

Addendum VI to Amendment 3 to the Interstate Fishery Management Plan for American Lobster



ASMFC Vision Statement:

Healthy, self-sustaining populations for all Atlantic coast fish species or successful restoration well in progress by the year 2015.

1.0 INTRODUCTION AND BACKGROUND

In December 2003, the Atlantic States Marine Fisheries Commission Lobster Board (Board) passed Addendum IV to Amendment 3 of the Interstate Fishery Management Plan for American Lobster. Within Addendum IV there is an Effort Control Plan for Lobster Conservation Management Area 2 (LCMA 2). When this Addendum passed, the Management Board formed a committee with representatives from the jurisdictions with Area 2 fishermen including Massachusetts, Rhode Island, Connecticut, New York, and NOAA Fisheries. This subcommittee was charged with developing an implementation plan for the Area 2 effort control plan to ensuring consistent implementation throughout all of the jurisdictions. Following several meetings, this committee outlined concerns with various aspects of the Area 2 effort control plan to the Board, including the need for additional detail in order to ensure consistent implementation.

The Board has concerns with the Area 2 effort control plan including the inability of several jurisdictions to implement portions of the plan. Specifically concerns were identified with the initial trap allocation scheme that is based solely on reported lobster landings within a specified qualification period. Under the existing Area 2 effort control plan, landings of one additional pound of lobster would result in qualified applicants receiving an allocation that would increase from a 100-trap allocation to an 800-trap allocation. In addition, preliminary analysis of the impacts of the proposed trap allocation scheme indicates it is ineffective at controlling trap growth over current levels. The plan as currently proposed would substantially increase the number of traps allocated to qualified applicants compared to the current number of traps reported fished at this time. In order for overall effort to decrease, the existing plan relies on permit and trap transfers. However, the 50% conservation tax associated with the initial permit and trap transfer process will likely discourage a significant number of transfers in the early years of the program. While these transfers will eventually decrease effort, it will likely take an extended period of time to see these effects. Restrictive vessel upgrade restrictions associated with the proposed permit and trap transfers are also likely to discourage transfers.

The Management Board has directed the jurisdictions with Area 2 permit holders to work with the Area 2 LCMT to modify components of the effort control plan so that all jurisdictions are capable of implementing and a plan that will not allow effort to increase if and when the resource recovers in Area 2.

2.0 MANAGEMENT MEASURES:

2.1 Area 2 Effort Control

Replace the Addendum IV Area 2 Effort Control Measures:

This Addendum replaces section 5.3.1 of Addendum IV to Amendment 3 of the Interstate Fishery Management Plan for American Lobster except with the language below.

Area 2 Permits:

There shall be no new Area 2 permits after December 31, 2003.

Area 2 Eligibility Period for Future Effort Control Program:

In order to qualify for an Area 2 permit endorsement, a permit holder must document landings between January 1, 1999 and December 31, 2003. This eligibility period will be included in the future effort control plan for this area.

Design a New Plan:

By the August 2005 Board Meeting, all jurisdictions with Area 2 permit holders and the Area 2 LCMT will develop a new effort control plan, which caps effort at or near current levels with the potential to adjust the levels based on the outcome of the upcoming stock assessment

3.0 RECOMMENDATIONS FOR ACTIONS IN FEDERAL WATERS

The Atlantic States Marine Fisheries Commission believes that the measures contained in Amendment #3 and subsequent addenda are necessary to limit the expansion of effort into the lobster fishery, to rebuild egg production to recommended levels and to address stock declines. ASMFC recommends that the federal government promulgate all necessary regulations to implement the measures contained in Sections 2 of this document.

4.0 COMPLIANCE

4.1 MANDATORY ELEMENTS OF A STATE PROGRAM

To be considered in compliance with Addendum VI, all state programs must include a regime of restrictions on American lobster fisheries consistent with the requirements of Section 2; except that a state may propose an alternative management program under Section 3.5 of Amendment 3, which, if approved by the Board, may be implemented as an alternative regulatory requirement for compliance.

4.2 REGULATORY REQUIREMENTS

Each state must submit its required American lobster regulatory program to the Commission through ASMFC staff for approval by the Board. A state may not adopt a less restrictive management program than contained in this Addendum, unless otherwise approved by the Board.

4.3 ADJUSTMENTS TO THE COMPLIANCE SCHEDULE

All states with Area 2 permit holders need to implement section 2 of this addendum in order to be in compliance with Amendment 3 to the American Lobster Fishery Management Plan.

This Addendum also withdraws the required compliance deadline of July 1, 2004 for the Addendum IV Area 2 effort control plan (Section 5.3.1 of Addendum IV).