



# MAINE

## Lobstermen's Association, Inc.

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To: American Lobster Management Board  
Fr: Patrice McCarron, Policy Director, MLA  
Re: Delay Implementation of Addendum 27 Gauge Increase for LMA 1

October 10, 2023

The Maine Lobstermen's Association (MLA) has learned that the 2022 lobster monitoring data indicates a 39% decline in the lobster resource which would trigger the scheduled gauge increases required under Addendum 27, beginning in June 2024. The MLA urges the Lobster Board to delay the gauge increase schedule for one year to address unresolved issues with Canada and to allow the industry adequate time to prepare for this change.

Addendum 27 was adopted less than 6 months ago which has not been enough time to address issues that will arise if Canada has a smaller minimum size than the Northeast U.S. lobster fishery. As detailed in MLA's comments on Draft Addendum 27, the primary concern raised by MLA members is that changes to the LMA 1 minimum gauge could negatively impact the boat price for U.S. caught lobster.

Downeast Maine lobstermen will have the additional problem of throwing back short lobsters that likely would be legally harvested by Canadian lobstermen. This will undermine both the conservation impact of the measure increase and the boat price, as the lobsters thrown back and caught by Canadian lobstermen could be sold to U.S. dealers and drive down boat price.

Although ASMFC did not adopt MLA's recommendation to conduct a market impact study of a U.S.-only gauge increase, MLA strongly supports the efforts of ASMFC's subcommittee to engage with Canada on this issue. While MLA is pleased that discussions between the U.S. and Canada are underway, substantive issues presented by the gauge increase have not yet been addressed.

Implementing a gauge increase in June 2024 is also impractical because gauge manufacturers will not be able to produce and distribute updated lobster gauges in such a short period of time. For the gauge increase to have its intended benefit, lobster gauges must be available for all lobstermen at the time of implementation.

The MLA urges you to delay the implementation of the gauge increase timetable for one year to allow ASMFC to ramp up negotiations with Canada to address market and resource conservation concerns and to provide gauge manufacturers the time they need to produce and distribute new lobster gauges.

Thank you for your consideration.



New England Fishermen's Stewardship Association

PO Box 655

Brunswick, ME 04011

October 9, 2023

Dear Commissioner,

It has come to our attention that the trigger has been met for a gauge increase as a result of Addendum XXVII to Amendment Three to the Interstate Management Plan for American Lobster. While the New England Fishermen's Stewardship Association understands the importance of increasing protection of the Gulf of Maine/Georges Bank Spawning Stock, we request that you consider a one year postponement to implementation of the first gauge increase.

The New England Fishermen's Stewardship Association (NEFSA) is a newly founded fishing advocacy group which was formed to represent all wild harvesters in all fisheries within our New England Communities. NEFSA was founded in the spring of 2023 and has already reached nearly 600 members across New England. NEFSA is an alliance of the wild harvesters of the waters off of New England, dedicated to educating the public about how best to manage our seafood resources through sound science and best practices at conservation used by fishermen, with a view toward economic well-being, ecosystem sustainability and US food security.

NEFSA asks that you consider a one year postponement of implementation for a number of reasons. First off, in May of 2023, no one expected the trigger would be met in just five short months. Due to the previous rate of decline, it was anticipated that it would take at least two years to exceed a reduction of 35%. Secondly, due to supply chain issues, we have been made aware that it will be nearly impossible for an adequate number of new gauges at 3 5/16" to be available before June 1, 2024. Thirdly, the recent three year average of data used to reach the trigger includes survey information from the year 2020 in which many surveys were not completed, leading to an incomplete data set. Lastly, even though 2022 landings were still phenomenal, New England lobstermen just came off one of the worst financial years they've seen in quite some time due to an extremely low price and very high expense level.

Harvesters desperately need a one year postponement until implementation of the gauge increase and NEFSA strongly urges the commissioners to consider such action.

Thank you,

Dustin W. Delano

Chief Operating Officer

New England Fishermen's Stewardship Association

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10/9/23

Atlantic States Marine Fisheries Commission

Jason McNanamee

Chair, American Lobster Board

1050 N. Highland Street

Suite 200 A-N

Arlington, VA 22201

Good Morning Jason,

I'm writing this morning regarding the proposed changes in lobster sizes for the coming season.

My company has been manufacturing and supplying quality tools to the lobster fishing industry for more than 30 years. Our line of stainless-steel lobster and shellfish gauges, originally designed and produced by Donald Erlandson of TOP-ME Products in Topsham, have been established as a standard in the industry since 1995. Production, stock, and supply of these gauges for sale to the Department and others in the industry typically requires months of planning and work.

With the proposed changes and the implementation of the new regulations set for June 1, our company would be hard pressed to manufacture a sufficient quantity of new gauges in time to supply them to the industry. As I recommended in my comment to the ASMFC dated 3/13/23 (see attached document), a more reasonable time frame for implementation of the new regulations would be at least 12 months from the ASMFC survey trigger, in order for all involved in the industry, manufacturers, wholesalers, retailers, and fishermen, the necessary time to adjust to the new gear required for compliance.

Again, I am concerned that we may not be able to supply the new gauges needed in sufficient quantity for compliance with the proposed new lobster size regulations. I would appreciate any changes in the implementation schedule which would allow us more time to provide the gauges needed.

Thank you.

Sincerely,

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3/13/23

Caitlin Starks  
Senior FMP Coordinator  
1050 N. Highland Street  
Suite 200 A-N  
Arlington, Virginia 22201

Good Morning,

I would like to submit a public comment to the commission concerning the Lobster Draft Addendum XXVII.

Our company has been a manufacturer of hand tools for the commercial fishing industry since its founding in 1992. We are currently a major supplier of lobster measuring gauges for all of the LCMA's which would be affected by the changes in minimum/maximum size regulations proposed within the Draft Addendum. Our primary concern is with the implementation schedule for any changes in these regulations which could have an undesired negative economic impact on the manufacturers, suppliers and end – users ( lobster fishermen, cooperatives and law enforcement agencies).

Consideration should be given as to the time between the date of notice of the change in regulation to the date the new regulation would take effect to allow an adequate time frame within the industry for the manufacture and distribution of necessary equipment and hardware in the supply chain. All members of the supply chain have an interest in avoiding the waste of resources when parts and equipment must be discarded due to obsolescence rather than replacement due to typical wear, etc.

From my understanding, under the current plan of action for implementation of most of the options available on the draft addendum, the new regulations would automatically take effect as the result of review by the ASMFC of lobster survey data in November each year if the appropriate trigger level indicated by the survey data was reached. The Commission would then notify the public and state agencies and the new regulations would take effect on the opening day of the following lobster season, May 1 of the following year. This would allow only 5 months for the industry to adjust for compliance with the new regulations. Also, as was mentioned at the hearing in Freeport, Maine, March 7 2023, states would be allowed to decide on their own regulations, provided that it would be the same standard or a more conservative standard of measures. Each state's process of passage and implementation of new regulations could shorten the time the industry would have to adjust even further, increasing the chance of a negative impact.

I propose that, **for any of the proposed lobster size regulation changes, the date of implementation and compliance to the new regulations be not less than 12 months from the date the new regulations have been published by each state** in order to avoid waste and to allow for the additional time needed for the states to pass and implement new laws and also permit a feasible time frame for industry supply chain and fishermen the time needed to change their gear for compliance.

Respectfully,  
Daniel Sawyer, Owner  
C. H. Sawyer & Son LLC