

## INTERSTATE FISHERIES MANAGEMENT PROGRAM OVERVIEW

# American Lobster



### Species Range and Stock Units

- Biological range and management unit: ME – NC.
- 2 biological stock areas: Gulf of Maine/Georges Bank (GOM/GBK) and Southern New England (SNE)
- 7 Lobster Conservation Management Areas: 1, 2, 3, 4, 5, 6, and Outer Cape Cod (OCC)

### Stock Status

**Most recent stock assessment:** [2020 American Lobster Benchmark Stock Assessment](#)

Terminal year of stock assessment data was 2018. The next stock assessment is expected for completion in 2025.

**Major Findings:** The 2020 peer-reviewed benchmark stock assessment report presents a mixed picture of lobster abundance throughout its US range. The report indicates record high abundance for the GOM/GBK stock in 2018, with spawning stock biomass and recruitment also at or near record highs. The GOM/GBK stock is not overfished and not experiencing overfishing. Young of year indices appeared to negative or neutral since the 2015 stock assessment and YOY abundance appears particularly poor in the southwestern areas of the stock. This indicates the potential for future declines in recruitment. Exploitation has generally declined through time to its lowest levels in recent years and is currently below the exploitation target.

Conversely, the SNE stock is significantly depleted with record low abundance. Model estimates of recruitment and spawning stock biomass have also declined to record low levels, indicating a declining trend in stock productivity, and insufficient reproductive success to sustain a stable population at current exploitation rates.

These declines are likely related to adverse environmental conditions, including unfavorably warm waters and the manifestation of a stressful environment through high shell disease prevalence, combined with sustained fishing mortality. Though the stock is depleted, the assessment shows overfishing is not occurring.

This assessment recommended new reference points using a methodology that accounts for regime shifts—significant changes in the lobster’s environment and population dynamics that would change stock productivity, recruitment, and ability to support different levels of catch. The accompanying

Reference Points		
Variable	GOM/GBK	SNE
<b>Effective Exploitation (Annual rate)</b>		
Threshold	0.475	0.290
Target	0.461	0.257
Recent	0.459	0.274
Recent < Threshold	YES	YES
Overfishing Occurring	NO	NO
<b>Reference Abundance (Millions of lobster)</b>		
Threshold	89	20
Limit	125	NA
Target	212	NA
Recent	256	7
Recent > Threshold	YES	NO
Overfished/Depleted	NO	YES

table shows the new reference points for lobster abundance and effective exploitation that were adopted consistent with the stock assessment and peer review recommendations.

### **Involved States and Jurisdictions**

ME, NH, MA, RI, CT, NY, NJ, DE, MD, VA, NMFS

### **Active Boards/Committees**

American Lobster Management Board, Technical Committee, Lobster Stock Assessment Subcommittee, Advisory Panel, Lobster Conservation Management Teams (state-driven process that provides recommendations for area-specific management), Plan Review Team, and Plan Development Team

### **Chairs**

Board, Chair – Jason McNamee (1/2022); Vice-Chair – Pat Keliher  
Technical Committee, Chair – Kathleen Reardon (10/16); Vice-Chair – Tracy Pugh  
Advisory Panel, Chair – Grant Moore

### **Staff Lead**

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### **Management Plan History**

#### **[Amendment 3 to the Interstate Fishery Management Plan for American Lobster \(December 1997\)](#)**

American lobster is managed under Amendment 3 to the Interstate FMP for American Lobster. Its major provisions include: 3 ¼-inch minimum carapace length (larger minimum lengths in most areas); prohibition on the possession of berried lobsters; prohibition on possession of lobster meat and lobster parts; mandatory escape panels and vents on pots to allow lobsters to escape from old, lost pots; prohibition on spearing lobsters; prohibition on possession of female v-notched lobsters; limits on landings with non-trap gear; and maximum trap sizes.

