

Atlantic States Marine Fisheries Commission

**PUBLIC INFORMATION DOCUMENT
FOR THE DRAFT FISHERY MANAGEMENT PLAN
FOR CANCER CRAB**



*ASMFC Vision Statement:
Sustainably Managing Atlantic Coastal Fisheries*

August 2014

**The Atlantic States Marine Fisheries Commission Seeks your Comment
on the Management of Cancer Crab**

The public is encouraged to submit comments regarding this document during the public comment period. Comments will be accepted until 5:00 PM (EST) on October 3, 2014. Regardless of when they were sent, comments received after that time will not be included in the official record. The American Lobster Board will consider public comment on this document when developing the first draft of a Cancer Crab Fishery Management Plan.

You may submit public comment in one or more of the following ways:

1. Attend public hearings held in your state or jurisdiction.
2. Refer comments to your state’s members on the American Lobster Advisory Panel, if applicable.
3. Mail, fax, or email written comments to the following address:

Kate Taylor
 1050 North Highland St., Suite 200 A-N
 Arlington, VA 22201
 Fax: (703) 842-0741
ktaylor@asmfc.org (subject line: Cancer Crab PID)

If you have any questions please call Kate Taylor at (703) 842-0740.

Timeline for Completion of Proposed Cancer Crab FMP

	May 2014	Board tasks the Plan Development Team to develop Public Information Document
	August 2014	Board receives the PID and considers approval for public comment
Current Step →	September - October 2014	Public Comment on the PID
	November 2014	Management Board reviews PID for public comment, considers initiation of Draft FMP. PDT will develop FMP with input from TC and AP.
	February 2015	Management Board reviews Draft FMP for public comment
	March -April 2015	Public comment on Draft FMP
	May 2015	Management Board reviews and considers recommendation of approval of the FMP Full Commission considers approval of the FMP

Atlantic States Marine Fisheries Commission
Draft Public Information Document for the Cancer Crab FMP

Introduction

The Atlantic States Marine Fisheries Commission (Commission) is developing an Interstate Fishery Management Plan (FMP) for Cancer Crab, under the authority of the Atlantic Coastal Fisheries Cooperative Management Act (ACFCMA). Management authority for this species from zero to three nautical miles offshore, including internal state waters, lies with the Commission, and is promulgated by the coastal states. Responsibility for compatible management action in the exclusive economic zone (EEZ) from 3-200 miles from shore lies with the Secretary of Commerce through ACFCMA in the absence of a federal FMP.

Management Issues

In May 2014, the American Lobster Management Board initiated the development of a FMP for Cancer Crab, to address management of Jonah crab (*Cancer borealis*) and rock crab (*Cancer irroratus*) throughout the species range within United States waters. While Jonah crab are typically the preferred catch over rock crab, due to the similarities in appearance between the two species and the continued problem of misidentification, both species could be managed together through the Commission's process (Figure 1).

The development of this FMP was based on recommendations from the Jonah Crab Fishery Improvement Project (FIP). A FIP is a multi-stakeholder effort to improve a fishery's performance to a level that is consistent with the Marine Stewardship Council's (MSC) sustainable seafood certification. The Jonah Crab FIP was initiated by Delhaize America (a grocery retailer) when the company found Jonah crab did not meet the criteria for sustainable harvest in order to continue the sale of Jonah crab in its stores.

The FIP conducted a pre-assessment benchmark against the MSC sustainable seafood criteria and organized a working group to prioritize threats to Jonah crab and develop potential management measures to address these threats. The working group was comprised of members of various lobster industry associations, state agencies, academia, fishermen, and seafood retailers. Specific concerns of the FIP include increasing targeted fishing pressure on Jonah crab, likely due to a fast growing market demand, and the long term health of the fishery. The FIP made several recommendations to the Commission including a minimum size, prohibiting female crab harvest, and reporting requirements.

Purpose of the Public Information Document

The purpose of this document is to inform the public of the Commission's intent to gather information concerning the cancer crab fisheries and to provide an opportunity for the public to identify major issues and alternatives relative to the management of these species. Input received at the start of the FMP development process can have a major influence in the final outcome of the FMP. This document is intended to draw out observations and suggestions from fishermen, the

public, and other interested parties, as well as any supporting documentation and additional data sources.

