

Addendum V 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.

March 2004

1.0 INTRODUCTION AND BACKGROUND

American Lobster Addendum IV to Amendment 3 of the American Lobster Fishery Management Plan outlines a transferable trap program for Area 3. This program allows Area 3 lobster fishermen to transfer trap tags to other lobster fishermen. Along with other measures, the Addendum IV Area 3 transferability program establishes an overall trap cap and conservation taxes for transferring traps. Addendum V addresses one component of the overall program.

The public hearing document for draft Addendum IV outlined an overall trap cap of 2600 traps and a two tiered tax system that would institute a higher tax when the purchaser owned 2100 traps or more. Based on comments gathered at public hearings expressing concern that this overall trap cap of 2600 may be too high, the Area 3 LCMT amended their original proposal. This new proposal included an overall trap cap of 2200 with the higher tax imposed when the purchaser owns 1800 to 2200 traps. Addendum V was initiated to address this particular aspect of the Area 3 trap transferability program. The Board chose the management measures below at the March 2004 Board Meeting where this Addendum was approved.

2.0 MANAGEMENT MEASURES:

Total Trap Cap and Conservation Tax:

A conservation tax (passive reduction) of 10% will be assessed for each transfer that equates to a purchaser owning up to 1800 traps. For all transfers where the transfer of trap tags result in a permit exceeding 1800 traps, those traps over 1800 will be taxed at 50%, up to the total trap cap of 2200. Any tax resulting in a fraction of a trap will be taxed at the next higher whole trap level.

This measure is applicable to Area 3 permit holders only and replaces section 4.2.4 of Addendum IV that establishes the Area 3 trap transferability program.

3.0 RECOMMENDATIONS FOR ACTIONS IN FEDERAL WATERS

The Atlantic States Marine Fisheries Commission believes that the measures contained in Amendment #3 and Addenda I, II, III, IV, and V 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 V, 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

State management programs must have regulations to implement the Area 3 program included in Addendum IV and V by June 1, 2005 in order to be in compliance with Amendment 3 to the American Lobster Fishery Management Plan.