



Atlantic States Marine Fisheries Commission

NEWS RELEASE

*Working towards healthy, self-sustaining populations for all Atlantic coast fish species, or successful restoration
well in progress by the year 2015*

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ASMFC American Lobster Board Adopts Addendum XII and Approves Draft Addendum XIV for Public Comment

Alexandria, VA – The Commission’s American Lobster Board approved Addendum XII to Amendment 3 to the Interstate Fishery Management Plan for American Lobster. The Addendum establishes protocols for the consistent application of individual trap transferability (ITT) programs for the plan’s lobster conservation management areas (LCMAs) that implement an ITT program. The measures allow for flexibility to the fishery, meet the conservation objectives of the plan, and ensure that effort does not increase as a result of trap allocation transfers.

“The Addendum has been a long time in coming, having been initiated in late 2005 as a result of Addendum VII, and reflects the hard work of the Management Board, technical representatives, stakeholders, and ASMFC staff,” stated Board Chair Brian Culhane of New York. “It will ensure fair and consistent implementation of ITT programs, which were a critical element brought forward by several Lobster Conservation Management Teams during the development their respective effort control plans.”

The Addendum addresses four issues, in order to ensure that the various LCMA-specific effort control plans remain cohesive and viable, and that one jurisdiction’s interpretation of its effort control plan does not undermine the implementation of another jurisdiction’s plan,. First, it requires that any trap allocation transfers among state-waters licensed permit holders must occur within the same state. This is to ensure that trap numbers do not increase in a particular state’s waters, eliminating any potential problems associated with increasing trap numbers, such as interactions with marine mammals and other fisheries, as well as increases to fishing effort.

Second, the Addendum clarifies certain principles present in the Commission’s overall history-based trap allocation effort control plan. These are: (1) A lobster permit and its history cannot be separated. When a permit holder transfers a permit, the fishing history is also transferred; (2) A single fishing entity is considered to have established a single lobster fishing history even if that person was a dual permit fishing holder fishing under state and federal fishing permit; (3) Lobster history accumulated under the dual state/federal permits cannot be divided and apportioned between the permits. If a dual permit holder splits his state and federal permits, the history shall be considered to have gone entirely with one permit or the other but not portions of both; and (4) When any individual transfers (sells) trap allocations from

The Atlantic States Marine Fisheries Commission was formed by the 15 Atlantic coastal states in 1942 for the promotion and protection of coastal fishery resources. The Commission serves as a deliberative body of the Atlantic coastal states, coordinating the conservation and management of nearshore fishery resources, including marine, shell and anadromous species.

any LCMA, his trap allocation in all LCMAs (with history based allocations) will be reduced by that same number.

Third, the Addendum modifies the Commission's most restrictive rule first established in Addendum IV. As approved, fishermen will be allowed to place traps in multiple areas but must comply with the most restrictive management measures of all areas fished, including the smallest number of traps for the areas selected.

Lastly, the Addendum establishes additional programs that address issues associated with ITT programs, such as management measures to ensure that history-based trap allocation effort control plans in the various LCMAs would be implemented without undermining resource conservation efforts of neighboring jurisdictions or LCMAs. Conservation taxes will be applied to both partial transfers of trap allocations and full business sales once all jurisdictions have allocated traps and implemented the provisions of the Addendum. A database will be developed to track all lobster allocation and trap transfers.

In other business, the Board approved sending forward Draft Addendum XIV for public comment. The Draft proposes modifications to the LCMA 3 trap transfer program, including changes to the conservation tax and trap cap. Specifically, the Draft Addendum proposes applying a single conservation tax for partial trap transfers within LCMA 3 (versus a two tiered conservation tax based on the number of traps transferred) and another conservation tax for the sale of a complete fishing operation. It also proposes lowering the trap cap under the transfer program for Area 3 to 2000 (currently set at 2200 traps) in order to prevent permit holders from maximizing their trap allocations through trap transfers and thereby nullifying any potential conservation benefits associated with trap transfers and conservation taxes. It is anticipated that several states will be conducting public hearings on Draft Addendum XIV; information on those hearings will be released once they become finalized.

Addendum XII and Draft Addendum XIV will be available by February 17, 2009 and can be obtained by contacting the Commission at (202) 289-6400 or via the Commission's website at www.asmfc.org under Breaking News. For more information, please contact Toni Kerns, Senior Fishery Management Plan Coordinator for Management, at (202)289-6400 or <tkerns@asmfc.org>.

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