

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



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Prepared by the Plan Review Team

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1. INTRODUCTION

Amendment 3 was approved in December 1997. During 1998, the Board engaged in discussions to fully implement Amendment 3. Amendment 3 established a framework for area management, which includes industry participation through seven Lobster Conservation Management Teams (LCMT). The LCMTs were encouraged to develop a management program, which suits the needs of the area while meeting targets established in the plan. The LCMTs, with the support of state agencies, have played a vital role in advancing the area management program.

The LCMTs for Areas 2, 3, 4, 5, 6, and the Outer Cape submitted area management proposals to the Board during the fall of 1998. The proposals included management measures to control effort and increase egg production. A technical evaluation was conducted to ensure that the proposals achieved the targets in Amendment 3. After reviewing the proposals and the technical evaluation, the Board chose to incorporate the LCMT recommendations into the area management program.

The Board adopted a two-phase approach to incorporate the LCMT recommendations, which will involve two addenda to Amendment 3. Addendum I incorporated measures from the LCMT proposals directed towards controlling effort. The Board decided to address management measures affecting egg production in Addendum II, following the release of an updated, peer-reviewed stock assessment. The stock assessment was completed in March 2000 and reviewed by an independent panel of scientists through the Commission's Peer Review Process in May 2000. After consideration of the stock assessment and peer review results, the Board initiated the development of Addendum II in August 2000 to continue implementation of the 1998 LCMT proposals.

Addendum II also clarifies several components of Amendment 3, such as updating the egg production rebuilding schedule and reconvening LCMTs to develop recommendations for area management based on the recent stock assessment.

The management measures adopted by the states, to comply with the Commission's management plan, will apply within state waters. The Commission will recommend that the Secretary of Commerce implement the management measures adopted in Addendum I in federal waters.

2. MANAGEMENT PROGRAM SPECIFICATIONS

For a detailed description of the coastwide requirements, prohibited actions, and other compliance measures that are applicable under Amendment 3, Addendum I, and this addendum, readers should refer to *Fisheries Management Report No. 29 of the Atlantic States Marine Fisheries Commission: Amendment 3 to the Interstate Fishery Management Plan for American Lobster and Addendum I to Amendment 3*.

The provisions in this section may be changed in order to meet the goal and objectives specified in Section 2 of Amendment 3. Any changes made to Addendum II will be done via addendum under Section 3.6 of Amendment 3.

2.1. EGG PRODUCTION REBUILDING SCHEDULE (PARAGRAPHS 1&2 COPIED FROM AMENDMENT 3)

The fishery management plan seeks to restore egg production from the American lobster resource in each of the management areas to greater than the overfishing definition before the end of 2008. This restoration is expected to result from the application of the conservation and management measures contained in Amendment #3, Addendum I and Section 2.2 of Addendum II, below. Modifications may be made, as necessary, according to the adaptive management procedures contained in Section 3.6 of Amendment #3 if ongoing monitoring demonstrates that such modifications are necessary to meet the FMP goal, objectives, and rebuilding target date.

Each area will be required to meet the egg production rebuilding schedule listed in Table 1. Area 1 will follow the Gulf of Maine schedule; Area 2 and 6 will follow the South of Cape Cod & Long Island Sound schedule; and Areas 3, 4, 5, and the Outer Cape will follow the Georges Bank & South schedule. Upon further analysis, the Board has the option to change, under Section 3.6, the rebuilding schedule to reflect current data.

Addendum I specified that the egg production rebuilding schedule contained in Amendment #3 shall be adjusted following the peer-reviewed stock assessment conducted in 2000. The revised schedule below accounts for updated information on the current status of the stock.

Table 1. Schedule for increasing egg production in each of the current stock assessment areas, although the Board may revise this schedule in the future according to the adaptive management procedures contained in Section 3.6 of Amendment 3.

Egg Production* (Percent of Maximum)								
Year								
	2001	2002	2003	2004	2005	2006	2007	2008
Gulf of Maine	3.2	4.17	5.14	6.11	7.09	8.06	9.03	10+
Georges Bank & South	6.2	6.74	7.29	7.83	8.37	8.91	9.46	10+
South of Cape Cod & Long Island Sound	8.3	8.54	8.79	9.03	9.27	9.51	9.76	10+

*Egg production in 2001 based on the peer-review stock assessment conducted in 2000; projected egg production from 2002 forward is based upon a requirement for proportional increases for each of the areas from the level of egg production in 2001.

