

American Lobster Compliance Report for New Jersey March 2006

I. Introduction

(a) Summary of Significant Changes in Monitoring

New Jersey continued its nearshore bottom trawl monitoring program that began in 1988. The survey provides fishery-independent data for the nearshore portions of Lobster Management Areas 4 and 5. There were no significant changes in the monitoring program.

(b) Summary of Significant Changes in Regulations

A new minimum size regulation of 3 13/32 inches carapace length (CL) for lobsters in Lobster Management Area (LMA) 3 was implemented in accord with a schedule of annual 1/32 inch incremental increases to occur through 2008, which was promulgated by regulations adopted in 2002.

The number of lobster traps authorized on New Jersey Lobster Pot Permits Type A, B, E, and F was changed from the number listed when the permit was issued to the number authorized by the permittee's Federal Fisheries Permit for American lobster. This change was adopted February 7, 2005.

The diameter of circular escape vents required on lobster traps was increased from 2 1/2 to 2 5/8 inches. This change was adopted April 18, 2005.

(c) Summary of Significant Changes in Harvest

New Jersey does not require the reporting of lobster landings, however, the National Marine Fisheries Service (NMFS) conducts a port sampling program in New Jersey that collects landings data from dealers. Landings data from the NMFS web site (1950-2004) are provided in Table 1. The 2005 NMFS landings are not available at this time.

II. *De minimus* Status

Although lobster landings reported by NMFS for New Jersey have averaged below 1% of the total coastal landings for recent years, *de minimus* status is not requested.

III. New Jersey's Lobster Management Program for 2005

(a) Fishery-Dependent Monitoring

New Jersey did not conduct fishery-dependent monitoring in 2005 for lobster, nor does the NMFS port sampling program for New Jersey include the collection of biological data.

(b) Effort in the Lobster Fishery

New Jersey has not monitored effort in the lobster fishery and has no immediate plans to do so.

(c) Fishery-Independent Monitoring

New Jersey's nearshore coastal trawl survey began in 1988 and has maintained to the present an approximately bimonthly (five surveys per year) sampling program from Sandy Hook to Cape May. The program consists of approximately 39 tows per survey and uses a stratified random sampling design based on the NMFS latitudinal grid boundaries and 30, 60 and 90 foot isobath longitudinal boundaries. Figure 1 provides a map of the survey area and Table 2, Figure 2 and Figure 3 provide lobster catch per tow information for the period 1989-2005. The survey data only apply to LMA 4 (strata 12-17) because LMA 5 generally accounts for less than 5% of all lobster caught by the survey each year.

(e) Regulations

The regulations to control lobster fishing in New Jersey that were in effect in 2005 are given in Attachment 1.

A summary of New Jersey's Limited Entry Lobster Pot Permit Program with the number of permits and pot allocations is provided in Attachment 2. Commercial lobster pot permits are no longer issued, the commercial lobster fishery in New Jersey is closed. The table has not yet been revised to show changes in pot allocations resulting from the change in authorization from the original New Jersey Lobster Pot Permit to the Federal Fisheries Permit.

(d) Harvest Data

Landings data (1950-2004) from the NMFS web site are provided in Table 1. The 2005 NMFS landings data are not available at this time. New Jersey does not require reporting of lobster landings.

New Jersey's recreational lobster harvest is primarily by sport divers that frequent nearshore coastal wrecks and artificial reefs. A survey of New Jersey's recreational dive boats and charter boats was conducted by the Division of Fish and Wildlife for 1991, 1995 and 2000. The surveys estimated that divers caught 21,000, 23,605 and 17,255 lobster, respectively, for those years.

There are no data to assess non-harvest losses of lobsters.

IV. New Jersey's Lobster Management Program for 2006

(a) Regulations

A scheduled minimum size increase to 3 7/16 inches CL specific to lobster in LMA 3 will become effective on July 1, 2006.

(b) Monitoring

New Jersey will continue its fishery-independent coastal trawl program at current effort levels. No fishery-dependent sea sampling is planned for 2006.

