated research, ongoing gear reductions, and quantified analysis. They requested a resolution from NMFS before the previously discussed groundline reduction deadline of 2006 with funding or 2008 without funding. Industry stated that even during the research stage, they are slowly phasing-in NBL and reducing gear. Fishermen noted the need for affordable, durable products.

Environmental representatives asked whether it was possible to bring the profile of the line down depending on the height of a whale's jaw while bottom feeding. The NMFS gear research team has just begun exploring this issue. Industry added that finding/developing the best workable line is a challenge.

Vertical Lines

An environmentalist noted that vertical lines are still an issue. Industry representatives

recommended adding buoyant line to the buoy lines in SAM areas to avoid gear loss. They also thought that fishing with one buoy line could pose a danger to the fishermen. Environmentalists acknowledged that the composition of the buoy line may not matter. Industry reps said that they had made this point before, and that complying with new requirements involves a lot of time and money, and so cautioned against guesswork. Industry also asked for consideration of the effort reductions that are presently occurring through FMPs and lobster regulations.

Rocky/Canyon Areas

Discussion ensued regarding fishing around rocky areas and canyons (i.e. 100 fathoms & east). Industry stated that it was impossible to fish with sinking lines in these areas. Fishers set their gear between 90-160 fathoms, a depth also utilized by whales. Industry representatives noted that they have not seen animals in the 30 fathom edges. Environmentalists asked NMFS to provide GIS plots including temperature data, if available. NMFS asked industry to compose a proposal detailing the areas they would like considered for exemption from groundline requirements. This information would then be provided to the ALWTRT.

Red Crab Fishery

The red crab fishery asked to be considered as a separate fishery, with its own fishery management areas. They set their gear at a depth of 300 fathoms, where whales are unlikely to interact with it. NMFS suggested that the red crab fishers develop a proposal for the agency to consider. Industry also said that there are very few endlines associated with the red crab fishery. They also suggested groundline exemption areas based on depth. Industry also noted that due to the depth this fishery operates in and the heavy buoy lines involved, testing acoustically releasable buoy lines is not feasible. Environmentalists agreed this may not be possible.

The meeting was adjourned at 1:00 P.M.

Note: See "Issues and Options for Modifications to the Atlantic Large Whale Take Reduction Plan - Scoping Document" (July 3, 2003) for complete list of proposals provided to NMFS at full ALWTRT meeting in April 2003 and subsequent subgroup meetings.

2003 ALWTRT Meeting Background

Environmentalist representatives from this Subgroup discussed the following proposed changes

to the ALWTRP regulatory language (Appendix 1 document posted on the Large Whale website) during the ALWTRT NE Inshore Trap/Pot Subgroup Meeting. Their responses are summarized below, followed by the responses of NE Offshore Trap/Pot Industry representatives, which were provided after the Subgroup Meeting:

Gillnet and Pot/Trap:

1. Should headings in the ALWTRP regulations be consistent?

(For example, should NOAA Fisheries change the “Weak Links on all Buoy Lines,” “Buoy Weak Links” and “Weak Links” headings to “Buoy Line Weak Links” where appropriate (e.g. Southern Nearshore Lobster Waters Area section.))

NE Inshore Trap/Pot Subgroup Comment Summary: Yes

NE Offshore Trap/Pot Subgroup Comment: Yes, it may resolve confusion now or in the future.

2. Should the weak link regulatory text for how to attach weak links for the various ALWTRP management areas be consistent?

(For example, where not already mentioned in the regulations, should all the weak link requirement sections include the following: weak links must be designed such that the bitter end of the buoy line is clean and free of any knots when the link breaks; splices are not considered to be knots for the purposes of this provision; and each weak link must be installed as close to each individual buoy as operationally feasible.)

NE Inshore Trap/Pot Subgroup Comment Summary: Yes

NE Offshore Trap/Pot Subgroup Comment: Yes.

3.a. Should buoy lines be required to be knotless?

b. Should knots be prohibited when attaching the toggle gangion to the buoy line?

Northeast Inshore Trap/Pot Subgroup Comment: No. This is not operationally feasible. Gear Advisory Group should discuss this issue.

NE Inshore Trap/Pot Subgroup Comment Summary: No. This is not operationally feasible. Gear Advisory Group should discuss this issue.

NE Offshore Trap/Pot Subgroup Comment: No. The offshore lobster group has no problem with knotless line, however, this is not the case with other fisheries. Therefore, may not want to include this in the regulatory language.

4.a. Should NOAA Fisheries change the language from “rope of appropriate diameter” to “rope of appropriate breaking strength” throughout the ALWTRP regulations when referring to techniques for meeting weak link requirements.

(In the 2001 Gear Modification final rule (January 10, 2002; 67 FR 1300), the use of line 7/16" in diameter or less for all buoy lines was removed as an option from the Take Reduction Technology Lists as the breaking strength of 7/16" line can vary dramatically and, therefore, is not an appropriate entanglement risk reduction tool. The terminology “rope of appropriate breaking strength” replaced “rope of appropriate diameter,” and was changed in some ALWTRP management areas but has not been changed for all areas.)

NE Inshore Trap/Pot Subgroup Comment Summary: Yes.

