

# ***Atlantic States Marine Fisheries Commission***

## **DRAFT ADDENDUM XXXII TO AMENDMENT 3 TO THE AMERICAN LOBSTER FISHERY MANAGEMENT PLAN FOR PUBLIC COMMENT**

### ***Repealing Addendum XXVII Measures***



**March 2025**



*Sustainable and Cooperative Management of Atlantic Coastal Fisheries*

## American Lobster Draft Addendum XXXII for Public Comment

### Public Comment Process and Proposed Timeline

In February 2025, the American Lobster Management Board (Board) initiated Draft Addendum XXXII to consider repealing certain measures of Addendum XXVII. Addendum XXVII established a trigger mechanism to automatically implement management measures to provide additional protection of the Gulf of Maine/Georges Bank (GOM/GBK) spawning stock biomass. Under Addendum XXVII, changes to gauge and escape vent sizes in Lobster Conservation Management Areas (LCMAs) 1 (Gulf of Maine), 3 (offshore federal waters) and Outer Cape Cod (OCC) were triggered in October 2023 based on an observed decline in recruit abundance indices of >35% from the reference level (equal to the three-year average from 2016-2018). The Board established the implementation date of the series of changes to gauge and vent size to begin July 1, 2025 to allow the Gulf of Maine states the opportunity to coordinate with Canada regarding possible trade implications, and give the industry and gauge makers additional time to prepare for these changes.

Draft Addendum XXXII considers repealing all measures from Addendum XXVII pertaining to gauge and escape vent sizes.

The public is encouraged to submit comments regarding the proposed management options in this document at any time during the addendum process. The final date comments will be accepted is **April 25, 2025 at 11:59 p.m. EST**. Comments may be submitted by mail, email or online. If you have any questions or would like to submit comments, please use the contact information below.

1. **Mail:** Caitlin Starks, Atlantic States Marine Fisheries Commission, 1050 N. Highland St. Suite 200A-N, Arlington, VA 22201
2. **Email:** [comments@asmfc.org](mailto:comments@asmfc.org) (Subject line: Lobster Draft Addendum XXXII)
3. **Online:** <https://asmfc.org/actions/american-lobster-draft-addendum-xxxii/>

Date	Action
February 2025	Board initiated Draft Addendum XXXII
February 2025	Plan Development Team (PDT) develops Draft Addendum document
March 2025	Board reviews and approves Draft Addendum XXXII for public comment
March – April 2025	Public comment period, including public hearings
May 2025	Board reviews public comment, selects management measures, final approval of Addendum XXXII

Table of Contents

1.0 Introduction ..... 1

2.0 Overview ..... 1

2.1 Background ..... 1

2.2 Statement of the Problem ..... 2

3.0 Proposed Management Options..... 2

4.0 Compliance ..... 4

5.0 Recommendations for Actions in Federal Waters..... 4

6.0 References ..... 4

## American Lobster Draft Addendum XXXII for Public Comment

### 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-XXXI 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 draft addendum) is primarily comprised of three Lobster Conservation Management Areas (LCMAs), including LCMAs 1 (GOM), 3 (federal waters), and Outer Cape Cod (OCC). There are three states (Maine through 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 the landings of lobster in their state.

In February 2025, the Board passed the following motion:

*Move to initiate an Addendum to repeal all gauge and vent size changes in Addendum XXVII. The other sections of Addendum XXVII will remain in effect.*

This Draft Addendum considers repealing the gauge and escape vent size changes in section 3.1 and 3.2 of Addendum XXVII. The Draft Addendum does not consider repealing v-notch regulations nor 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

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 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). This was a proactive approach responding to declines in young-of-year settlement and recruitment abundance indices (abundance of lobsters just below the legal minimum size), although the 2020 Benchmark Stock Assessment indicated the GOM/GBK stock was not overfished and overfishing was not occurring. A new benchmark stock assessment is in progress, and results are expected to be presented to the Board in October 2025 to provide more current information on the status of the stock.

In October 2023, the American Lobster 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. The original implementation date for the series of required gauge and vent size changes, starting with the first decrease to the LCMA 1 minimum gauge size, was June

## **American Lobster Draft Addendum XXXII for Public Comment**

1, 2024. However, in October 2023 the Board delayed the implementation of the measures in Addendum XXVII to January 1, 2025. The extension aimed to provide the Gulf of Maine 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 October 2024, the Board approved Addendum XXXI, which postponed implementation of the biological management measures (OCC maximum gauge size, v-notch definition, and LCMA 1 gauge and vent sizes) of Addendum XXVII an additional six months to July 1, 2025. The additional delay was intended to reduce negative impacts to the US and Canadian lobster industries in 2025 and allow Canada more time to consider implementing complementary management measures. For LCMA 1 and 3 permit holders, Addendum XXVII required states to implement regulations to limit the issuance of trap tags to equal the harvester trap tag allocations unless trap losses are documented. Implementation of this measure was required by January 1, 2025.

