

2004 REVIEW OF THE  
ATLANTIC STATES MARINE FISHERIES COMMISSION  
FISHERY MANAGEMENT PLAN  
FOR  
**AMERICAN LOBSTER**  
*(Homarus americanus)*

Prepared by the Plan Review Team

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**I. Status of the Fishery Management Plan**

<u>Year of Plan's Adoption:</u>	1997
<u>Framework Adjustments:</u>	Addendum I (1999) Addendum II (2001) Addendum III (2002) Addendum IV (2003) Addendum V (2004)
<u>Management Unit:</u>	Maine through North Carolina
<u>States with a Declared Interest:</u>	Maine through North Carolina (Excluding Pennsylvania)
<u>Active Committees:</u>	American Lobster Management Board, Technical Committee, Stock Assessment Sub- Committee, Socio-Economic Sub-Committee, Model Development Sub-Committee, Advisory Panel, Plan Development Team, Plan Review Team, Transferability Subcommittee

**II. Status of the Stocks**

The Technical Committee is currently updating the American lobster stock assessment. This work should be completed and peer reviewed in Spring of 2005.

**Trend Analysis**

In the absence of an annual stock assessment for American lobster, the Technical Committee review annual trends in stock biomass and abundance as recorded by trawl surveys along the Atlantic coast. The 2003 annual survey trend analysis follows. The most recent data used in this analysis was collected in 2002.

*Southern New England*

Upon review of the trawl survey trends there was a consensus among the TC that lobster abundance in the SNE stock unit is at or close to time series lows. There has been an observable consistent decline in pre-recruit, recruit, and legal lobster indices among surveys, over the last 5 years. This decline follows record lobster abundance observed in the mid-1990's. The TC finds the low abundance of lobsters in the SNE stock unit particularly alarming in light of the current lobster health issues in this area, as well as the increased effort and fishing efficiency in the fishery as compared to when lobster abundance was low in the early 1980's.

*Georges Bank & South*

There was a consensus among the TC that lobster relative abundance in the GB&S stock unit has remained relatively stable over the time series as measured by the NMFS Fall survey. There seems to be a slight increase in relative abundance of the legal sized category in the last 3 years. Abundance trends in the New Jersey trawl survey do not track the NMFS survey well. The TC questions if this trawl survey indices are allocated to the appropriate stock unit, as observed trends in the NJ survey appear to track trends in the SNE stock unit more closely. Through one of the terms of reference of the upcoming stock assessment, the TC has been directed to reevaluate the boundaries of the stock units.

### Gulf of Maine

There was a consensus among the TC members that lobster relative abundance in the GOM stock unit has increased over the time series as measured by the NMFS Fall survey. Legal sized relative abundance of males and females are at or near time series highs. However, relative abundance of recruit and pre-recruit size classes has dropped in recent years from high observed in the late 1990's. Relative abundance indices from the MADMF trawl survey have varied without trend over the time series for pre-recruit, recruit and legal size classes.

### **ASMFC External Stock Assessment – July 2000**

The last stock assessment for lobster was completed via an external peer review during summer 2000. The Stock Assessment Report provides an analysis of the lobster stocks through 1998 and was summarized in previous FMP reviews. Overall, fishing effort is intense throughout the range of the species and the stock is defined as overfished in all stock areas, using the ASMFC standard of 10% egg production per recruit. At the time of the stock assessment, however, the majority of the Lobster Stock Assessment Subcommittee did not consider any of the stock areas to be recruitment overfished. The Stock Assessment Subcommittee considered all stock areas to be growth overfished, indicating that landings could be larger if the fishing mortality rate were reduced.

For assessment purposes, the lobster population is split into three regions: Gulf of Maine (GOM), George's Bank and South (GBS), and South of Cape Cod to Long Island Sound (SCCLIS). The quality and quantity of data do not currently permit the lobster population to be assessed at a greater level of detail.

In the Gulf of Maine, the average annual 1995-97 fishing mortality rates were 0.74 (49% annual exploitation rate) for females and 0.59 (42%) for males, with 80% confidence intervals of 0.54-0.88 and 0.30-0.70 respectively. In the George's Bank and South stock, the average annual 1995-97 fishing mortality rates were 0.41 (31% annual exploitation rate) for females and 0.63 (44%) for males, with 80% confidence intervals of 0.32-0.46 and 0.59-0.69, respectively. In the SCCLIS stock, average 1995-97 fishing mortality rates were estimated from fall landings and survey data were 1.41 for males (71%) and 1.25 for females (67%) with 80% confidence intervals of 1.2-1.5 and 1.07-1.37, respectively. These fishing mortality rates were much higher than the average 1995-97 fishing mortality rates in the other two assessment areas.

