§ 697.19 Trap limits and trap tag requirements for vessels fishing with lobster traps.

(a) Trap limits for vessels fishing or authorized to fish in any Nearshore Management Area. (1) Through August 31, 2003, vessels fishing in or issued a management area designation certificate or valid limited access American lobster permit specifying one or more EEZ Nearshore Management Area(s), whether or not in combination with the Area 23 Overlap, shall not fish with, deploy in, possess in, or haul back from such area more than 800 lobster traps.

(2) Beginning September 1, 2003, vessels fishing in or issued a valid limited access American lobster permit specifying one or more of EEZ Nearshore Management Areas 1, 2, or the Outer Cape Management Area, regardless of whether it is in combination with the Area 23 Overlap, shall not fish with, deploy in, possess in, or haul back from such area(s) more than 800 lobster traps, except as noted in paragraph (d) of this section.

(3) Beginning September 1, 2003, vessels fishing in or issued a management area designation certificate or valid limited access American lobster permit specifying one or more of EEZ Management Areas 4, 5, or the Outer Cape Management Area(s), whether or not in combination with the Area 23 Overlap, shall not fish with, deploy in, possess in, or haul back from such area more than the number of lobster traps allocated by the Regional Administrator pursuant to the qualification process set forth at §697.4(a)(7)(vii), which will not exceed 1,440 lobster traps, except as noted in paragraphs (c) and (e) of this section.

(4) Beginning September 1, 2003, vessels fishing in or issued a management area designation certificate or valid limited access American lobster permit specifying one or more of EEZ Management Areas 4, 5, or the Outer Cape Management Area(s), whether or not in combination with the Area 23 Overlap, shall not fish with, deploy in, possess in, or haul back from such area more than the number of lobster traps allocated by the Regional Administrator pursuant to the qualification process set forth at §697.4(a)(7)(viii), which will not exceed 1,440 lobster traps, except as noted in paragraphs (c) and (e) of this section unless the vessel is operating under an Area 5 Trap Waiver permit issued under §697.26.

(b) Trap limits for vessels fishing or authorized to fish in the EEZ Offshore Management Area. (1) Effective through November 3, 2007, vessels fishing only in or issued a management area designation certificate or valid limited access American lobster permit specifying one or more EEZ Offshore Management Area(s), whether or not in combination with the Area 23 Overlap, shall not fish with, deploy in, possess in, or haul back from such area more than 800 lobster traps.

(2) Effective through November 3, 2007, vessels fishing only in or issued a management area designation certificate or valid limited access American lobster permit specifying only EEZ Offshore Management Area 3, would not be allowed to fish within 100 nautical miles of the continental shelf edge in the EEZ fishing area.

(3) Beginning September 1, 2003, vessels fishing in or issued a limited access American lobster permit specifying one or more of EEZ Management Areas 4, 5, or the Outer Cape Management Area(s), whether or not in combination with the Area 23 Overlap, shall not fish with, deploy in, possess in, or haul back from such area more than 800 lobster traps, except as noted in paragraph (d) of this section.

(4) Beginning September 1, 2003, vessels fishing in or issued a management area designation certificate or valid limited access American lobster permit specifying one or more of EEZ Management Areas 4, 5, or the Outer Cape Management Area(s), whether or not in combination with the Area 23 Overlap, shall not fish with, deploy in, possess in, or haul back from such area more than the number of lobster traps allocated by the Regional Administrator pursuant to the qualification process set forth at §697.4(a)(7)(vii), which will not exceed 1,440 lobster traps, except as noted in paragraphs (c) and (e) of this section unless the vessel is operating under an Area 5 Trap Waiver permit issued under §697.26.

(5) Effective through November 3, 2007, vessels fishing only in or issued a management area designation certificate or valid limited access American lobster permit specifying only EEZ Offshore Management Area 3,
or, specifying only EEZ Offshore Management Area 3 and the Area 2/3 Overlap, may not fish with, deploy in, possess in, or haul back from such areas more than the number of lobster traps allocated by the Regional Administrator pursuant to the qualification process set forth at §697.4(a)(7)(vi) and the maximum trap limits identified in Table 1, Column 2 to this part, except as noted in paragraphs (c) and (e) of this section.

(2) Beginning November 4, 2007, vessels fishing only in or issued a management area designation certificate or valid limited access American lobster permit specifying only EEZ Offshore Management Area 3, or, specifying only EEZ Offshore Management Area 3 and the Area 2/3 Overlap, may not fish with, deploy in, possess in, or haul back from such areas more than the number of lobster traps allocated by the Regional Administrator pursuant to the qualification process set forth at §697.4(a)(7)(vi) and the maximum trap limits identified in Table 1, Column 2 to this part, except as noted in paragraphs (c) and (e) of this section.

