



Overview of Draft Addenda XXI and XXII

January 10, 2024



Background



- In December 2011, the American Lobster Board initiated development of a series of addenda to respond to the depleted stock condition in the Southern New England (SNE) stock by scaling the size of the fishery to the size of the resource
 - Stock Status: overfished but not experiencing overfishing



Background



- Addendum XXI (August 2013)
 - Transferability measures for LCMA 2 and 3
- Addendum XXII (October 2013)
 - LCMA 3 maximum trap and permit caps
- Changes intended to allow for flexibility in the movement of traps while the consolidation program for LCMA 2 and 3 to address latent effort was implemented



Addendum XXI (August 2013)



- LCMA 2
 - Transfers of a Multi-LCMA Trap Allocation
 - The recipient retains the multi-LMCA history & for each fishing year must declare which area(s) will be fished
 - Single Ownership Trap Cap
 - Max 1600 traps can be owned (800 active, 800 banked)
 - Provision expired two years after the last trap reduction as specified in Addendum XVIII (2022) and cap returned to 800
 - Aggregate Ownership Cap
 - Two permits, 1600 maximum traps
 - Those with > 2 permits in December 2003 can retain their permits



Addendum XXI (August 2013)



- LCMA 3
 - Transfers of a Multi-LCMA Trap Allocation
 - The recipient retains the multi-LMCA history & for each fishing year must declare which area(s) will be fished
 - Active Trap Cap
 - 2000 traps, to be reduced by 5% per year for five years

Year	Area 3 Active Trap Cap
Year 0	2000
Year 1	1900
Year 2	1805
Year 3	1715
Year 4	1629
Year 5	1548



Addendum XXII (August 2013)



- Single and Aggregate Ownership Caps for LCMA 3
 - Single ownership cap: allowed for accumulation of traps over and above the active trap cap
 - This schedule assumed NOAA Fisheries would implement a 2,000 active trap cap

Year	Single Ownership Trap Cap
Year 0	2,333
Year 1	2,216
Year 2	2,105
Year 3	2,000
Year 4	1,900
Year 5	1,800



Addendum XXII (August 2013)



- Aggregate Ownership Cap for LCMA 3
 - Maximum of 5 times the single ownership cap
 - Based on 5 maximum permits per entity (Addendum IV)
 - Exempts those with more traps before the control date

Year	Aggregate Ownership Trap Cap
Year 0	11,665
Year 1	11,080
Year 2	10,525
Year 3	10,000
Year 4	9,500
Year 5	9,000



Addendum XXII (August 2013)



- Comparison of LCMA 3 Active Trap Caps (as specified under Addendum XXII) and the proposed Individual and Aggregate Permit Caps.

Year	Active Trap Cap	Individual Permit Cap	Aggregate Permit Cap (5x Individual Permit Cap)
Year 0	2,000	2,333	11,665
Year 1	1,900	2,216	11,080
Year 2	1,805	2,105	10,525
Year 3	1,715	2,000	10,000
Year 4	1,629	1,900	9,500
Year 5	1,548	1,800	9,000





Questions?



NOAA FISHERIES

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Summary of Federal Area 2 & 3 Rulemaking

Area 2 and 3 Industry Meeting

10 January 2024

Timeline

- 2013: ASMFC approves Addenda XXI and XXII
- 2018: ASMFC approves Addenda XXVI
- July 11, 2022: [Proposed rule](#), comments accepted through August 10, 2022
 - Requested additional time to consider Area 2 and 3 measures
- October 2, 2023: [Interim final rule](#), comments accepted through December 1, 2023
 - Mixed comments
- Developing Final Rule
 - Upcoming ASMFC Lobster Board discussion

Summary

- Responsive to request for complementary measures for Addenda XXI, XXII, and XXVI:
 - Area 2 and 3 ownership caps
 - Area 3 maximum trap cap reductions
 - Mandatory harvester reporting
- NOT implemented as ASMFC originally envisioned

Area 2 Ownership Cap (Addendum XXI)

- Ownership cap of 800 traps/person
- Those over cap as of May 1, 2022 allowed to retain traps, but can not acquire additional traps
- Will implement in May 1, 2025

- **DIFFERENCE:** single ownership cap or trap 'banking' not considered

Area 2 Ownership Cap Impacts

- Minimal impacts, caps the fishery as it exists
- 24 people who are capped in excess of 800 traps, some have overlapping ownership interest in permits
- 1 person acquired additional traps after the May 1, 2022 marker, would lose those traps

Area 3 Maximum Trap Cap Reductions (Addenda XXI and XXII)

- Maximum trap cap reductions from 1,945 traps to 1,548 traps, over 3 years
- Assessed to each permit
- Will implemented in 2025

- **DIFFERENCE:** maximum trap cap reductions over 3 years, not 5 years

Area 3 Maximum Trap Cap Reduction Impacts

Year	Maximum Trap Cap	Permits Affected	Traps in excess of new limit
Current	1,945	0	0
Year 1: 2025	1,805	21	1,022
Year 2: 2026	1,629	37	6,159
Year 3: 2027	1,548	43	9,361
Totals		43	9,361

Area 3 Ownership Cap (Addenda XXI and XXII)

- Aggregate ownership cap 5 times the maximum trap cap in a given year
- Final aggregate ownership cap of 7,740 traps/person
- Those over cap as of May 1, 2022 allowed to retain traps, but can not acquire additional traps

Fishing Year	Maximum Trap Cap	Aggregate Ownership Cap
2023 (current limits)	1,945	n/a
2025	1,805	9,025
2026	1,629	8,145
2027	1,548	7,740

- **DIFFERENCE:** single ownership cap or trap 'banking' not considered

Area 3 Ownership Cap Impacts

- Minimal impacts, caps the fishery as it exists
- 2 people who are capped in excess of 7,740 traps

Outreach

- Interim final rule [bulletin](#)
- Summer 2025 Trap Transferability Outreach

Questions and Resources

- [Proposed rule](#)
- [Interim final rule](#)
- [Comments](#)