2.2. MEASURES APPLICABLE TO COMMERCIAL FISHING IN LOBSTER MANAGEMENT AREAS

2.2.1. Minimum Gauge Size in Lobster Management Areas [2, 3, 4, 5, and Outer Cape]

The minimum size for American lobster in management areas 2, 3, 4, 5, and Outer Cape shall be no lower than the carapace length identified in the following schedule. Carapace length is the straight-line measurement from the rear of the eye socket parallel to the centerline of the

carapace to the posterior edge of the carapace. The carapace is the unsegmented body shell of the American lobster.

The 2001 year indicated runs throughout the entire calendar year (January 1-December 31).

<i>Area 2</i>	<i>Area 3</i>	<i>Area 4</i>	<i>Area 5</i>	<i>Outer Cape</i>
2001- 3-9/32"	2001- 3-9/32"	2001- 3-9/32"	2001- 3-9/32"	2001- 3-9/32"
2002- 3-5/16"	2002- 3-5/16"	2002- 3-5/16"	2002- 3-5/16"	2002- 3-5/16"
2003- 3-11/32"	2003- 3-11/32"	2003- 3-11/32"	2003- 3-11/32"	2003- 3-11/32"
2004- 3-3/8"	2004- 3-3/8"	2004- 3-3/8"	2004- 3-3/8"	2004- 3-3/8"
	2005*- 3-13/32"			
	2006*- 3-7/16"			
	2007*- 3-15/32"			
	2008*- 3-1/2"			

* NOTE – Area 3 will implement minimum size increases beyond 3 3/8" at the rate of 1/32" per year until a final minimum size of 3 1/2" is reached, if necessary to meet lobster management plan goals and objectives.

2.2.2. Minimum Escape Vent Size in Lobster Management Areas [2, 3, 4, 5, and Outer Cape]

All lobster traps in Areas 2, 3, 4, 5, and Outer Cape, whether fished commercially or recreationally, must contain at least one rectangular escape vent per trap or at least two circular escape vents according to the following schedule:

	One Rectangular Vent	Two Circular Vents
2003	2 inches by 5-3/4 inches	2 1/2 inches

2.2.3. Trap Reduction Schedule for Lobster Management Area 3

Each Area 3 trap allocation of greater than 1,200 traps will be reduced on a sliding scale basis over 4 years. Trap reduction will not go below a baseline of 1,200 traps. Area 3 trap allocations of less than 1,200 traps will remain at their initial qualifying level and will not be permitted to increase up from that number. The trap reduction schedule is as follows:

Initial Allocation	3250	3000	2800	2600	2400	2200	2000	1800	1600	1400
Year 1	2656	2493	2357	2218	2076	1930	1762	1628	1467	1290
Year 2	2493	2351	2230	2107	1981	1849	1715	1573	1423	1251
Year 3	2351	2225	2117	2008	1896	1776	1654	1523	1380	1213
Year 4	2267	2150	2050	1949	1845	1732	1616	1492	1352	1200

2.2.4. Reporting Requirements for Lobster Management Area 3

All Area 3 lobstermen are required to fill out multi-species logbooks until a lobster specific logbook is approved.

2.2.5. Review of the Area Management Program

Each LCMT, established in Section 3.4 of Amendment 3, shall review the revised egg rebuilding schedule, the previous LCMT recommendation, and the area management program, if any, and present to the Management Board alternative measures that would achieve the stock rebuilding targets contained in Section 2.1 of this addendum beginning June 1, 2001, for implementation via Addendum process by January 1, 2002.

3. RECOMMENDATIONS FOR ACTIONS IN FEDERAL WATERS

The Atlantic States Marine Fisheries Commission believes that the measures contained in Amendment #3, Addendum I and Addendum II are necessary to limit the expansion of effort into the lobster fishery and to rebuild egg production to recommended levels. ASMFC recommends that the federal government promulgate all necessary regulation to implement the measures contained in Section 2.

Specifically, The ASMFC recommends that the Secretary of Commerce take the following actions:

1. Implement the provisions of Section 2.1 in all waters of the Exclusive Economic Zone throughout the range of the resource.
2. Implement the provisions of Section 2.2 applicable to the respective areas in all waters of the Exclusive Economic Zone contained in each respective area.

4. COMPLIANCE

4.1 Mandatory Elements of a State Program

To be considered in compliance with Addendum II, 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 requirements 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. During submission, until the Board makes a decision on a state's program, a state may not adopt a less restrictive management program than contained in this Addendum.

4.3 Adjustments to the Compliance Schedule

State management programs must have regulations to implement the following Sections of Addendum II by the dates indicated in order to be in compliance with Amendment 3 to the American Lobster Fishery Management Plan.

By December 31, 2001: Section 2.1 Egg Production Rebuilding Schedule and Section 2.2 Measures Applicable to Commercial Fishing in Lobster Management Areas