To facilitate public input, this document provides a broad overview of the four issues identified for consideration in the FMP, as well as background information on the cancer crab stocks, fisheries, and management. The underlying questions for public comment are: **“How would you like the Cancer crab fishery and population to look in the future?”** The Commission is looking for both general comments on the Cancer crab management in state waters and/or any comments specific to the issues listed in this document.



Figure 1. Rock Crab (*Cancer irroratus*), left, and Jonah Crab (*Cancer borealis*), right. The two species can be distinguished in a few ways. First, rock crab have purplish-brown spots on the carapace of while Jonah crab have yellow spots. Second, rock crab have smooth edges to the teeth on the edge of the carapace. Jonah crabs can be slightly larger than rock crabs a typically have black-tipped claws. (Source: MA Division of Marine Fisheries)

ASMFC’s FMP Process and Timeline

The publication of this document and announcement of the Commission’s intent to develop a FMP for Cancer Crab is the first step of the FMP development process. Following the initial phase of information gathering and public comment, the Commission will evaluate potential management alternatives and the impacts of those alternatives. The Commission will then develop a draft FMP, incorporating the identified management alternatives, for public review. Following the review and public comment, the Commission will specify the management measures to be included in the FMP, as well as a timeline for implementation.

This is the public’s opportunity to inform the Commission about changes observed in the fishery, things the public feels should or should not be done in terms of management, regulation, enforcement, research, development, enhancement, and any other concerns the public has about the resource or the fishery. In addition, this is the public’s chance to present reasons for the changes and concerns for the fishery.

A tentative schedule for the completion of the FMP is included at the beginning of this document. Please note these dates are subject to change.

Statement of the Problem

While Jonah crab has long been considered a bycatch of the lobster industry, in recent years there has been increasing targeted fishing pressure and growing market demand. The status of the Jonah crab fishery in federal or state waters is relatively unknown. In the absence of a comprehensive management plan and stock assessment, harvest of Jonah crab may compromise the sustainability of the resource.

Description of Management

Management for the Jonah crab fishery varies from state-to-state (Table 1). There is currently no maximum landing size restriction in any state and all states require some form of commercial catch reporting. Commercial licensing in some states is linked to the lobster fishery. While commercial harvest reporting is required by all states, misidentification of Jonah crab with rock crab is a known problem. In federal waters, commercial harvest of Jonah crab is unregulated.

Recreational harvest is allowed in all states. Massachusetts, New York, New Jersey, and Maryland have put in place varying recreational harvest limits, while the remaining states do not have any recreational harvest limits. Limits on recreational traps and recreational licensing requirements also varies by state. In federal waters, recreational harvest of Jonah crab is unregulated.

Description of the Cancer Crab Resource

Status of the Stocks

The status of the Jonah crab fishery in federal or state waters is relatively unknown. There is no range wide stock assessment for Jonah crab. A stock assessment conducted by the Rhode Island Department of Environmental Management found fishing mortality for Cancer crabs in state waters has recently exceeded the F_{msy} level, but biomass was above the B_{msy} level, so was not considered overfished at this time (RIDEM 2012). However, the Rhode Island fishery primarily occurs in federal waters.

Massachusetts, Maine, and New Hampshire conduct inshore state water trawl surveys which are primarily focused on finfish and encounter Cancer crab species infrequently, therefore providing only minimal data. NOAA Fisheries conducts a trawl survey in federal waters which collects data on Cancer crab abundance and distribution, distinguished by species; however, this data has not yet been fully analyzed.

Description of the Fishery

Jonah crabs are taken in pots and traps and have long been taken as bycatch in the lobster fishery. The value of Jonah crab has increased recently, resulting in higher landings. Landings fluctuated between approximately 2 and 3 million pounds throughout the 1990's. By 2005, landings increased to over 6 million pounds and then nearly doubled again to 11.5 million pounds in 2012. Landings in 2012 predominately came from Massachusetts (65%), followed by Rhode Island (28%) and Maine (5%). Connecticut, New York, New Jersey, and Maryland accounted for a combined 1% of landings. In 2012 the fishery was estimated to be worth over \$8 million.

Landings of rock crabs have fluctuated between approximately 1 and 5 million pounds since 1990. Landings peaked at 4.8 million pounds in 2008, but have continued to decline since then. Landings in 2012 were 1.7 million pounds and estimated to be worth approximately \$830,000.