(b) Changes from Previous Years

No significant program changes from previous years are anticipated.

Table 1. NMFS Landings Query Results

You Asked For the Following:
Year: From: 1950 To: 2004
Species: lobster, American
State: New Jersey

Year	Species	Metric Tons	Pounds	\$
1950	LOBSTER, AMERICAN	196.0	432,100	153,758
1951	LOBSTER, AMERICAN	97.9	215,800	72,046
1952	LOBSTER, AMERICAN	166.2	366,300	108,375
1953	LOBSTER, AMERICAN	241.2	531,700	182,277
1954	LOBSTER, AMERICAN	295.9	652,400	205,613
1955	LOBSTER, AMERICAN	443.6	978,000	306,780
1956	LOBSTER, AMERICAN	403.0	888,500	296,092
1957	LOBSTER, AMERICAN	302.8	667,600	231,630
1958	LOBSTER, AMERICAN	449.2	990,300	332,228
1959	LOBSTER, AMERICAN	497.5	1,096,800	353,747
1960	LOBSTER, AMERICAN	621.5	1,370,100	475,327
1961	LOBSTER, AMERICAN	702.7	1,549,100	569,667
1962	LOBSTER, AMERICAN	395.0	870,900	368,645
1963	LOBSTER, AMERICAN	340.4	750,400	336,769
1964	LOBSTER, AMERICAN	481.1	1,060,600	516,301
1965	LOBSTER, AMERICAN	462.3	1,019,100	562,386
1966	LOBSTER, AMERICAN	346.6	764,100	513,506
1967	LOBSTER, AMERICAN	399.1	879,900	628,242
1968	LOBSTER, AMERICAN	549.4	1,211,300	976,455
1969	LOBSTER, AMERICAN	650.4	1,433,900	1,212,245
1970	LOBSTER, AMERICAN	832.6	1,835,600	1,738,873
1971	LOBSTER, AMERICAN	600.1	1,323,000	1,459,523
1972	LOBSTER, AMERICAN	593.4	1,308,100	1,827,794
1973	LOBSTER, AMERICAN	618.3	1,363,100	2,234,319
1974	LOBSTER, AMERICAN	540.3	1,191,200	1,915,797
1975	LOBSTER, AMERICAN	385.9	850,700	1,554,949
1976	LOBSTER, AMERICAN	292.8	645,600	1,236,162
1977	LOBSTER, AMERICAN	361.6	797,100	1,568,671
1978	LOBSTER, AMERICAN	419.7	925,300	1,873,715
1979	LOBSTER, AMERICAN	365.4	805,500	1,726,832
1980	LOBSTER, AMERICAN	231.6	510,600	1,132,488
1981	LOBSTER, AMERICAN	269.3	593,700	1,468,672
1982	LOBSTER, AMERICAN	383.9	846,300	2,198,530
1983	LOBSTER, AMERICAN	349.2	769,900	2,092,338
1984	LOBSTER, AMERICAN	420.8	927,700	2,608,277
1985	LOBSTER, AMERICAN	489.7	1,079,600	2,983,579
1986	LOBSTER, AMERICAN	509.4	1,123,000	3,445,970
1987	LOBSTER, AMERICAN	633.7	1,397,100	4,274,393
1988	LOBSTER, AMERICAN	706.4	1,557,300	5,163,529
1989	LOBSTER, AMERICAN	934.2	2,059,600	6,342,740