Amendment 3 establishes seven lobster management areas. These areas include: Inshore Gulf of Maine (Area 1), Inshore Southern New England (Area 2), Offshore Waters (Area 3), Inshore Northern Mid-Atlantic (Area 4), Inshore Southern Mid-Atlantic (Area 5), New York and Connecticut State Waters (Area 6), and Outer Cape Cod. Lobster Conservation Management Teams (LCMTs) composed of industry representatives were formed for each management area. The LCMTs are charged with advising the Lobster Board and recommending changes to the management plan within their areas. The commercial fishery is primarily controlled through minimum/maximum size limits, trap limits, and v-notching of egg-bearing females.

Amendment 3 also provides the flexibility to respond to current conditions of the resource and fishery by making changes to the management program through addenda.

#### **[Addendum I \(August 1999\)](#)**

Establishes trap limits in the seven Lobster Conservation Management Areas (LMCAs).

[Addendum II \(February 2001\)](#)

Establishes regulations for increasing egg production through a variety of LCMT-proposed management measures including, but not limited to, increased minimum gauge sizes in LCMAs 2, 3, 4, 5, and the Outer Cape.

[Addendum III \(February 2002\)](#)

Revises management measures for all LCMAs to meet the revised egg-rebuilding schedule.

[Technical Addendum 1 \(August 2002\)](#)

Eradicates the vessel upgrade provision for LCMA 5.

[Addendum IV \(January 2004\)](#)

Changes vent size requirements; applies the most restrictive rule on an area trap cap basis without regard to the individual's allocation; establishes LCMA 3 sliding scale trap reduction plan and transferable trap program to increase active trap reductions by 10%; establishes an effort control program and gauge increases for LCMA 2; and expresses a desire to change the interpretation of the most restrictive rule.

[Addendum V \(March 2004\)](#)

Amends Addendum IV transferability program for LCMA 3. It establishes a trap cap of 2200 with a conservation tax of 50% when the purchaser owns 1800 to 2200 traps and 10% for all others.

[Addendum VI \(February 2005\)](#)

Replaces two effort control measures for LCMA 2; permits an eligibility period.

[Addendum VII \(November 2005\)](#)

Revises Area 2 effort control plan to include capping traps fished at recent levels and maintaining 3 3/8" minimum size limit.

[Addendum VIII \(May 2006\)](#)

Establishes new biological reference points to determine the stock status of the American lobster resource (fishing mortality and abundance targets and thresholds for the three stock assessment areas) and enhances data collection requirements.

[Addendum IX \(October 2006\)](#)

Establishes a 10% conservation tax under the LCMA 2 trap transfer program.

[Addendum X \(February 2007\)](#)

Establishes a coastwide reporting and data collection program that includes dealer and harvester reporting, at-sea sampling, port sampling, and fishery-independent data collection, replacing the requirements in Addendum VIII.

#### [Addendum XI \(May 2007\)](#)

Establishes measures to rebuild SNE stock, including a 15-year rebuilding timeline (ending in 2022) with a provision to end overfishing immediately. The Addendum also establishes measures to discourage delayed implementation of required management measures.

#### [Amendment 4](#)

In 2000, the Lobster Board considered and failed to approve Amendment 4 to the FMP. The Amendment proposed allowing conservation equivalency be applied to two provisions of Amendment 3 – limits on non-trap gear and a prohibition on the possession of v-notched lobsters. The v-notch proposal, in particular, arose out of an effort to resolve ongoing litigation brought by fishermen challenging the validity of the Commission’s fishery management plan.

#### [Addendum XII \(February 2009\)](#)

This addendum addresses issues that arise when fishing privileges are transferred—either when whole businesses are transferred, when dual state/federal permits are split, or when individual trap allocations are transferred as part of a trap transferability program. In order to ensure the various LCMA-specific effort control plans remain cohesive and viable, this addendum does three things: First, it clarifies foundational principles present in the Commission’s overall history-based trap allocation effort control plan. Second, it redefines the most restrictive rule. Third, it establishes management measures to ensure that history-based trap allocation effort control plans in the various LCMAs are implemented without undermining resource conservation efforts of neighboring jurisdictions or LCMAs.

#### [Addendum XIII \(May 2008\)](#)

Solidifies the transfer program for OCC and stops the current trap reductions.

