

Atlantic States Marine Fisheries Commission

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MEMORANDUM

April 10, 2008

To: American Lobster Management Board

From: American Lobster Technical Committee

RE: Review of MA V-notch Proposal

The lobster TC believes the proposed conservation equivalency change in the Massachusetts V-notch definition from zero tolerance to 1/8" inch with or without setal hairs could result in an increase in fishing mortality in Area 514 (Massachusetts Bay). We can not quantify the increase in fishing mortality at this time; however, a portion of those lobsters that would be protected under the zero-tolerance definition would not be protected under the 1/8" definition. This observation is based on limited sea-sampling data from ME DMR that demonstrated up to 19% of V-notch lobsters would be retained under the 1/8" definition that are now discarded under the current zero tolerance definition (see Maine data detailed below). The 2006 peer review of the lobster stock assessment stated that further restrictions were warranted for Area 514 due to low levels of recruitment and high levels of fishing mortality. Finally, if adopted, this conservation equivalency would create competing conservation measures within the Gulf of Maine Stock Area, a situation that the TC has consistently advised against for all areas.

Evaluation of the impact of 1/8" V-notch definition

The only at sea information that was used for evaluating the impact of changing the MA regulation to 1/8" V-notch consideration was presented by Maine DMR which conducted two sea sampling trips in Statistical Areas 511 and 512 during March 2008. These trips were part of the standardized quota based sea sampling program conducted on a continual basis by Maine DMR. Standard sampling protocol identifies lobsters as having a V-notch (yes or no) and then each V-notch is further broken down by interpreting the type of V-notch (manmade, natural mutilation or missing flipper). For the purpose of this investigation, an additional category was added where each V-notch was scored as having a depth greater than or less than 1/8" (determined by a gauge manufactured for the Maine Marine Patrol).

During the two sampling trips, 746 trap hauls were recorded and 740 lobsters measured (77% female). In total, 194 V-notch lobsters were identified with 19% (37) having a V-notch less than 1/8". When further broken down, 19% of all manmade V-notches and 35% of mutilations had V-notches less than 1/8" (table 1).

Shortcomings of these data are that they represent only two trips in Maine during March and are conducted further offshore (>15 nm) than where the majority of the Gulf of Maine fishery occurs. Conclusions concerning the impacts of the 1/8" V-notch conservation equivalency based on this information may be different than if data from the southern areas of the Gulf of Maine were available.

Table One. The observed number and percentages of lobsters with V-notches less than or greater than 1/8" depth broken down by type (manmade, mutilation, missing flipper). Data was collected on two sea sampling trips in Statistical Areas 511 and 512 during March 2008.

	Manmade		Mutilation		Missing flipper		Overall
	New	Old	New	Old	New	Old	
Less than 1/8"	1	26	4	2			
Greater than 1/8"	80	49	4	8	12	1	
renotched <1/8"		3		1			
renotched >1/8"		2		1			
total < 1/8"	1	29	4	3	0	0	37
total >1/8"	80	51	4	9	12	1	157
% < 1/8" by category	19%		35%		0%		
% < 1/8" by type	1%	36%	50%	25%	0%	0%	19%
* includes 83-127 mm carapace length, non-egg bearing V-notched females							

Potential effect of regulatory differences

Massachusetts has regulations which specify that initial V-notches must be no smaller than 1/4" and no larger than 1/2", while Maine has no regulations to this effect. This can be seen in Table 1, where there was 1 new manmade V-notch (0.5%), which was less than 1/8". The larger the initial V-notch the longer the lobster would be protected under any definition. **The TC recommends that all states with v-notching requirements adopt regulations that specify the depth of initial V-notches.**