### **III. Status of the Fishery**

Harvests of American lobster peaked in 1999 at 40,442 metric tons. The significance of this increase in harvest is most easily illustrated by comparing 1999 landings to that of the period between 1978-1987 (15-20,000 mt). Landings have continued to increase over time, with small decreases occurring in 1992, 1998, 2000, and 2001. Maine and Massachusetts account for 92% of the 2002 commercial landings, 76% and 16% respectively. The magnitude of recreational landings is unknown. In contrast to the 1990s, when

all stock areas experienced increases in landings, the status of the fishery now varies dramatically by area.

During the fall and winter of 1999-2000, the lobster resource in western Long Island Sound suffered mass mortalities, the cause of which is still under investigation. Following requests from the Governors of NY and CT, the U.S. Secretary of Commerce, on January 26, 2000, declared the Long Island Sound die-off to be a commercial fishery failure. Following the declaration, the U.S. Congress appropriated \$13.9 million to address the biological and economic consequences of the fishery failure. These funds were distributed with \$7.3 million to provide economic relief funds for impacted NY and CT lobstermen, and \$6.6 million in research funds for a comprehensive research into the possible cause(s) of poor lobster health in LIS.

Lobster stocks in Lobster Conservation Management Area 2 have been facing steady declines since 2001. Survey indices and landings have been declining and the incidence of shell disease has been increasing.

**Table 1. Total commercial landings in metric tons. (Based on NMFS landings data as of 11/1/2004)**

Year	Metric tons	Pounds	\$
1990	28,297	62,383,125	154,757,113
1991	29,073	64,093,998	166,014,347
1992	25,978	57,270,826	166,371,185
1993	26,290	57,958,940	160,260,573
1994	31,720	69,930,711	207,161,675
1995	31,742	69,978,238	214,465,158
1996	32,346	71,310,316	241,785,034
1997	37,455	82,572,804	271,573,416
1998	36,330	80,092,672	255,103,096
1999	40,442	89,158,577	329,500,980
2000	39,429	86,926,003	314,255,145
2001	32,293	71,192,803	249,509,514
2002	37,094	81,776,532	290,329,744

**Table 2. Landings of American Lobster by the states of Maine through New Jersey from 1990-2003 (pounds). (Source, NMFS Commercial Fisheries Statistics Web Page as of 11/1/04 for 1990 – 2002 and ASMFC Lobster Database for 2003 values)**

Year	Maine	Massachusetts	Rhode Island	New York	Connecticut	New Hampshire	New Jersey
1990	28,068,238	17,054,434	7,258,175	3,431,111	2,645,800	1,658,200	2,198,867
1991	30,788,646	16,528,168	7,445,172	3,128,246	2,674,000	1,802,035	1,673,031
1992	26,830,448	15,823,077	6,763,087	2,651,067	2,439,600	1,529,292	1,213,255
1993	29,926,464	14,336,032	6,228,470	2,667,107	2,177,022	1,693,347	906,498
1994	38,948,867	16,100,264	6,474,399	3,954,634	2,212,000	1,650,751	581,396
1995	37,208,324	15,771,981	5,363,810	6,653,781	2,536,177	1,834,794	606,016
1996	36,083,443	15,330,377	5,296,110	9,408,689	2,888,683	1,632,829	640,207
1997	47,023,271	15,092,014	5,801,183	8,878,395	3,468,051	1,414,368	858,426
1998	47,036,836	13,278,726	5,618,440	8,525,590	3,715,316	1,194,653	721,811
1999	53,494,418	15,533,953	6,410,125	7,062,687	2,595,764	1,380,714	935,837
2000	57,215,406	15,802,888	6,921,573	2,991,331	1,393,565	1,709,746	891,183
2001	48,617,693	12,132,807	4,809,158	2,052,741	1,329,707	2,027,725	579,753
2002	62,315,131	12,853,380	3,835,050	1,440,483	1,067,121	2,029,887	264,425
2003*	53,963,500	11,222,736	3,462,747	948,090	671,119	1,958,817	209,956

\*Preliminary information

#### IV. Status of Assessment Advice

During the 1990s, the fact that lobster stock abundance either remained stable or increased despite high

and, in some cases, increasing fishing mortality rates, led to a great deal of speculation concerning the resiliency of the lobster resource to high exploitation rates. Recent declines in lobster stocks in Area 6 and Area 2 have confused the situation even more because the relative importance of high fishing mortality rates compared to lobster health issues is not known.