#### [Addendum XIV \(May 2009\)](#)

This addendum alters 2 aspects of the LCMA 3 trap transfer program. It lowers the maximum trap cap to 2000 for an individual that transfers traps. It changes the conservation tax on full business sales to 10% and for partial trap transfers to 20%.

#### [Addendum XV \(November 2009\)](#)

This addendum establishes a limited entry program and criteria for Federal waters of LCMA 1.

#### [Addendum XVI \(May 2010\)](#)

This addendum establishes new biological reference points to determine stock status of American lobster (fishing mortality and abundance targets and thresholds for the three stock assessment areas). The addendum also modifies the procedures for adopting reference points to allow the Board to take action on advice following a peer-reviewed assessment.

#### [Addendum XVII \(February 2012\)](#)

This addendum establishes a 10% reduction in exploitation for LCMAs within Southern New England (2, 3, 4, 5, and 6). Regulations are LCMA-specific but include v-notch programs, closed seasons, and size limit changes.

### [Addendum XVIII \(August 2012\)](#)

This addendum reduced traps allocated by 50% for LCMA 2 and 25% for LCMA 3.

### [Addendum XIX \(February 2013\)](#)

This addendum modifies the conservation tax for LCMA 3 to a single transfer tax of 10% for full or partial business sales.

### [Addendum XX \(May 2013\)](#)

The American lobster offshore pot fleet fishing in Closed Area II developed an agreement with the groundfish sector to prevent gear conflicts and protect concentrations of ovigerous female lobsters. The two industries drafted an agreement that would give equal access to the area, which is the basis for Addendum XX. It is prohibitive to set or store lobster traps in Closed Area II from November 1 to June 15 annually. All lobster trap gear must be removed from the water within Closed Area II by midnight October 31st, except the HAPC area, and no lobster gear will be set in the area until 12:01 a.m. on June 16th. Any gear set or stored in this area from November 1st through June 15th is considered derelict gear.

### [Addendum XXI \(August 2013\)](#)

The Board directed the Plan Development Team (PDT) to scale the size of the SNE fishery to the size of the resource in the SNE stock. The PDT drafted an addendum that addressed this issue with trap reductions and changes to the transferability programs. The Board split the addendum, with the trap reductions addressed through Addendum XVIII (approved 2012) and this Addendum addressing changes in the transferability program for Areas 2 and 3. Previously, transferability rules were established in Addenda XII and XIV. This Addendum modifies some of the rules contained in Addenda XII and XIV and establishes additional guidelines. Further modifications to the single and aggregate ownership caps for Area 3 were considered under Draft Addendum XXII.

### [Addendum XXII \(November 2013\)](#)

Addendum XXII implements Single Ownership and Aggregate Ownership Caps in LCMA 3 (federal waters). These measures are intended to enhance the ability of lobster business owners to plan for their future fishing operations as trap reductions are initiated.

Under Addendum XVIII, approved in 2012, permitted LCMA 3 lobster fishermen or companies have their trap allocations reduced by 5% per year for five years. The Single Ownership Cap allows LCMA 3 permit holders to purchase lobster traps above the trap cap of 2,000 traps. Any traps purchased above the trap cap may not be fished until approved by the permit holder's regulating agency once the trap reductions commence. This allows permit holders to maintain a profitable business over the course of the trap reductions while reducing latent effort (i.e. unfished traps) in the fishery. The Aggregate Ownership Cap limits permitted LCMA 3 lobster fishermen or companies from owning more traps than five times the Single Ownership Cap, unless the permit holder had the ability to purchase a higher amount prior to NOAA Fisheries publishing a present day control date. Similar management caps were approved for

LCMA 2 in August 2013. Since LCMA 3 is solely in federal waters, the Addendum recommends that NOAA Fisheries promulgate these measures through the federal rule making process.

Addendum XXII is the third in a series of addenda that respond to the depleted condition of the Southern New England (SNE) lobster resource by scaling the capacity of the SNE fishery to the size the SNE resource. Since the scope of the SNE resource encompasses all or part of five of the seven LCMAs established by Amendment 3, additional addenda will be developed to address effort reductions in the remaining LCMAs (4, 5, and 6).

