

Atlantic States Marine Fisheries Commission

**ADDENDUM XXXI TO AMENDMENT 3 TO THE AMERICAN
LOBSTER FISHERY MANAGEMENT PLAN**

Postponing Implementation of Addendum XXVII Measures



October 2024



Sustainable and Cooperative Management of Atlantic Coastal Fisheries

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1.0 INTRODUCTION

The Atlantic States Marine Fisheries Commission (ASMFC) has coordinated the interstate management of American lobster (*Homarus americanus*) from 0-3 miles offshore since 1996. American lobster is currently managed under Amendment 3 and Addenda I-XXX to the Fishery Management Plan (FMP). Management authority in the exclusive economic zone (EEZ) from 3-200 miles from shore lies with NOAA Fisheries. The management unit includes all coastal migratory stocks between Maine and Virginia. Within the management unit there are two lobster stocks and seven management areas. The Gulf of Maine/Georges Bank (GOM/GBK) stock (subject of this addendum) is primarily comprised of three Lobster Conservation Management Areas (LCMAs), including LCMAs 1 (GOM), 3 (offshore federal waters), and Outer Cape Cod (OCC) (Figure 1). There are three states (Maine, New Hampshire, and Massachusetts) which regulate American lobster in states waters of the GOM/GBK stock; however, landings from the GOM/GBK stock occur from Rhode Island through New York and these states regulate lobsters landed in state ports.

Addendum XXVII was approved on May 2023, establishing a trigger mechanism to automatically implement management measures to provide additional protection of the GOM/GBK spawning stock biomass. Under Addendum XXVII, changes to gauge and escape vent sizes in LCMAs 1, 3 and OCC would be initiated based on an observed decline in recruit abundance indices of 35% from the reference level (equal to the three-year average from 2016-2018). In October 2023, the Technical Committee reported that with the inclusion of 2022 data in the index time series, the trigger index had declined by 39%, surpassing the trigger point of a 35% decline. This decline required the impacted states to change the minimum gauge for LCMA 1 by June 1, 2024.

In October 2023, the American Lobster Management Board (Board) modified the implementation date for the measures in Addendum XXVII to January 1, 2025. The extension of the implementation date was to provide the GOM states the opportunity to coordinate with Canada regarding possible trade implications, and give the industry and gauge makers additional time to prepare for the changes.

In August 2024, the Board passed the following motion:

Move to initiate an addendum to delay the biological measures implementation date of Addendum XXVII until July 1, 2025. Specifically, biological measures under Section 3.1 that created common size limits for state-only and federal permit holders fishing in Outer Cape Cod would be implemented effective July 1, 2025. Similarly, management measures triggered under Section 3.2 would be implemented by July 1, 2025 starting with the Year 1 measures, and subsequent management measures (additional minimum size increase in Area 1 in year 3; vent size increase in Area 1 in year 4; maximum size reduction in Area 3 and Outer Cape Cod) would be implemented by July 1 of the calendar year for which they are required. Trap tag issuance regulations regarding the routine issuance of 10% additional trap tags in Areas 3 and 1 above the trap limit or allocation would remain unchanged.

This Addendum postpones the gauge and escape vent size changes in sections 3.1 and 3.2 of Addendum XXVII for an additional six months to July 1, 2025. The Addendum does not postpone regulations prohibiting the issuance of 10% additional trap tags in Areas 1 and 3 above the trap limit or allocation.

2.0 OVERVIEW

2.1 Background and Statement of Problem

In June 2024, a meeting was held between US and Canadian lobster fishery managers and industry members to discuss lobster management structures and stock assessments of the two countries. There was some interest on the part of Canadian fishing representatives to match the US minimum size increase in the GOM to minimize commerce issues and to address resource changes seen in some of the maritime lobster fishing areas (LFA), but any changes to management would be proposed by industry under the current status of the Canadian stocks. The timing of a possible Canadian action could not be completed by January 1, 2025, when the US rules were scheduled for implementation. To allow the Canadian industry time to have the necessary discussions to consider complementary conservation measures of an increased minimum size in their GOM LFAs, the group discussed the possibility of postponing the biological measures of Addendum XXVII. A postponement to July 1, 2025 will allow the Canadian LFA fisheries in the GOM, which take place predominantly in the first half of the year, time to discuss a potential gauge change after their fisheries close. In addition, the Massachusetts inshore fishery does not open until after North Atlantic right whales migrate out of Massachusetts state waters (usually in early to mid-May), and most inshore catches occur after the shed in July; therefore, the delay will match up with the start of the majority of the US inshore Gulf of Maine fishery.