1990	LOBSTER, AMERICAN	997.4	2,198,867	6,875,290
1991	LOBSTER, AMERICAN	758.9	1,673,031	5,384,929
1992	LOBSTER, AMERICAN	550.3	1,213,255	4,030,374
1993	LOBSTER, AMERICAN	411.2	906,498	3,187,690
1994	LOBSTER, AMERICAN	263.7	581,396	2,138,943
1995	LOBSTER, AMERICAN	274.9	606,011	2,115,893
1996	LOBSTER, AMERICAN	290.4	640,198	2,476,064
1997	LOBSTER, AMERICAN	389.4	858,426	3,298,044
1998	LOBSTER, AMERICAN	327.4	721,811	2,633,448
1999	LOBSTER, AMERICAN	422.3	931,064	3,632,081
2000	LOBSTER, AMERICAN	404.2	891,183	3,693,527
2001	LOBSTER, AMERICAN	263.0	579,753	2,471,324
2002	LOBSTER, AMERICAN	119.9	264,425	1,138,867
2003	LOBSTER, AMERICAN	95.2	209,956	1,028,464
2004	LOBSTER, AMERICAN	168.1	370,536	1,801,550
GRAND TOTALS:	-	23,716.5	52,285,310	103,155,728

Table 2. Monthly abundance (mean number per tow) of American lobster in bottom trawl surveys of New Jersey coastal waters, 1988-2005. (n = number of samples; SD = standard deviation; CV = coefficient of variation)

January					April				
Year	n	No./Tow	SD	CV	Year	n	No./Tow	SD	CV
1989	12	1.0902	0.670	0.615	1989	13	0.5483	0.369	0.673
1990	12	0.2097	0.192	0.916	1990	14	1.6935	1.099	0.649
1991	13	2.5060	1.287	0.514	1991	14	0.4184	0.167	0.399
1992	13	1.9784	0.964	0.487	1992	16	0.5322	0.270	0.507
1993	12	1.7461	0.879	0.503	1993	16	0.7333	0.335	0.457
1994	12	1.3646	1.196	0.876	1994	15	0.4560	0.377	0.827
1995	12	7.2249	4.262	0.590	1995	15	0.9752	0.452	0.463
1996	13	0.5055	0.321	0.635	1996	15	1.1100	0.516	0.465
1997	13	1.7258	1.640	0.950	1997	15	1.1903	0.407	0.342
1998	12	1.3101	0.857	0.654	1998	17	4.0524	2.113	0.521
1999	12	0.8000	0.425	0.531	1999	15	0.1923	0.100	0.520
2000	12	0.4655	0.421	0.904	2000	15	0.7600	0.361	0.475
2001	12	0.1046	0.077	0.736	2001	15	0.3987	0.239	0.599
2002	13	0.3560	0.219	0.615	2002	15	0.7700	0.381	0.495
2003	12	0.0315	0.032	1.016	2003	15	0.2793	0.239	0.856
2004	12	0.0000	0.000	***	2004	15	0.2550	0.226	0.886
2005	12	0.2215	0.126	0.569	2005	15	0.5060	0.307	0.607

Table 2, continued

June					August				
Year	n	No./Tow	SD	CV	Year	n	No./Tow	SD	CV
1988	15	0.2169	0.155	0.715	1988	15	0.2169	0.155	0.715
1989	15	1.8395	0.617	0.335	1989	15	1.5123	0.333	0.220
1990	13	1.5855	0.862	0.544	1990	18	0.4415	0.202	0.458
1991	18	0.8780	0.406	0.462	1991	14	2.5234	0.903	0.358
1992	16	5.7147	2.360	0.413	1992	15	0.7159	0.279	0.390
1993	15	0.6619	0.400	0.604	1993	15	2.1336	1.053	0.494
1994	15	1.3712	0.636	0.464	1994	15	0.8979	0.257	0.286
1995	17	2.1537	0.878	0.408	1995	15	1.0690	0.771	0.721
1996	15	1.6978	0.510	0.300	1996	15	1.7169	0.733	0.427
1997	15	0.8459	0.690	0.816	1997	15	0.7377	0.228	0.309
1998	15	0.8244	0.381	0.462	1998	15	0.4275	0.219	0.512
1999	15	1.1995	0.569	0.474	1999	15	3.4379	2.838	0.826
2000	15	1.8304	0.766	0.418	2000	15	0.4133	0.253	0.612
2001	15	1.4607	0.354	0.242	2001	15	0.7903	0.567	0.717
2002	15	0.6719	0.315	0.469	2002	15	0.0615	0.063	1.024
2003	16	0.3398	0.207	0.609	2003	15	0.0000	0.000	***
2004	16	0.2153	0.158	0.734	2004	15	0.2379	0.192	0.807
2005	15	0.0734	0.071	0.967	2005	15	0.1754	0.077	0.439