The high priority recommendations for improvements in assessment methodology that were first made by the PRT in 2001 have taken on new importance based on the need to develop management strategies that will rebuild depleted stocks. They include:

- Develop a database to calculate lobster landings by area caught, time period, sex, and length in a timely and efficient manner; (ASMFC has developed this database)
- Evaluation of additional stock assessment models and analyses that could provide the basis for alternative biological reference points for lobsters that would complement the current F10% maximum egg production per recruit reference point, and account for prevailing spawning stock size, total egg production, or recruitment; (ongoing work expected to be completed by 2005)
- Development of a yield per recruit analysis for male lobsters;
- Analysis of biological risk and economic costs and benefits associated with different management policies that rely on stock assessment models and reference points; (SIMLOB is a bio-economic fishery simulation model which looks at economic costs and benefits associated with different management policies but has not yet been reviewed by the various lobster technical committees)
- Expanded use of annual trawl survey data for juvenile lobsters and development of surveys to monitor annual changes in abundance of pre-recruits and predict the effects of variable recruitment on stock abundance; and
- Expanded data collection efforts throughout the range of the resource to determine the spatial distribution of fishing effort and changes to the distribution of effort over time.

## **V. Status of Research and Monitoring**

### **Prioritized Research Needs 2004**

#### **HIGH PRIORITY**

- Initiate studies of life history events (molting, extrusion, mortality, etc.) in older/larger lobsters on a regular basis.
- Monitor the condition of the stocks and determine the effects of management measures and environmental changes on the abundance of the stocks and on the fisheries. (Currently monitored in part by annual survey trend reports by the Technical Committee.)
- Resolve the question of stock identification, particularly as related to inshore/offshore components south of Georges Bank. Appropriate genetic studies are highly recommended and a compilation and analysis of existing tagging data should be undertaken prior to any new tagging studies. (TC looking at stock identification for upcoming stock assessment and will likely include new research needs on this subject. UNH compiled a generalized review of movements and has been working with the AOLA to collect maturity and fecundity information. Kathy Castro at URI has tag recapture data that has been looked at for molt increment and stock area discussions.)
- Yield-per-recruit analyses should be conducted for males. (This is ongoing work for incorporation into Lobster Life History Model)
- Include process error in growth, reproduction, etc; and evaluate effects of assumptions of maximum intermolt periods, maximum size and the partitioning of natural mortality in the egg production per recruit model. Obtain information on molting frequency and lobster growth, mortality, and recruitment among years and geographical areas. (Jacobson and Wilson 2004 explored growth as a

- percentage rather than a molt increment)
- Quantify changes in the spatial distribution of effort.
- Enhanced sea sampling and/or port sampling of offshore catches is urgently needed for biological characteristics of catches and landings since current sampling in these areas is considered inadequate for assessment purposes.
- Methods should be developed to derive standardized catch-per-unit-effort indices which include trap attributes, season, soak time, etc. Sea sampling should be modified to include collection of potentially important variables.
- Estimates of biological reference points for the Gulf of Maine stock are partly influenced by the assumed level of v-notching undertaken by area fishermen. No adequate estimate of the proportion of compliance with this voluntary measure now exists. A credible study of this issue is recommended to reduce uncertainty in estimation of biological reference points. (A v-notching model used by the TC does a credible investigation of observed percentages and V-notching rate)
- Analyze effects of different spatial combinations of survey stations in the Delury model.
- Develop area-specific data on effort and LPUE (ACCSP logbooks could provide this information. Other methods to better track effort in the lobster fishery are under review.)