Based on this meeting with Canada, the Board determined that postponing implementation of Addendum XXVII's biological measures to July 1, 2025 would reduce negative impacts to the US and Canadian lobster industries in 2025 and allow Canada more time to consider implementing complementary management measures. The US lobster processing operations rely heavily on smaller 3 ¼" lobster from Canada during May and June, when there are not yet enough landings from the US fishery to maintain operations. Additionally, if Canada Department of Fisheries and Oceans and industry did choose to implement a complementary size limit, a January 1, 2025 timeline would not be achievable. The six-month delay will likely not have a significant biological impact on the GOM portion of the stock because the majority of the fishery does not ramp up until June and July.

3.0 MANAGEMENT PROGRAM

Addendum XXXI postpones the implementation of Section 3.1 and 3.2 of Addendum XXVII with the exception of the regulations prohibiting the issuance of 10% additional trap tags in Areas 1 and 3 above the trap limit or allocation.

The implementation date for the following management measures established in Section 3.1 of Addendum XXVII is July 1, 2025:

- Standardize measures within GOM/GBK stock LCMA to the most conservative measure where there are inconsistencies between state and federal regulations. This results in a maximum gauge size of 6-3/4" for state and federal permit holders, and a v-notch possession definition of 1/8" with or without setal hairs for all permit holders in Outer Cape Cod (OCC).

The implementation deadline of January 1, 2025 is maintained for the following measure established under Section 3.1 of Addendum XXVII:

- Implement regulations for LCMA 1 and 3 to limit the issuance of trap tags to equal the harvester trap tag allocation. This means no surplus trap tags will be automatically issued to permit holders for these areas until trap losses occur and are documented.

This Addendum also postpones implementation of the biological management measures triggered under Section 3.2 of Addendum XXVII. The minimum size of 3 5/16" for lobsters in LCMA 1 will become effective July 1, 2025. The additional gauge and escape vent size changes for LCMA 1, 3 and OCC triggered under Addendum XXVII will be implemented by July 1 of the year for which they are scheduled.

Table 1 specifies the schedule for implementation of each gauge and escape vent size measure triggered under Addendum XXVII. Changes to measures are shown in bold text.

Table 1. Implementation Schedule for Management Measures

Implementation of Management Measures Triggered Under Addendum XXVII, Section 3.2			
Area	LCMA 1	LCMA 3	OCC
Current Measures	Minimum gauge: 3 1/4" Maximum gauge: 5" Vent size: status quo	Minimum gauge: 3 ¹⁷ / ₃₂ " Maximum gauge: 6 3/4" Vent size: status quo	Minimum gauge: 3 3/8" Maximum gauge: 6 3/4" Vent size: status quo
July 1, 2025	Minimum gauge size: 3 5/16" (84 mm)	<i>Status quo</i>	<i>Status quo</i>
July 1, 2027	Minimum gauge size: 3 3/8" (86 mm)	<i>Status quo</i>	<i>Status quo</i>
July 1, 2028	Vent size: 2 x 5 3/4" rectangular; 2 5/8" circular	<i>Status quo</i>	<i>Status quo</i>
July 1, 2029	<i>Status quo</i>	Maximum gauge size: 6 1/2"	Maximum gauge size: 6 1/2"

4.0 COMPLIANCE

Addendum XXXI is effective immediately. All states must implement the management measures by the dates specified in Section 3.0.

5.0 RECOMMENDATIONS FOR ACTIONS IN FEDERAL WATERS

The management of American lobster in the EEZ is the responsibility of the Secretary of Commerce through the National Marine Fisheries Service. The Atlantic States Marine Fisheries Commission recommends the federal government promulgate all necessary regulations to implement complementary measures to those approved in Addendum XXXI.

6.0 References

Atlantic States Marine Fisheries Commission (ASMFC). 1997. [Amendment 3 to the Interstate Fishery Management Plan for American Lobster](#).

ASMFC. 2023. [Addendum XXVII to Amendment 3 to the Interstate Fishery Management Plan for American Lobster](#).