Table 2, continued

October Year	n	No./Tow	SD	CV
1988	15	3.7968	1.470	0.387
1989	13	2.2887	1.032	0.451
1990	8	0.0000	0.000	***
1991	15	0.9785	0.699	0.714
1992	16	1.3565	0.623	0.459
1993	15	1.7560	0.779	0.444
1994	15	2.5695	0.217	0.084
1995	15	0.6317	0.292	0.462
1996	15	4.5378	3.584	0.790
1997	15	1.5204	0.903	0.594
1998	15	1.4075	0.700	0.497
1999	15	5.1142	4.473	0.875
2000	15	0.3550	0.221	0.623
2001	15	0.3275	0.176	0.537
2002	17	0.5297	0.283	0.534
2003	15	0.1592	0.089	0.559
2004	15	1.1038	0.639	0.579
2005	15	1.5612	0.951	0.609

Figure 1. New Jersey nearshore recreational fisheries resources stock assessment sampling locations.

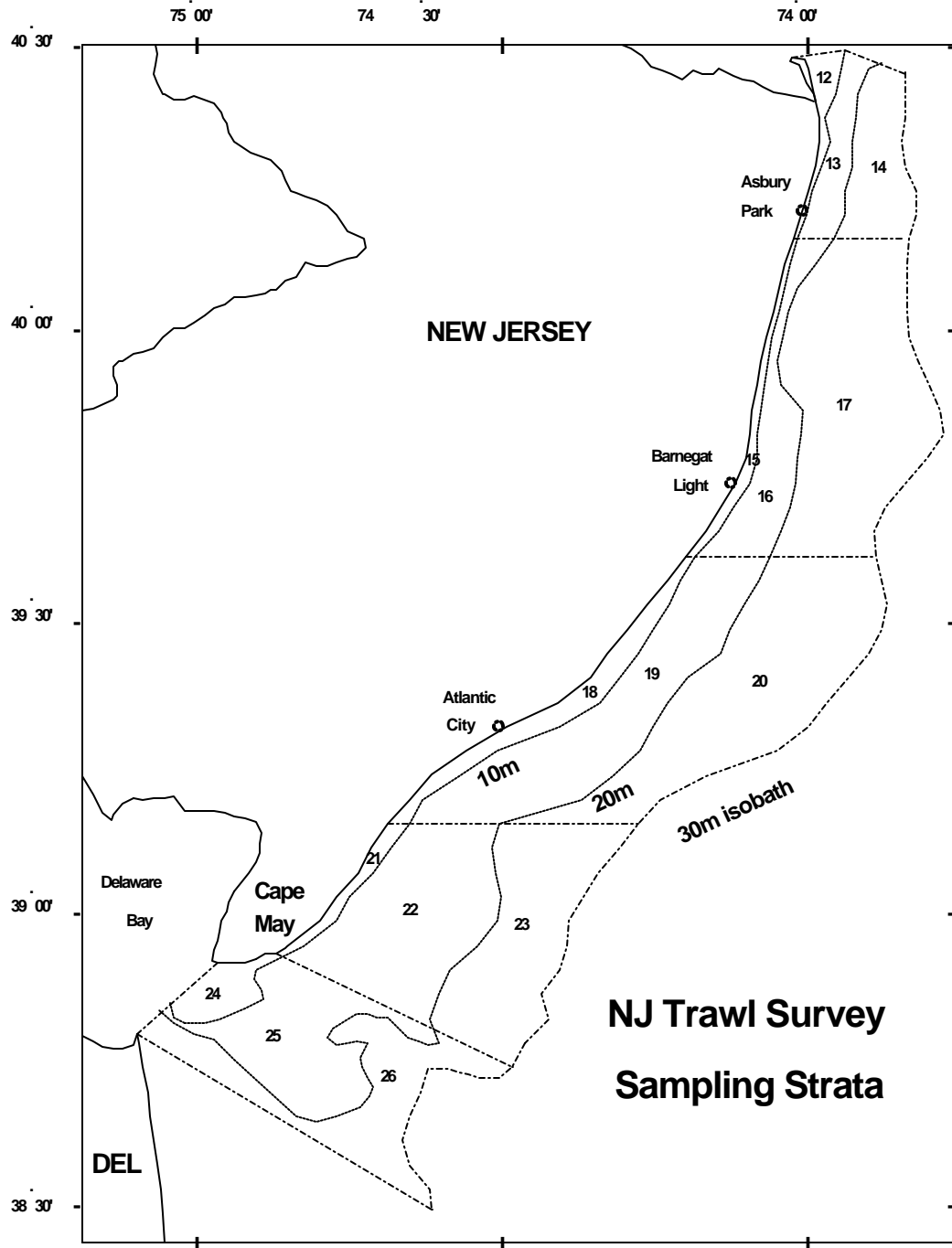


Figure 2. Annual Abundance of Lobster (all sizes) in Bottom Trawl Surveys of Northern New Jersey Coastal Waters (strata 12-17), 1989-2005

