

## Massachusetts Lobstermen's Association, Inc.

8 Otis Place ~ Scituate, MA 02066

Bus. (781) 545-6984 Fax. (781) 545-7837



July 12, 2016

Betsy Nicholson, NE RPB Federal Co-Lead  
National Oceanic and Atmospheric Administration  
National Marine Fisheries Service, Northeast Regional Office  
55 Great Republic Drive  
Gloucester, MA 09130-2276

RE: Comments on the draft Northeast Regional Ocean Plan

Dear Ms. Nicholson,

On behalf of its 1800 members, the Massachusetts Lobstermen's Association (MLA) respectfully submits our letter of comment on the draft Northeast Regional Ocean Plan (Plan) to the National Oceanic and Atmospheric Administration released on May 20, 2016. The MLA has followed the development of the Plan by attending many Regional Planning Body (RPB) meetings, workshops, and stakeholder forums to ensure the lobster fishermen in the Northeast were represented.

Furthermore, we believe allowing access to the information found in the Northeast Ocean Data Portal will benefit all users of the ocean we all depend upon allowing for effective decision making, encouraging transparency and stakeholder participation, advances interagency coordination, embracing agency accountability, make readily available maps and users, advance ocean science and data products.

Established in 1963, the MLA is a member-driven organization that accepts and supports the interdependence of species conservation and the members' collective economic interests. The MLA continues to work conscientiously through the management process with the Division of Marine Fisheries, the MA Marine Fisheries Commission, the Atlantic States Marine Fisheries, and the New England Fisheries Management Council, the Atlantic Large Whale Take Reduction Team along with participating in the ocean planning process for many years.

The MLA would like to, first and foremost, congratulate all the Northeast Regional Planning Body (RPB) members and participants for their many years of dedication as all the hard work and dedication has released the first ever draft *Northeast Regional Ocean Plan*. The RPB has maintained with integrity and diplomacy the Plans development and purpose throughout the development. Job well done!

### **Lobster Fishery data gap**

The MLA has been an active participant in the process over the past several years and has on numerous occasions vocalized our concerns about the lack of lobster effort data in the Plan. While we understand RPB is aware of the significant gap in the data, we wanted to state this on the record and offer up a simple and cost effective solution to fill this data gap; provide every permitted lobster fisher a 20 mile circumference while not overlapping any permit holder.

Whereas, the federally permitted lobster fishermen can travel from state to state in federal waters to fish with in their respected Lobster Management Area. When the lobster industry effort data is not represented by technology such as a Vessel Monitoring System and are apprehensive to let anyone assume or determine where the commercial lobster fishers are fishing.

We believe by applying a 20 mile circumference for each permit holder would not leave much area left where lobstering does not occur. As you are well aware, the lobster industry is a highly mobile fishery not only with the seasons but also with the lobsters' behavior, mating, habitat and feeding needs to name a few. This may be an effortless way to test what the lobster fishing effort looks like spatially.

### **Important Ecological Areas**

Another area of concern we see is the Important Ecological Areas (IEA) section on pages 52-53. How will these areas be determined, interpreted, level of importance, funding of scientific research and how would these IEAs be protected from non marine uses. We recognize that some of these same concerns have been raised up and down the coast throughout the public hearing process which leads to even more trepidation with regards to any area being identified an Important Ecological Area.

Currently, there is already management measures in place through the New England Fisheries Management Council that protect spawning areas and the prohibition of certain gear types minimizing negative impacts on the ecosystem. To further label an "Important Ecological Area" creates yet another tool, which can and will be used against the commercial and recreational fishing industries in attempts to prohibit fishing by creating either a National Marine Monuments or a Sanctuaries' effort to confine fishing.

Moreover, we are apprehensive to support the creation of "Important Ecological Areas" given the economy and tax burdens being realized to create another layer of science. There is currently no funding allocated for all the science needed to label or prove what areas are important.

We believe the entire ocean is important and do not support the creation of Important Ecological Areas which will further cut up the ocean with more areas and lines creating a conduit for more superfluous restrictions on the already highly restricted commercial and recreational fishing industries.

## **Maintaining the Data Portal**

The development of the Data Portal has been no easy task and the RPB members and staff commended for their tireless hard work and veracity in building a user friendly portal for all to use. We see the Data Portal as an immense instrument for potential non marine uses projects to utilize before initiating any project. The Data Portal gives a developer an intimate perspective on who and what is currently being done on the water in areas they might want to develop while allowing the developer a chance to engage with the current users on the water to better understand and mitigate conflicts.

While many of the government agencies have publically agreed today, to continually update the information on the Data Portal, we are guarded on these commitments given the frequent changes in department heads and staff changes that may not agree with their predecessor commitment. Is it possible to create a contract between the agency and the RPB on their commitment to maintain and update the information on an annual basis? We do not want to see the last several years be wasted and let the Data Portal fall to pieces.

In Closing, we congratulate the Regional Planning Body for doing a great job pursuant to the 2010 National Ocean Policy, established by Presidential Executive Order calling for the voluntary development of regional ocean plans in the Untied States. Amid these ever changing technologies, methods and the speed in which information is being exchanged between servers, we see the Northeast Ocean Data Portal a great tool full of current data we are concerned about how this voluntary Data Portal will be maintained. We strongly encourage the next administrations commitment to fund the future successes of the regional ocean plans.

As a member of the Massachusetts Ocean Advisory Commission and on behalf of the Massachusetts Lobstermen's Association, we extend our gratitude to the Regional Planning Body members, staff, working group members, and stakeholder participants in helping develop and delivery the first in the Nation Regional Ocean Plan.

Sincerely,

*Beth Casoni*

Executive Director

Cc:

Dr. David Pierce, DMF

Bruce Carlisle, CZM