(3) Beginning July 1, 2008, vessels fishing only in or issued a management area designation certificate or valid limited access American lobster permit specifying only EEZ Offshore Management Area 3, or, specifying only EEZ Offshore Management Area 3 and the Area 2/3 Overlap, may not fish with, deploy in, possess in, or haul back from such areas more than the number of lobster traps allocated by the Regional Administrator pursuant to the qualification process set forth at §697.4(a)(7)(vi) and the maximum trap limits identified in Table 1, Column 3 to this part, except as noted in paragraphs (c) and (e) of this section.

(4) Beginning July 1, 2009, vessels fishing only in or issued a management area designation certificate or valid limited access American lobster permit specifying only EEZ Offshore Management Area 3, or, specifying only EEZ Offshore Management Area 3 and the Area 2/3 Overlap, may not fish with, deploy in, possess in, or haul back from such areas more than the number of lobster traps allocated by the Regional Administrator pursuant to the qualification process set forth at §697.4(a)(7)(vi) and the maximum trap limits identified in Table 1, Column 4 to this part, except as noted in paragraphs (c) and (e) of this section.

(5) Beginning July 1, 2010, and beyond, vessels fishing only in or issued a management area designation certificate or valid limited access American lobster permit specifying only EEZ Offshore Management Area 3, or, specifying only EEZ Offshore Management Area 3 and the Area 2/3 Overlap, may not fish with, deploy in, possess in, or haul back from such areas more than the number of lobster traps allocated by the Regional Administrator pursuant to the qualification process set forth at §697.4(a)(7)(vi) and the maximum trap limits identified in Table 1, Column 5 to this part, except as noted in paragraphs (c) and (e) of this section.

(c) Lobster trap limits for vessels fishing or authorized to fish in more than one EEZ Management Area. A vessel owner who elects to fish in more than one EEZ Management Area may not fish with, deploy in, possess in, or haul back from any of those elected management areas more lobster traps than the lowest number of lobster traps allocated to that vessel for any one elected management area.

(d) Conservation equivalent trap limits in New Hampshire state waters. Notwithstanding any other provision, any vessel with a Federal lobster permit and a New Hampshire Full Commercial Lobster license may fish up to a maximum of 1,200 lobster traps in New Hampshire state waters, to the extent authorized by New Hampshire lobster fishery regulations. However, such vessel may not fish, possess, deploy, or haul back more than 800 lobster traps in the Federal waters of EEZ Nearshore Management Area 1, and may not fish more than a combined total of 1,200 lobster traps in the Federal and New Hampshire state waters portions of EEZ Nearshore Management Area 1.

(e) Potential Modifications to Area 3, Area 4, and/or Area 5 Trap Limits in Fishing Year 2003. The Regional Administrator may issue temporary interim Federal American lobster trap fishing permits pursuant to §697.4 for Areas 3, 4 and/or 5 prior to completion of NMFS’ review of the Area 3, Area 4 and/or...
§ 697.20 Size, harvesting and landing requirements.

(a) Minimum carapace length. (1) The minimum carapace length for all American lobsters harvested in or from the EEZ Nearshore Management Area 1 or the EEZ Nearshore Management Area 6 is 3 1⁄4 inches (8.26 cm).

(2) The minimum carapace length for all American lobsters landed, harvested, or possessed by vessels issued a Federal limited access American lobster permit fishing in or electing to fish in the Nearshore Management Area 1 or the EEZ Nearshore Management Area 6 is 3 1⁄4 inches (8.26 cm).

(3) The minimum carapace length for all American lobsters harvested in or from the EEZ Nearshore Management Area 2, 4, 5 and the Outer Cape Lobster Management Area is 3 3/8 inches (8.57 cm).

(4) The minimum carapace length for all American lobsters landed, harvested or possessed by vessels issued a Federal limited access American lobster permit fishing in or electing to fish in EEZ Nearshore Management Area 2, 4, 5 and the Outer Cape Lobster Management Area is 3 3/8 inches (8.57 cm).

(5) Through June 30, 2008, the minimum carapace length for all American lobsters harvested in or from the Offshore Management Area 3 is 3 15/32 inches (8.81 cm).

(6) Through June 30, 2008, the minimum carapace length for all American lobsters landed, harvested or possessed by vessels issued a Federal limited access American lobster permit fishing in or electing to fish in EEZ Offshore Management Area 3 is 3 15/32 inches (8.81 cm).

(7) Effective July 1, 2008, the minimum carapace length for all American lobsters harvested in or from the Offshore Management Area 3 is 3 1/2 inches (8.89 cm).