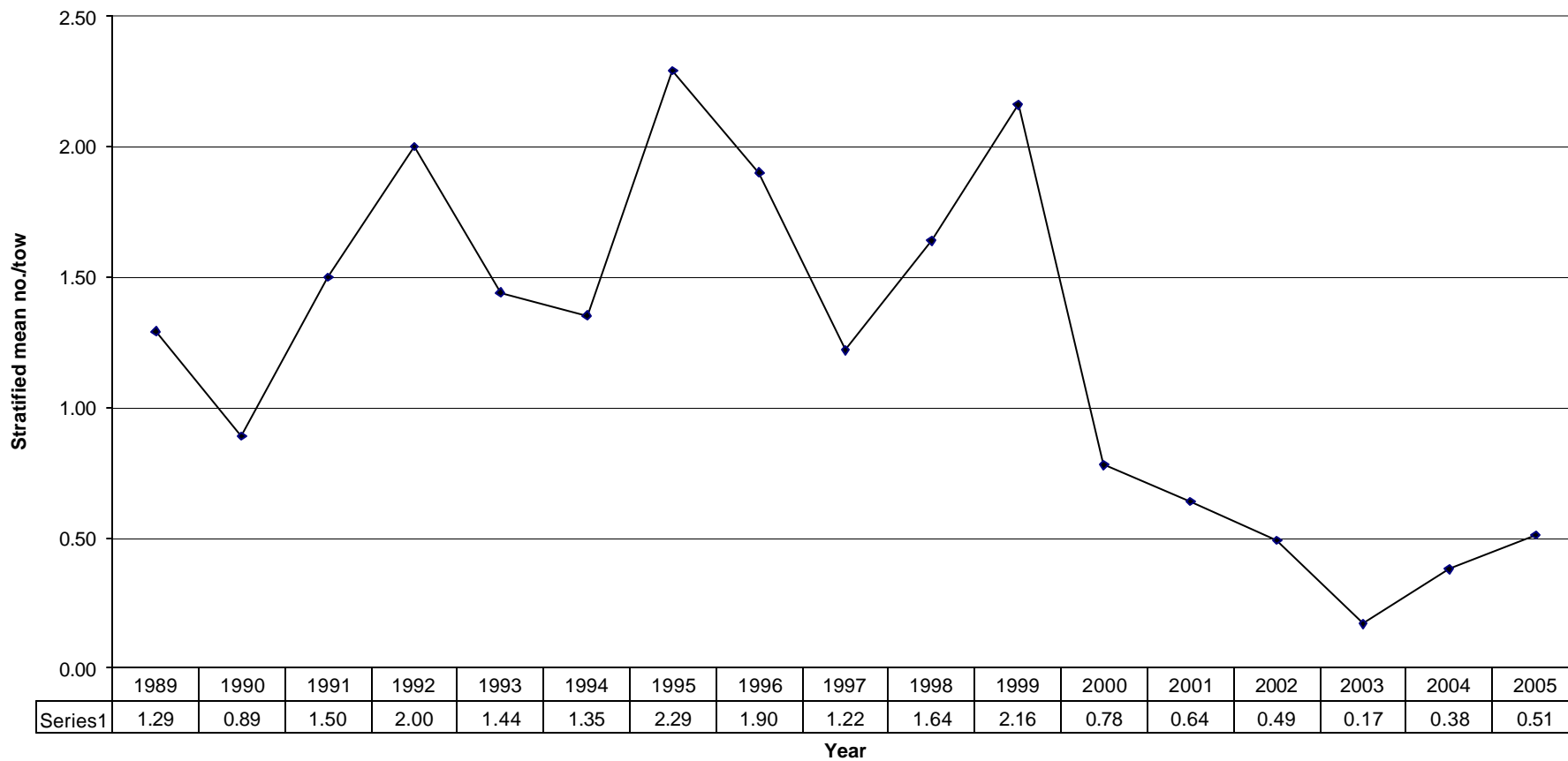