Since 2002, the Cancer crab fishery has increased from an ex-vessel value of \$2 million to just under \$9 million (Figure 2). Jonah crab claws are relatively large and can be an inexpensive substitute for stone crab claws. With only a handful of processors specializing in this fishery, the quality of Jonah and rock crabmeat is very consistent. While the ex-vessel prices for other popular crabs such as Dungeness have soared, fishermen have seen their boat prices for Jonah crab rise only modestly from about \$0.50 per pound to \$0.70 per pound from 2009 to 2012 and rock crab prices has remained close to \$0.45 per pound since 2006 (*ACCSP Data Warehouse, September 2013*). That’s largely because there is only a small live market for Jonah crab and only a handful of plants process Jonah crabmeat and claws, limiting price competition for the catch. Prices of Jonah crab products, on the other hand have increased as more buyers look for an alternative to much higher priced blue and Dungeness crabmeat. With Dungeness meat now selling for \$18 per pound, the price of Jonah crabmeat has settled in at about \$13-\$15 per pound.

Issues for Public Comment

Public comment is sought on a series of issues being considered for inclusion in the FMP. The issues are intended to focus the public comment and provide the Board with the necessary input to develop a FMP. The public is encouraged to submit comments on the issues listed below as well as other issues that may need to be addressed in the FMP.

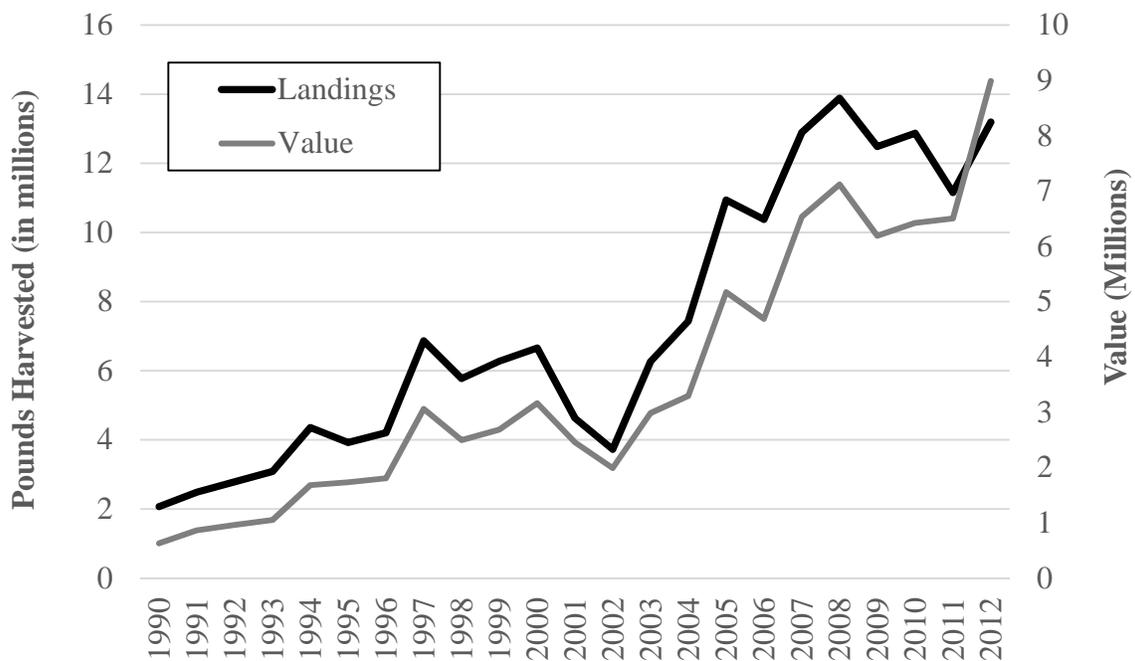


Figure 2. Cancer crab (Jonah and rock crab, combined) landings and value for the Atlantic coast, 1990 – 2012. Source: personal communication NMFS Fisheries Statistics Division, 2014