### **MEDIUM PRIORITY**

- Examine effects of measurement errors and define acceptable levels of risk in the egg production per recruit model. (The risk of having measurement errors is explored in Chen and Wilson 2001)
- Develop a monitoring plan to detect recruitment trends (Sea sampling, trawl survey, Settlement surveys are conducted in ME, NH, MA and RI.)
- The inclusion of multiple survey indices in DeLury population models could potentially be useful in refining estimates of stock size and F, and should be explored. (A preliminary version of the DeLury model with multiple indices has been developed, but was not available for SAW-22).
- Predictions of EPR models should be validated with respect to data from fishery-dependent and fishery-independent sources including: length frequency distribution of catch, projected growth trajectory, and size-specific sex ratios, fraction egg bearing, fraction soft shell, and fraction V-notched.
- Explore alternatives to timing of events in the EPR model. Investigate geographic and seasonal patterns of growth, reproductive events, and fishing intensity from catch and sea sampling data. Standardize methods of sampling and statistical analysis are needed to determine these patterns.
- Obtain information on natural mortality rates. The effects of alternative partitioning of natural mortality (M) between hardshell and softshell should be investigated, and attempts should be made to estimate rates from field or laboratory data (Crecco et al 2003).
- Examine the sensitivity of F (10%) to input parameters in the egg production per recruit model. Specific information for micro-area is needed. (Chen and Wilson 2001)
- Additional analyses of biological attributes of the catch and survey data are needed to corroborate patterns and trends in F estimates.
- Examine temperature effects on growth, reproduction, etc. (Many lab studies have been done, but have not been related to the EPR model in the form of an environmental component.)
- Conduct spatial mapping of survey indices and projected egg production.
- More precise and accurate DeLury model estimates of stock size and fishing mortality rates can be made if the relative selectivity of pre-recruit and fully recruited sizes to the bottom trawl survey gear is resolved. Appropriate field studies of lobster availability and R/V gear selectivity are considered a priority.
- Develop standardized LPUE-index fishers.
- Investigate the effects of spatial distribution/movements/selectivity in the Delury model.
- Examine trap effects on catch.

- Undertake regional examination of temperature-yield relationship. (Estrella, Bruce, and Steven Cadrin. 1991. Massachusetts coastal commercial lobster trap sampling program, 1990 Annual Report. 52 pp.; Fogarty, Michael J. 1988. Time series models of Maine lobster fishery: Effects of temperature. Canadian Journal of Fisheries and Aquatic Sciences, Volume 45, 1145-1153.)
- Examine temperature, effort, and abundance effects on catch.
- Use comparative evaluations of reproductive rates with respect to temperature.
- Terminology for lobster life stages need to be defined and standardized for each state's sampling programs in order to ensure comparability and synthesis of available data. (The TC now uses similar size classes for all comparisons)
- Examine fixed and random sampling.
- Include multiple input series in modeling for lobster.
- Compare fishery-dependent and fishery-independent length frequencies. (Completed through stock assessment process but no formal document. (in press. Schierer, Wilson and Chen. Comparison of port and sea sampling)
- Develop a time series of standardized fishing effort and compare with F.

## **LOW PRIORITY**

- Compile existing tagging data-transfer rates.
- Compile existing larval data - transfer rates.
- Examine spatial differences in F (10%) in the egg production per recruit model.
- Evaluate potential biases in the DeLury analysis due to incomplete coverage in different substrates.
- Assess the utility of satellite DNA and apply throughout range, if promising. Genetic identity of LIS population should be examined. (Dr. Irv Kornfield, University of Maine, paper in press/process for LIS data; papers on utility of satellite DNA should be out. See Note in Reference Section.)
- Conduct cooperative studies with fishers on gear efficiency.
- Obtain information on operational and socioeconomic data for the commercial fisheries.
- Undertake sensitivity analyses in the DeLury model.
- Develop models with enhanced size/stage structure.
- Test the thermal limit hypothesis. (Annis, PHD candidate Univ. of Maine, looking at larval diving in response to temperature)
- Examine effects of predation, regime shifts, etc. (Wendy Norton, MS student UCONN, looking at predation on post larvae)
- Establish field studies of density-dependent processes. (Bob Steneck in progress.)
- Combined analyses of inshore and offshore southern stocks produced intermediate results, and were sensitive to the research vessel series (Rhode Island inshore or NEFSC offshore) used for DeLury modeling. Quantitative methods for combining stock status and reference points to multiple stock areas are necessary for providing region-wide assessment advice for the American lobster resource through its range.
- Investigate spatial differences in demography of American lobster.

## **VI. Status of Management Measures and Issues**

Amendment 3 established management measures that require coastwide and area specific measures applicable to commercial fishing. The coastwide requirements are summarized in Table 3.

**Table 3. Coastwide requirements and prohibited actions**

- |   |
|---|
| <ul style="list-style-type: none"> <li>▪ Prohibition on possession of berried or scrubbed lobsters</li> </ul> |
|---|

- Prohibition on possession of lobster meats, detached tails, claws, or other parts of lobsters by fishermen
- Prohibition on spearing lobsters
- Prohibition on possession of v-notched female lobsters
- Requirement for biodegradable “ghost” panel for traps
- Minimum gauge size of 3-1/4”
- Limits on landings by fishermen using gear or methods other than traps to 100 lobsters per day or 500 lobsters per trip for trips 5 days or longer
- Requirements for permits and licensing
- All lobster traps must contain at least one escape vent with a minimum size of 1-15/16” by 5-3/4”
- Maximum trap size of 22,950 cubic inches in all areas except area 3, where traps may not exceed a volume of 30,100 cubic inches.