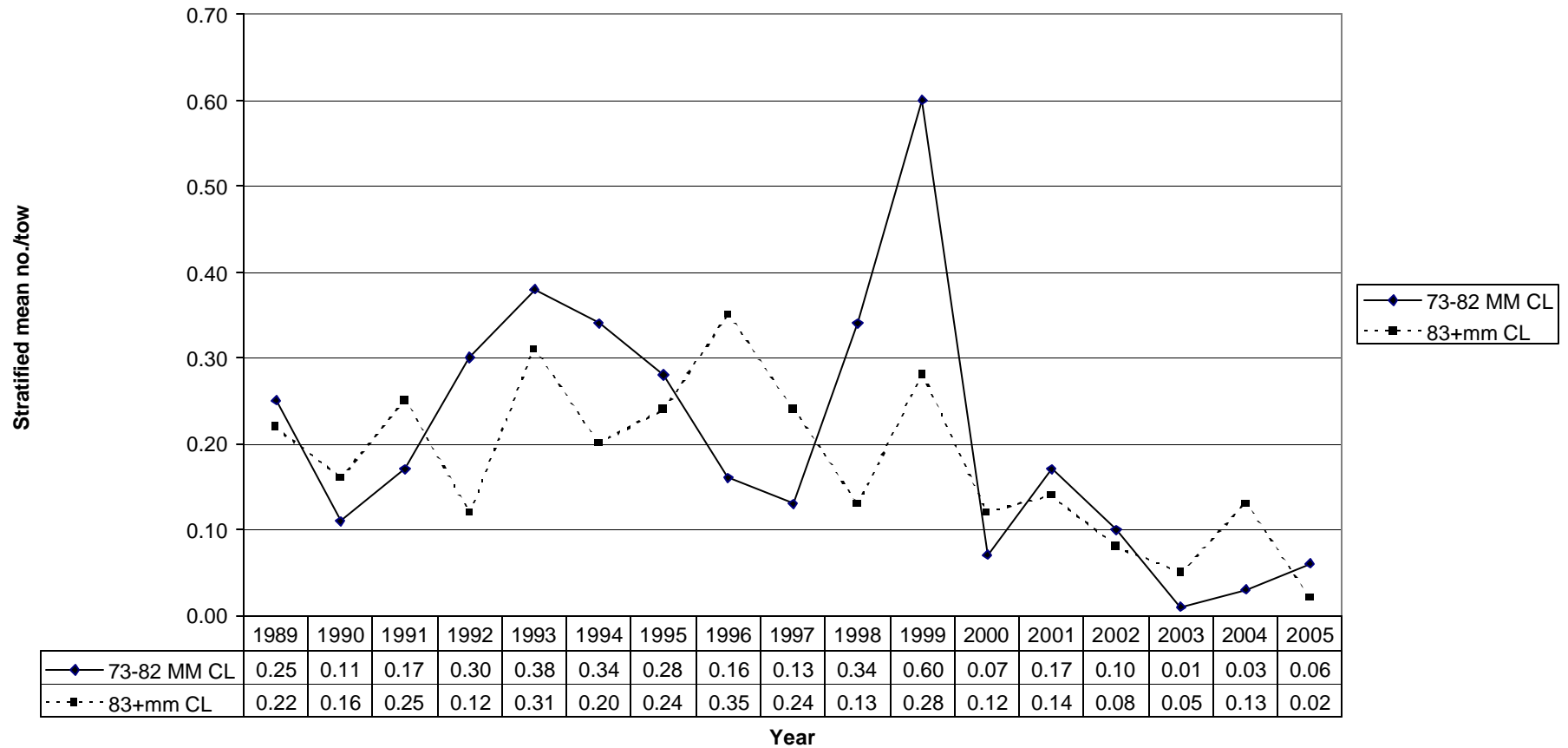


