



UNITED STATES DEPARTMENT OF COMMERCE **National**
Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
NORTHEAST REGION
One Blackburn Drive
Gloucester, MA 01930-2298

March 19, 2001

**New American Lobster Conservation Management Area 5 Gear Waiver Permit
for Vessels with Limited Access Lobster and Black Sea Bass Permits**

Dear Permit Holder:

This letter is to inform you of new regulations in the Federal American lobster fishery to address impacts created by overlapping fishing regulations for owners of fishing vessels who meet the following criteria: 1) hold a Federal American lobster limited access fishing permit AND a Federal black sea bass limited access fishing permit (Dual Permit Status Vessels); 2) fish with traps; and 3) fish in American Lobster Conservation Management Area 5 (LCMA 5), the nearshore lobster management area running from mid-coast New Jersey to Cape Hatteras, North Carolina (see latitude / longitude coordinates below).

These regulations create a new permit category for Dual Permit Status Vessels that fish with traps in LCMA 5. Prior to establishment of the new LCMA 5 Trap Waiver Permit category, Dual Permit Status Vessels in LCMA 5 were required to fish under the American lobster fixed trap limits and abide by other American lobster trap gear restrictions, such as a larger lobster trap escape vent size and lobster trap tag requirements.

The LCMA 5 Trap Waiver Permit: **Owners of Dual Permit Status Vessels who intend to direct their fishing effort on black sea bass with traps ONLY IN LCMA 5, may now elect to participate in a program that exempts participating vessels from lobster trap limits, the lobster trap escape vent size, the lobster maximum trap size, and lobster trap tag requirements, while allowing the retention of an incidental allowance of lobster** (no more than 100 lobsters per day up to a maximum of 500 lobsters per trip for trips 5 days or longer). In addition, **a vessel issued a LCMA 5 Trap Waiver Permit may not possess on board or deploy bait or baited traps.** Alternatively, a Dual Permit Status Vessel can choose to fish under its limited access lobster trap permit, but must comply with ALL lobster gear restrictions and may retain greater amounts of lobster in excess of the incidental allowance of 100 lobsters per day up to a maximum of 500 lobsters per trip for trips 5 days or longer.

A vessel with the LCMA 5 Trap Waiver Permit is limited to the incidental allowance of lobster and may only land lobsters in greater amounts by formally canceling its participation in this permit category and switching to the commercial limited access lobster trap category. **WHEN IN POSSESSION OF, OR OPERATING UNDER A LCMA 5 TRAP WAIVER PERMIT, A VESSEL WILL HAVE ALL OTHER LIMITED ACCESS LOBSTER TRAP PERMIT CATEGORIES SUSPENDED and MAY NOT FISH FOR LOBSTER WITH TRAPS IN**



ANY OTHER LOBSTER MANAGEMENT AREA. Cancellation of the LCMA 5 Trap Waiver Permit will be treated administratively as a lobster permit category change and will not result in the loss of limited access eligibility in either the lobster or black sea bass fisheries.

The coordinates for American Lobster Conservation Management Area 5 include state and Federal waters that are near-shore in the southern Mid-Atlantic area, defined by the area bounded by straight lines connecting the following points, in the order stated:

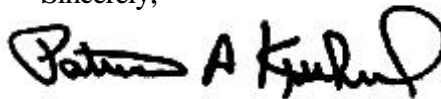
Point	Latitude	Longitude
W	39°50' N.	74°09' W.
V	39°50' N.	73°01' W.
X	38°39.5' N.	73°40' W.
Y	38°12' N.	73°55' W.
Z	37°12' N.	74°44' W.
ZA	35°34' N.	74°51' W.
ZB	35°14.5' N.	75°31' W.

From Point "ZB" along the coasts of North Carolina, Virginia, Maryland, Delaware, New Jersey back to Point "W".

Effective April 12, 2001, the National Marine Fisheries Service will allow Dual Permit Status Vessels that intend to fish with traps **ONLY IN LCMA 5** to apply for the LCMA 5 Trap Waiver Permit by contacting the Permits Office at **978-281-9370**. This letter is only a summary of the regulations. To read these regulations in their entirety, you are encouraged to obtain a complete copy of the regulations by calling **978-281-9278**, or by accessing the Northeast Regional Office's website at: <http://www.nero.nmfs.gov/ro/doc/nero.html>.

We encourage you to phone us with your questions and comments at **978-281-9278**.

Sincerely,



Patricia A. Kurkul,
Regional Administrator