Table 1. Commercial and Recreational Regulations

	Comm Trap Limit	Comm Trap Restrictions	Comm License Required	Comm Min Size	Comm Sex Restrictions	Comm Closed Seasons	Comm Harvest Limit	Rec License	Rec Harvest Limit	Rec Trap Limit
ME	Lobster Limit	Lobster Traps	Yes	None	None	Dec 30 - Apr 1 in specific rivers	200 pounds/day or 500 pounds/trip	No - hand harvest; Yes - traps	No	5 traps
NH	Lobster Limit	Lobster Traps	Yes	None	None	No	No	Yes (if more than 12 taken)	No	No
MA*	Lobster Limit	Lobster Traps	Yes	None	No egg bearers	Jan 1 - Apr 30 in state waters	No	No - hand harvest; Yes - traps/SCUBA	50/day	10 traps
RI	No	No	Yes	None	No	No	No	Yes	No	No
CT	No	Lobster Traps	Yes	No	No	No	No	yes	No	10 traps per day
NY*	No	Escape panel required	No	No	No egg bearers	No	No	No	50/day	No
NJ	No	Bio-degradable panel required	Yes	3" - 4.5" (varies by hardness)	No egg bearers	Yes	No	Yes	One bushel/day	yes
MD*	No	Turtle BRD and escape panel required	No	3.5" to 5" (varies by hardness)	No female harvest at certain times	Open Apr 1 - Dec 15	25 bushels per vessel/day	No	3 bushels hard crabs; 2 dozen soft crabs	No
VA	No	No	No	None	No	No	No	No	No	No

**Regulated through blue crab fishery*

***ISSUE 1:
CONSISTENT
COASTWIDE
MANAGEMENT OF
A MIGRATORY
STOCK***

Background

Currently, states independently manage their Cancer crab fisheries. The Commission is considering coordinating the management of the Cancer crab resource. The Commission will determine if the management of Cancer crab will be a part of the American Lobster Board or its own species board.

Management Questions

- Is consistent coastwide management needed for the Cancer crab fishery?
- Should management of Cancer crab be coordinated through the Commission?
- Are there regional differences in the fishery and/or in the Cancer crab stock that need to be considered when implementing management measures?
- Should the Commission include management of rock crab with the management of Jonah crab?

***ISSUE 2:
WHAT ARE THE
APPROPRIATE
MANAGEMENT
OBJECTIVES FOR
THE CANCER CRAB
FMP?***

Background

The Commission could considering the following management objectives for the FMP for Cancer crab and is seeking input on these or any others that may be raised.

- A. Provide a management plan that achieves the long-term sustainability of the resource and strives, to the extent practicable, to implement and maintain consistent coastwide measures, while allowing the states limited flexibility to implement alternative strategies to accomplish the objectives of the FMP
- B. Provide for sustainable recreational and commercial fisheries.
- C. Maximize cost effectiveness of current information gathering and prioritize state obligations in order to minimize costs of monitoring and management.
- D. Adopt a long-term management regime which minimizes or eliminates the need to make annual changes or modifications to management measures.

Management Questions

- What should be the objectives in managing Cancer crab fisheries through the Commission?

**ISSUE 3:
WHAT ARE THE
APPROPRIATE
COMMERCIAL AND
RECREATIONAL
MANAGEMENT
MEASURES FOR
THE CANCER CRAB
FISHERY?**

Background

The Commission could consider different management approaches for the commercial Cancer crab fishery. They could include: minimum size restrictions and restrictions to protect female Jonah crabs. Additionally, the Commission could consider action on the recreational fishery. Currently, commercial and recreational management measures vary by state.

In the absence of a minimum size restriction for Jonah crab and regulations to preserve the brood stock, the population is at risk of long-term unsustainability. A 5-inch minimum carapace width (CW) could maintain reproductive capacity in the fishery. From a market perspective the FIP found processors are less likely to purchase crabs that are smaller than 5.25" CW, while dealers of live crab have indicated a minimum size of 5" is a marketable size. However, there are potential emerging markets for smaller crab, including for use as bait.

A 5" CW size restriction would protect most female crabs from harvest, as very few females exceed this size. The protection of female crab was considered to be of utmost importance to the FIP Work Group, and recommends a zero tolerance protection for egg-bearing crab.

Management Questions

- What level of management is appropriate for Cancer crab (e.g. basic, moderate, intense, etc...)?
- Should required management measures be implemented concurrently with monitoring requirements?
- Should the FMP require a 5" minimum carapace width (CW) for commercially caught Jonah crab? Should there be a tolerance on the possession for enforcement? Should there be a minimum CW for rock crab, if so what size range? Should there be a tolerance on the possession for enforcement (e.g. 5%)?
- Should the FMP prohibit commercial harvest of female Cancer crab? Should there be a tolerance on the possession for enforcement?
- Should there be a prohibition on the possession of egg-bearing females? Should there be a tolerance on the possession for enforcement?
- How should the recreationally fishery be managed?
- What other management options should be considered (e.g. escape vents, gear restrictions, shell height restrictions, etc...)