Figure 3. Annual Abundance of Lobster Pre-Recruits (73-82 mm CL) and Full Recruits (83+mm CL) in Bottom Trawl Surveys of Northern New Jersey Coastal Waters (strata 12-17), 1989-2005



ATTACHMENT 1

NEW JERSEY REGULATIONS FOR AMERICAN LOBSTER

7:25-14.13 Size of lobster taken

(a) A person shall not take from the marine waters of this State by any means, import, export, offload at any port, have in his or her possession, buy, sell or offer to buy or sell, any American lobster of the genus and species *Homarus americanus*, which when measured from the rear end of the eye socket along a line parallel to the center line of the body shell to the rear end of the body shell is less than the lengths listed below after the dates stipulated.

<u>After</u>	<u>Minimum Size (inches)</u>
August 19, 2002	$3\frac{1}{2}$
July 1, 2002	$3\frac{5}{8}$
July 1, 2003	$3\frac{1}{2}$
July 1, 2004	$3\frac{1}{2}$

(b) A person fishing in Atlantic States Marine Fisheries Commission (ASMFC) Lobster Management Area (LMA) 3 or that has designated Lobster Management Area 3 for fishing on their Federal Fisheries Permit or State Lobster Pot Permit shall not take, land, have in his or her possession, sell or offer to sell any American lobster with a length as measured in (a) above that is less than the length listed below after the dates stipulated:

After	Minimum Size (inches)
July 1, 2005	3 ¹ / ₂
July 1, 2006	3 ³ / ₈
July 1, 2007	3 ¹ / ₂
July 1, 2008	3 ¹ / ₂

(c) A person fishing in ASMFC Lobster Management Area 4 and/or 5 or that has designated Lobster Management Area 4 and/or 5 for fishing on their Federal Fisheries Permit or State Lobster Pot Permit shall not take, land, have in his or her possession, sell or offer to sell any female American lobster with a length as measured in (a) above that is greater than the length listed below after the dates stipulated.

ASMFC Lobster Management Area	Dates	Maximum Size (inches)
LMA 4	after July 1, 2002	5 ¹ / ₂
LMA 5	after July 1, 2004	5 ¹ / ₂

(d) A person shall not import, export, have in his or her possession, buy, sell or offer to buy or sell any American lobster that does not comply with the size limits for the Lobster Management Areas as stipulated in (a) through (c) above.

(e) The maximum size limits stipulated in (c) above do not apply to the recreational harvest of American lobster. The minimum size limit for American lobster harvested for recreational purposes shall comply with those stipulated in (a) above and shall not be sold, offered for sale or bartered.

(f) A State Lobster Pot Permittee possessing a Type A, B, C, E or F Permit shall report to the Department the initial ASMFC Lobster Management Area(s) he or she intends to fish and notify the Department prior to relocating to a different Lobster Management Area(s). Notification shall be sent to:

NJ Lobster Pot Permit Program
Nacote Creek Research Station
PO Box 418
Port Republic, NJ 08241

1. If the permittee identifies more than one ASMFC Lobster Management Area as an area he or she intends to fish, then the more restrictive maximum and/or minimum size limit of those identified areas shall apply to that permittee's possession, landing and sale of lobsters.

