

**Deep-Sea Red Crab Amendment 3
Public Hearing Summary**

September 9, 2010
Mansfield, MA

ATTENDEES: David Goethel, Christopher Kellogg, Richard Allen, James Fair, Colin Cunningham, Frank Wetmore, Jon Williams

Red Crab Committee Chairman David Goethel opened the public hearing at 5:02. He explained the purpose of the hearing and asked the staff to present the alternatives for public comment.

PDT Chairman Richard Allen described the purpose and need for the Amendment and then went through each action item in sequence.

Section 4.1: Effort Control Alternatives – Jon Williams, representing the New England Red Crab Harvesters’ Association, voiced his support for the preferred alternative identified by the Red Crab Committee, that being Section 4.1.1, a hard Total Allowable Landings (TAL) without days-at-sea (DAS).

Section 4.2: Trip Limit Alternatives - Jon Williams expressed support for the preferred alternative identified by the Committee, that being Section 4.2.1, eliminate trip limits. Mr. Williams explained his support by noting that he did not expect any of the red crab vessels to land more in the near future, but that conditions could change in the more distant future and he thought that it would be hard to get red crab on the Council’s priority list to accomplish this change in the future, if the need arose.

Section 4.3: Trap Limit Regulatory Language – Jon Williams expressed support for preferred alternative identified by the Committee, Section 4.3.1, “Modify the Regulatory Language Pertaining to Trap Limits.” Mr. Williams explained that his support was based on the reasoning provided in the draft Amendment, that the current language had prevented combination offshore lobster and red crab boats from hauling both kinds of traps on a single trip, which had been their practice prior to the implementation of the Red Crab FMP. Mr. Williams testified that the proposed measure would not put any more pressure on the red crab resource. In response to a question from the Committee Chairman, Mr. Williams expressed the opinion that the suggested language would remedy the problem.

Section 4.4: Accountability Measures – Jon Williams expressed support for the preferred alternative identified by the Red Crab Committee for the Proactive Accountability Measure (Section 4.4.1.1), In-season Closure Authority Granted to the Regional Administrator. Mr. Williams also stated that he would support the Committee’s preferred alternative for Reactive Accountability Measures, (Section 4.4.2.1), Next Year In-Season Adjustment Option. Mr. Williams also supported the Committee’s preferred alternative

for a combination of both proactive and reactive AMs, which is Section 4.4.3 in the draft Amendment.

Section 4.5: Specification Setting Process and Components Alternative – Jon Williams expressed his support for the preferred alternatives identified by the Committee, which would modify the specification setting process to include a role for the SSC, Section 4.5.1, and modifying the specification components (Section 4.5.3) as appropriate for the effort control option chosen by the Council.

Section 4.6: Measures to Control the Landing of Female Crabs – The Chairman asked for clarification on the status of Section 4.6.1, Remove the Prohibition on Landing More than One Tote of Female Crab. The draft Amendment does not identify that alternative as preferred, but it was the recollection of the Chairman and others that the Committee did choose Section 4.6.1 as the preferred alternative.¹ Frank Wetmore, Chairman of the Red Crab Advisory Panel, expressed his support for the removal of the prohibition on landing more than one tote of female crab. Mr. Wetmore noted the abundance of female crab in the most recent stock assessment. Jon Williams asked for clarification of the rationale provided in the document to support the removal of the prohibition on taking female crab. PDT Chairman Allen summarized the rationale and noted the existence of an Exempted Fishing Permit that currently allows the red crab fleet to take a limited number of female crabs. Allen also pointed out that the removal of the prohibition on taking females would be contingent upon the SSC and the Council recommending an ABC for females.

Jon Williams provided an additional rationale for the removal of the prohibition on females, explaining that the prohibition was not based on crab biology but was simply an attempt by the historic participants in the red crab fishery to assure that the FMP effectively limited the total catch to a sustainable level. Mr. Williams explained that the new entrants into the fishery at the time of the FMP development had claimed that the TAC for red crabs might be as high as 28 million pounds. The historic participants thought that the TAC should be closer to the six million pound value suggested by the 1973 survey. In the event that they TAC were set higher than the historic participants considered reasonable, they requested a prohibition on landing females to assure that the spawning stock would be protected regardless of an overoptimistic TAC. Now, with a TAC close to four million pounds, the industry believes that the risk of overfishing has been eliminated and it would be reasonable to consider landing females in the future because the TAC for males has been reduced substantially and the last survey shows that the abundance of females is about triple that of males. He supports the removal of the prohibition so that the SSC will have the flexibility to consider a female ABC without the need for the Council to put the issue on a future list of priorities.

Section 5.0: Proposed 2011-2013 Specifications - PDT Chairman Allen read through the proposed specifications for both Section 5.1, Specifications under the “Hard TAL with No DAS” Alternative and Section 5.2, Specifications under the No Action/Status Quo Alternative. He noted that the Hard TAL with No DAS Alternative was the preferred

¹ The recording system failed during the Red Crab Committee meeting so no tape is available to check on the exact wording of the motion adopted by the Committee on Section 4.6.1. Notes from the meeting indicate that the Committee voted to move the alternative from the “Considered and Rejected” category to the section for alternatives under active consideration. The Committee discussion clearly indicated the Committee preference for Section 4.6.1 over 4.6.2, the No Action/Status Quo Alternative.

alternative for effort control and that the specifications in Section 5.1 were the preferred alternative chosen by the Red Crab Committee to go along with that effort control alternative. Jon Williams testified that the industry would support the Committee's decision.

The Chairman adjourned the hearing at 5:27 p.m.