**ISSUE 4:
HOW SHOULD THE
CANCER CRAB
FISHERY BE
LICENSED?**

Background

The FIP examined the Jonah crab and lobster fisheries in offshore federal waters and found extensive overlap, as licensed lobstermen presently harvest 98.3% of the Jonah crab landed from federal waters. Massachusetts, Maine, and New Hampshire also tie Jonah crab harvest to lobster licenses. The lobster fishery is managed under effort controls that address whale entanglement issues. By linking the harvest of Cancer crab to the existing measures of lobster management plan, managers could potentially avoid increasing trap numbers, additional costs to states for plan development and enforcement, and determining resource allocation for the Cancer crab fishery.

Management Questions

- Should the FMP require a license for the commercial harvest of Cancer crab?
- For jurisdictions with a lobster fishery, should the FMP require a lobster license in order to commercially harvest Cancer crab or should the fishery be licensed separately?
- Should the directed fishery be limited to those vessels using lobster traps authorized under the lobster management plan?
- Should harvest by trap fishing vessels that are using crab traps not bearing lobster trap tags be restricted?
- Should trip limits be established? If so, should the historic harvesters using vessels deploying lobster traps be given a more liberal trip limit than other gears?
- Should states require a recreational license to harvest Cancer crab?
- Should harvest for bait purposes be included under a recreational or commercial license?
- Are there other licensing requirements that should be considered?

**ISSUE 5:
WHAT TYPES OF
DATA COLLECTION
SHOULD BE
PRIORTIZED TO
MANAGE THE
FISEHRY?**

Background

Data collection for Cancer crab varies by state and survey. All states require some form of commercial catch reporting. Fishery-independent surveys vary throughout the range. Typical data collected to conduct fisheries stock assessments include harvest, number of traps fished, area fished, as well as biological and life history information.

Management Questions

- What types of data collection programs should be initiated to monitor the commercial and recreational fishery?

- What types of fisheries independent data should be collected by the states to help increase understanding of stock status and biology of Cancer crab?
- Should fishermen be required to report harvest if used for bait purposes?

***ISSUE 6:
IS EMERGENCY
ACTION NEEDED
TO MANAGE THE
FISHERY IN THE
INTERIM?***

Background

The FIP recommended that the Commission take emergency action to implement management measures for Jonah crab based on increasing concern of the current and growing market for smaller female Jonah crabs. The FIP requested the Commission consider implementing an interim measure prohibiting the possession of female Jonah crab (with a 0.5-1% enforcement tolerance). If approved, measures contained in a Jonah crab FMP could go into effect, at the earliest, in early 2016, at which point the long-term reproductive capacity might already be seriously compromised.

Under the Commission’s procedures it may implement emergency action when the conservation of a coastal fishery has been placed substantially at risk by unanticipated changes in the ecosystem, the stock, or the fishery. This action shall originally be effective for a period not to exceed 180 days but may be extended for two additional periods up to a year each, provided the Commission has initiated action to prepare an FMP.

Management Questions

- Should emergency action be taken prior to the finalization of an FMP in order to address concerns of the harvest of small female Cancer crab?
- If emergency actions are implemented, what should they be?
- If emergency actions are implemented, when should they begin?

***ISSUE 7:
RECOMMENDATIONS
FOR FEDERAL
WATERS?***

Background

There are currently no regulations in federal waters (3-200 miles) for Cancer crab fisheries.

Management Questions

- Should management in federal waters be consistent with state waters fisheries?
- What recommendations should the FMP make for federal waters harvest of Cancer crab?

OTHER ISSUES

The public may comment on other issues for consideration in the development of the Draft Fishery Management Plan for Cancer Crab?

- What other issue(s) should be considered in the Draft Cancer Crab FMP?

Literature Cited

Fishery Improvement Project: Johan Crab Fishery Briefing for the Atlantic States Marine Fisheries Commission. April 21, 2014.

Rhode Island Department of Environmental Management, 2012. 2013 Management Plan for the Crustacean Fishery Sector.

National Marine Fisheries Service Office of Science and Technology. Domestic Fisheries Database: Annual Landings. Available at: <http://www.st.nmfs.gov/>