Amendment 3 also established seven Lobster Conservation Management Teams (LCMTs), each of which coincides with a management area. The Commission has approved three addenda for the purposes of incorporating LCMT recommendations for full implementation of Amendment 3. Addendum I incorporated measures from the LCMT proposals, which were intended to control effort. Addenda II and III were designed to address management measures affecting egg production. The measures included in Addenda I, II, and III supercede measures addressing similar issues under Amendment 3 and are summarized in Tables 4 below.

**Table 4: Area specific management measures**

Management Measure	Area 1	Area 2	Area 3	Area 4	Area 5	Area 6	OCC
Trap Limits/Numbers	Trap Cap (800)	**Trap Cap(800)	Hist. Part.	Hist. Part.	Hist. Part.	Hist. Part.	Hist Part. (25% Reduction by 2008)
Gauge Size (2001)	3-1/4”	3-9/32”	3-9/32”	3-1/4”	3-1/4”	3-1/4”	3-9/32”
Gauge Size (2002)	3-1/4”	3-5/16”	3-5/16”	3-5/16”	3-5/16”	3-1/4”	3-5/16”
Gauge Size (2003)	3-1/4”	3-11/32” 3-3/8”	3-11/32”	3-11/32”	3-11/32”	3-1/4”	3-11/32”
Gauge Size (2004)	3-1/4”	3-3/8”	3-3/8”	3-3/8”	3-3/8”	*3-9/32”	3-3/8”
Gauge Size (2005)	3-1/4”	3-13/32”	*3-13/32”			*3-5/16”	*3-13/32”
Gauge Size (2006)	3-1/4”	3-7/16”	*3-7/16”				*3-7/16”
Gauge Size (2007)	3-1/4”	3-15/32”	*3-15/32”				*3-15/32”
Gauge Size (2008)	3-1/4”	3-1/2”	*3-1/2”				*3-1/2”
Escape Vent Size	*2 X 5-3/4 “ (2007)	+ Incr. w/ gauge	+ Incr. w/ gauge	+ Incr. w/ gauge	+ Incr. w/ gauge	+ Incr. w/ gauge	+ Incr. w/ gauge
V-notch Definition	Zero Tolerance	ASMFC	ASMFC	ASMFC	ASMFC	ASMFC	ASMFC
Mandatory V-Notching	Mandatory		Mandatory Above 42° 30’				
Maximum Size	5”			5-1/4”*	5-1/2”*		

NOTES \* - “If necessary provisions”. At the December 2004 Board meeting, the Board indicated “if necessary” are necessary unless the Board indicates they are not at a later date EXCEPT Area 6 has a one-year delay.

\*\* Area 2 will be implementing a limited entry trap transferability program at a later date.

+ Escape Vents increase with gauge sizes in this Area. Please see Addendum III and IV for details.

**Issues:**

- There is ongoing concern about the health of the lobster resource in Area 6 and Area 2. The Lobster Management Board passed Addendum IV in December 2003 with gauge increases and an effort control program for Area 2. The Board is revisiting the effort control program because of their concern that not all jurisdictions can implement the plan and because further analysis shows that the plan may not control effort.
- The Board is exploring methods to better to track effort in the lobster fishery. Some of these methods will be implemented in 2005.
- Due to the delay in federal implementation of several area specific management measures, there is a difference in management measures between the state and federal government that is impeding uniform enforcement across the region.

**VII. Current State-by-State Implementation per Compliance Requirements (As of November 2004)**

Most states are currently in compliance with all required measures under Amendment #3, Addendum I, Addendum II, and Addendum III. However, Maine has yet to fully implement the most restrictive rule. States are still in the process of implementing Addendum IV and V.

**VIII. Recommendations and Issues**

The following are issues the Plan Review Team would like to raise to the Board as well as general recommendations:

1. With the impending release of the new stock assessment and the possibility of new reference points, there may be a need for changes to the management program for American Lobster. The PRT recommends the ASMFC conduct a socioeconomic assessment of the lobster fishery to serve as baseline information for these management discussions.
2. The PRT believes the ability to judge the success or failure of management measures on management area vs. stock unit basis is critical and recommends that the TC explore this further.
3. The PRT is concerned about the ability of the lobster management program to respond to changing stock conditions and believe this issue should be explored further.
4. The information collected under the ACCSP program will play an integral role in area management and the PRT encourages the full implementation of data collection programs to enhance the ACCSP data collection. The PRT recommends that states implement logbook programs to collect data that may not be collected through the Atlantic Coastal Cooperative Statistics Program.