### **2.2 Statement of the Problem**

Following the approval of Addendum XXXI in October 2024, lobster industry members in the states of Maine, New Hampshire, and Massachusetts expressed significant concern regarding the potential economic impacts of increasing the minimum gauge size in LCMA 1 and about the uncertainty surrounding the implications for trade with Canada. The Board agreed that consideration of alternative management measures was warranted to address these concerns. Concurrently with this action, the Gulf of Maine states will hold scoping discussions with their lobster industries to identify alternative conservation strategies to protect the long-term health of the resource.

### **3.0 Proposed Management Options**

The following management options consider repealing measures under Section 3.1 and 3.2 of Addendum XXVII pertaining to gauge and escape vent sizes. It does not consider changes to the regulations prohibiting the issuance of 10% additional trap tags in Areas 1 and 3 above the trap limit or allocation.

When the Board takes final action on the addendum, there is the opportunity to select any measure within the range of options that went out for public comment, including combining options across issues.

#### **Option A: Status Quo**

This option would maintain the current implementation schedule adopted under Addendum XXXI for all Addendum XXVII management measures.

## American Lobster Draft Addendum XXXII for Public Comment

Implementation of Management Measures Under Option A			
Area	LCMA 1	LCMA 3	OCC
Current Measures	Minimum gauge: 3 ¼" Maximum gauge: 5" Vent size: status quo	Minimum gauge: 3 <sup>17</sup> / <sub>32</sub> " Maximum gauge: 6 ¾" Vent size: status quo	Minimum gauge: 3 ¾" Maximum gauge: 6 ¾" Vent size: status quo
July 1, 2025	<b>Minimum gauge size:</b> 3 ⅝" (84 mm)	<i>Status quo</i>	<i>Status quo</i>
July 1, 2027	<b>Minimum gauge size:</b> 3 ¾" (86 mm)	<i>Status quo</i>	<i>Status quo</i>
July 1, 2028	<b>Vent size:</b> 2 x 5 ¾" rectangular; 2 ⅝" circular	<i>Status quo</i>	<i>Status quo</i>
July 1, 2029	<i>Status quo</i>	<b>Maximum gauge size:</b> 6 ½"	<b>Maximum gauge size:</b> 6 ½"

### Option B: Repeal Addendum XXVII Gauge and Vent Size Measures

Under this option, all changes to gauge and escape vent sizes established by Addendum XXVII would be repealed. These include:

- The change to the maximum gauge size required in OCC established in Section 3.1 of Addendum. This would result in a maximum gauge size of 6-¾" for federal permit holders, and no maximum gauge size for state-waters only permit holders.
- The minimum and maximum gauge size changes triggered under Section 3.2 of Addendum XXVII. The minimum size for LCMA 1 would be 3 ¼" and there would be no additional changes to the maximum gauge size for LCMA 3 and OCC.

If this option is adopted, the following provisions of Addendum XXVII would be maintained:

- Standardize the v-notch possession definition for all permit holders in OCC to 1/8" with or without setal hairs. The implementation date for this measure would be July 1, 2025.
- 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. The implementation deadline for this measure was January 1, 2025.

## American Lobster Draft Addendum XXXII for Public Comment

Proposed Management Measures Under Option B			
Area	LCMA 1	LCMA 3	OCC
Current Measures	Minimum gauge: 3 ¼" Maximum gauge: 5" Vent size (rectangular): 1 15/16 x 5 ¾" Vent size (circular): 2 7/16"	Minimum gauge: 3 17/32" Maximum gauge: 6 ¾" Vent size (rectangular): 2 1/16 x 5 ¾" Vent size (circular): 2 11/16"	Minimum gauge: 3 3/8" Maximum gauge: 6 ¾" Vent size (rectangular): 2 x 5 ¾" Vent size (circular): 2 5/8"
July 1, 2025	<i>Status quo</i>	<i>Status quo</i>	<b><i>V-notch possession definition for all permit holders: 1 /8" with or w/out setal hairs</i></b>

### 4.0 Compliance

If the existing FMP is revised by approval of this Draft Addendum, the Board will designate dates by which states will be required to implement the provisions included in the addendum, if necessary.

### 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. If this Draft Addendum is approved, the Atlantic States Marine Fisheries Commission would withdraw its recommendations to the federal government to promulgate regulations to implement measures repealed by this addendum.

### 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.

ASMFC. 2024. Addendum XXXI to Amendment 3 to the Interstate Fishery Management Plan for American Lobster.