NE Offshore Trap/Pot Subgroup Comment: Yes, would be more consistent with terms used throughout the ALWTRT process.

b. Should NOAA Fisheries clarify in the regulations what the approved configurations are for weak links for both gillnet float rope and buoys? For example, should NOAA Fisheries incorporate into the regulations details on the techniques for making weak links and marking buoy lines or provide better indications as to what the techniques are?

Northeast Inshore Trap/Pot Subgroup Comment Summary: Details on techniques for making weak links and marking buoy lines should not be in regulation, but rather in an updateable reference. NMFS should continue to enable fishermen to develop additional techniques to abide by the weak link requirements

NE Offshore Trap/Pot Subgroup Comment: Not answered.

5.a. Should all ALWTRP management areas have gear marking requirements?

(For example, currently there is no gear marking requirement for the mid-Atlantic gillnet fishery, South Atlantic gillnet fishery and Northern Inshore Lobsters Waters fishery.)

b. Should the current gear marking scheme be modified? If so, when should the gear

marking scheme be effective?

(For example, should both buoy and ground lines be marked? What is the most appropriate gear marking scheme (e.g. individual gear marking vs. geographic/fishery identifications)?)

c. Would further research help determine a better gear marking scheme? If so, what are these research needs?

NE Inshore Trap/Pot Subgroup Comment Summary: This group defers to seek advice from the Gear Marking Committee.

NE Offshore Trap/Pot Subgroup Comment: Defer above to ALWTRT Gear Marking Committee.

6. In the regulatory language, where sinking and/or neutrally buoyant line is required for groundlines, should NOAA Fisheries prohibit the attachment of buoys, toggles or other flotation devices to clarify the intent of the existing regulations?

NE Inshore Trap/Pot Subgroup Comment Summary: Yes, but this issue may need to be re-addressed if we go to low profile or sinking line.

NE Offshore Trap/Pot Subgroup Comment: Agree with comment above.

7. Should NOAA Fisheries clarify in the regulatory language, where appropriate, that fishermen are prohibited not only from fishing with gear that does not meet specified requirements, but also from possessing, setting or hauling back gear that does not meet the specific requirements?

NE Inshore Trap/Pot Subgroup Comment Summary: Any change in the language should not include the word “possess.” Defer this to the ALWTRT Enforcement Committee.

NE Offshore Trap/Pot Subgroup Comment: No. “Fishing” is an all encompassing term and includes the actions of “setting” and “hauling back.” “Possess” should definitely not be included, unless NMFS has a method to buy-back or dispose of all gear that does not meet specified requirements.

8. Should NOAA Fisheries clarify in the regulatory language that fishermen may use “neutrally buoyant and/or sinking line” (e.g. Lobster Take Reduction Technology List

language) rather than “neutrally buoyant or sinking line”?

(For example, for SAM gear modifications, the regulatory language specifies “neutrally buoyant or sinking line” for groundlines and buoy lines. If the regulatory change was made as noted above, fishermen would be able to use “neutrally buoyant and/or sinking line” for their groundlines or buoy lines.)

NE Inshore Trap/Pot Subgroup Comment Summary: Yes.

NE Offshore Trap/Pot Subgroup Comment: Yes

9. a. Should the definition of “sinking line” be changed to "sinking line means rope that sinks and does not float at any point in the water column”?

(Sinking line is currently defined in 50 CFR 229.2 as “means rope that sinks and does not float at any point in the water column. Polypropylene rope is not sinking line unless it contains a lead core”. If the regulatory change noted above is made, this would allow sinking line which contains some portion of polypropylene blended with other fibers during the manufacturing process, as long as the final product would not float.)

NOTE: GEAR RESEARCH TEAM IS CURRENTLY DEVELOPING A CRITERIA AND PROCEDURE FOR NEUTRALLY BUOYANT LINE. THIS INFORMATION WILL BE FOLDED INTO A REVISED SINKING LINE DEFINITION IN THE FUTURE.

b. Do we want to continue to have two separate names for sinking and neutrally buoyant line?

(Neutrally buoyant line is currently defined in 50 CFR 229.2 as “line with a specific gravity near that of sea water, so that the line neither sinks to the ocean floor nor floats at the surface, but remains close to the bottom.” NOAA Fisheries will be developing a procedure for determining specific gravity of rope, as well as a criteria for establishing a density standard based on known or measured water densities along the Atlantic coast. The sinking and neutrally buoyant line definitions at 50 CFR 229.2 will then need to be modified to incorporate this procedure and criteria, which will most likely result in the same definition.)

NE Inshore Trap/Pot Subgroup Comment Summary: As long as rope manufacturers know the difference, refer to them by their specifications. There is also low profile and sinking line. Should maintain as two separate terms.

NE Offshore Trap/Pot Subgroup Comment: This group questions how the gear research team will develop a “criteria and procedure for determining neutrally buoyant line,” since the

performance of the line varies greatly due to temperature, salinity, and environmental conditions. That being said, we believe research is critical to determine a real or biologically rooted number that speaks to the height that the line can float off the ocean floor without causing risk to whales. Once determined, the line should be referred to in the regulatory language as “low-profile line,” which the above mentioned research will define. This leaves the decision of the actual line-type up to the individual, yet requires that it meet the regulatory specifications.