



UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
NATIONAL MARINE FISHERIES SERVICE  
NORTHEAST REGION  
55 Great Republic Drive  
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**AMERICAN LOBSTER FINAL RULE**  
*~Small Entity Compliance Guide~*  
Federal Lobster Dealer Reporting and Broodstock Protection Measures

This notice serves to inform you that NOAA's National Marine Fisheries Service (NMFS) published in the Federal Register a final rule regarding Federal American lobster management in the Exclusive Economic Zone. The final rule supports the Atlantic States Marine Fisheries Commission's (Commission) Interstate Fishery Management Plan for American Lobster (ISFMP) and responds specifically to the Commission's recommendations for Federal action in Addenda X and XI to Amendment 3 of the ISFMP. The final rule sets forth the following new requirements as described below and summarized in the table on the opposite side of this page:

**Mandatory Federal Lobster Dealer Electronic Reporting**

Effective January 1, 2010, all Federal lobster dealers are required to provide NMFS with weekly, trip-level electronic reports of all lobster and fish purchased or received for a commercial purpose. Federal lobster dealers will be contacted by the NMFS Northeast Region Fisheries Statistics Office within the next few weeks with information on how to comply with the new reporting requirements. For questions on the Federal lobster dealer reporting requirements, contact Scott McNamara at (207) 780-3322 or by email at [scott.mcnamara@noaa.gov](mailto:scott.mcnamara@noaa.gov).

**Maximum Carapace Length Requirements in Multiple Management Areas**

Effective August 28, 2009, the American lobster maximum carapace length (maximum size) requirements for Lobster Management Area (Area) 4 and Area 5 (nearshore mid-Atlantic) will be 5 ¼ inches for all (male and female) lobster. This final rule revises the former Federal maximum sizes of 5 ¼ inches and 5 ½ inches in Area 4 and Area 5, respectively, which previously applied only to female lobster. This action also establishes the Commission-recommended 5 ¼-inch maximum carapace length requirement for all lobster in Area 6 (Long Island Sound) and Area 2 (Southern New England), neither of which previously had a maximum size requirement under the Federal lobster regulations.

The final rule also implements a new two-stage maximum carapace length requirement in Offshore Area 3, consistent with the ISFMP, which sets a maximum size of 6 7/8 inches effective August 28, 2009, reduced to a terminal maximum size of 6 ¾ inches on July 1, 2010.

Effective July 1, 2010, this rule sets a maximum lobster carapace length of 6 ¾ inches for all lobster in the Federal waters of the Outer Cape Management Area.

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**Revision of the Lobster V-notch Definition**

Effective August 28, 2009, a new definition of a standard v-notch lobster will take effect for lobster caught in Areas 2, 3, 4, 5 and 6. The definition is revised from "...a straight-sided triangular cut at least ¼-inch in depth and tapering to a point, without setal hairs," to "... any notch or indentation at least as deep as 1/8-inch, with or without setal hairs."

On July 1, 2010, the new v-notch definition will take effect for all female lobster caught in the Federal waters of the Outer Cape Management Area.

Table 1. Summary of New Federal Lobster Management Regulations

Lobster Management Area	Effective Date	Maximum Carapace Length	v-notch*
Area 2 and Area 6	August 28, 2009	5 ¼ inches	1/8 inch
Area 4	August 28, 2009	5 ¼ inches	1/8 inch
Area 5	August 28, 2009	5 ¼ inches	1/8 inch
Offshore Area 3	August 28, 2009	6 7/8 inches	1/8 inch
	July 1, 2010	6 ¾ inches	1/8 inch
Outer Cape Area	through June 30, 2010	Unrestricted	¼ inch
	July 1, 2010	6 ¾ inches	1/8 inch

\*The 1/8-inch standard is "... any notch or indentation at least as deep as 1/8-inch, with or without setal hairs."  
 The ¼-inch v-notch standard is "...a straight-sided triangular cut at least ¼-inch in depth and tapering to a point, without setal hairs."

Copies of the Final Rule and the Final Environmental Assessment/Final Regulatory Impact Review/Final Regulatory Flexibility Analysis may be obtained from the Northeast Regional Office web site at [www.nero.noaa.gov](http://www.nero.noaa.gov). If you have questions, please contact NMFS at (978) 281-9144.

*This small entity compliance guide complies with section 212 of the Small Business Regulatory Enforcement and Fairness Act of 1996.*