#### [Addendum XXIII \(August 2014\)](#)

Addendum XXIII updates Amendment 3's habitat section to include information on the habitat requirements and tolerances of American lobster by life stage.

#### [Technical Addendum I to Addendum XXI \(September 2014\)](#)

Technical Addendum I removes text related to the Aggregate Ownership Cap that was inadvertently included in Addendum XXI.

#### [Addendum XXIV \(May 2015\)](#)

Addendum XXIV aligns state and federal measures regarding trap transfers. Specifically it removes the 10% conservation tax when whole fishing businesses are transferred, sets a minimum 10 trap allocation transfer increment, and allows transfers between states among permit holders who are authorized to fish both state and federal waters within a single LCMA.

#### [Addendum XXV](#)

In August 2017, the Board decided not to move forward with Addendum XXV for management use. The Addendum, which sought to address the depleted condition of the SNE stock while preserving a function proportion of the SNE lobster fishery, considered management tools such as gauge size changes, trap reductions, and season closures to achieve a 5% increase in egg production. After reviewing TC input, which found only one out of the five proposals put forth by the LCMTs to be sufficient to achieve the 5% increase in egg production, the Board decided not to approve the Draft Addendum. Some members felt the proposed measures did not go far enough to protect the stock and were concerned that the majority of LCMT proposals would not achieve the required 5% increase in egg production. Others believed significant reductions had already occurred in the fishery and no further action was needed.

#### [Addendum XXVI \(February 2018\)](#)

Addendum XXVI addresses deficiencies in the harvester reporting and biological data collection requirements for the lobster and Jonah crab fisheries. Specifically, the Addendum improves the spatial resolution of data by requiring fishermen to report via 10 minute squares, which further divide the existing statistical areas. In addition, the Addendum establishes a one year pilot program to explore electronic tracking devices in the fishery. Regarding harvester trip reports, the Addendum requires additional data elements including 'number of traps per trawl' and 'number of buoy lines' in order to collect information on gear configurations. The Addendum also requires the states to implement 100% harvester reporting within a five year deadline, with the prioritization of electronic harvester reporting development during that time. In the

interim, jurisdictions with less than 100% harvester reporting should redistribute the current effort associated with harvester reporting to focus on active, as opposed to latent, permit holders. Finally, the Addendum improves the biological sampling requirements by establishing a baseline of ten sampling trips per year in the lobster/Jonah crab fishery and encourages states with more than 10% of coastwide landings in either the American lobster or Jonah crab fisheries to conduct additional sampling trips.

#### [Addendum XXIX \(March 2022\)](#)

Draft Addendum XXIX implements electronic tracking requirements for federally-permitted vessels in the American lobster and Jonah crab vessels with commercial trap gear area permits for LCMAs 1, 2, 3, 4, 5, and Outer Cape Cod. Specified permit holders would be required to install an approved electronic vessel tracking device to their vessels prior to beginning a fishing trip to collect and transmit spatial data.

#### [Addendum XXVII \(May 2023\)](#)

Addendum XXVII establishes a trigger mechanism to implement management measures – specifically gauge and escape vent sizes – to provide additional protection of the Gulf of Maine/Georges Bank (GOM/GBK) spawning stock biomass. If the trigger index declines by 35% from the established reference abundance level, a series of gradual changes in gauge sizes for the LCMAs in the GOM/GBK stock will be initiated. The Addendum also implements changes to management measures for Lobster Conservation Management Areas (LCMAs) 1, 3, and Outer Cape Cod (OCC) to improve the consistency of measures across the GOM/GBK stock.

#### **Annual Events:**

- Compliance reports are due August 1 and an annual FMP review is completed prior to the next meeting.
- TC updates the lobster database by June 1; fact checks the database by August 1.
- Annual data update for survey indices, as recommended in the 2020 Assessment; data due with annual compliance report on August 1.
- Review of Addendum XXVII trigger index at annual meeting.