(g) A person shall not take from the marine waters of this State by any means, possess at sea or offload at any port an American lobster, which is damaged or mutilated to the extent that its length as specified in (a) above cannot be determined.

(h) A person shall not import, export, have in his or her possession, buy, sell or offer to buy or sell, any detached American lobster tail, if the sixth abdominal segment (that segment closest to the fan of the tail), when measured along its dorsal center line with the tail flexed, is less than one and one-sixteenth inches in length.

New Rule, R.1999 d.52, effective February 16, 1999.

See: 30 N.J.R. 3881(a), 31 N.J.R. 538(a).

Former N.J.A.C. 7:25-14.13. Penalties, recodified to N.J.A.C. 7:25-14.18.

Amended by R.2002 d.277, effective August 19, 2002.

See: 34 N.J.R. 1375(a), 34 N.J.R. 2995(a).

Rewrote (a); added (b) to (f); recodified existing (b) and (c) as (g) and (h).

Administrative correction.

See: 34 N.J.R. 3641(c).

7:25-14.14 Lobster possession limits

American lobster taken by otter trawl or fish pot shall be limited to 100 lobster per day per vessel (based on a 24-hour period) up to a maximum of 500 lobsters per trip per vessel, for trips of five days or longer. American lobster taken by hand, or any gear or methods other than otter trawl, fish or lobster pot or fish or lobster trap shall be limited to six lobster per person in possession or taken in any one calendar day.

New Rule, R.1999 d.52, effective February 16, 1999.

See: 30 N.J.R. 3881(a), 31 N.J.R. 538(a).

Amended by R.2001 d.346, effective September 17, 2001.

See: 33 N.J.R. 453(a), 33 N.J.R. 3352(a).

Inserted "per vessel" following "per day" and "per trip" in the first sentence; inserted ", fish pot" preceding "or any gear"; inserted "lobster" following "otter trawl," and preceding "trap shall be limited"; and inserted "per person" preceding "on possession" in the second sentence.

Amended by R.2002 d.277, effective August 19, 2002.

See: 34 N.J.R. 1375(a), 34 N.J.R. 2995(a).

Rewrote the section.

7:25-14.15 Prohibitions

(a) A person shall not take from the marine waters of this State by any means, import, export, offload at any port, have in his or her possession, buy, sell or offer to buy or sell, any American lobster with eggs attached, or from which the egg have been removed.

(b) A person shall not possess a female lobster bearing a v-shaped notch (that is, a straight-sided triangular cut without setal hairs, at least one-quarter inch in depth and tapering to a sharp point) in the flipper next to the right of the center flipper as viewed from the rear of the female lobster. V-notched female lobster also means any female which is mutilated in a manner which could hide, obscure or obliterate such a mark. The right flipper will be examined when the underside of the lobster is down and its tail is toward the person making the determination.

(c) A person shall not use any spear, gig, gaff or other penetrating device as a method of capture of lobsters.

New Rule, R.1999 d.52, effective February 16, 1999.
See: 30 N.J.R. 3881(a), 31 N.J.R. 538(a).

7:25-14.16 Eligibility for lobster pot permit and pot allocation

(a) As of December 31, 2001, a vessel shall not land lobster harvested by a lobster pot unless such vessel is in the possession of a valid New Jersey Lobster Pot Permit issued in the name of the vessel and owner.

1. To be eligible for a Type A, B, C and F Lobster Pot Permit allowing the use or possession in Federal and/or State waters of an allotted number of lobster pots as defined under N.J.A.C. 7:25-18.5(g)11, a complete application, including the required documentation, must be received by the Department no later than December 31, 2001. To be eligible for a Type E Lobster Pot Permit allowing the use or possession in Federal and/or State waters of an allotted number of lobster pots as defined under N.J.A.C. 7:25-18.5(g)11, a complete application, including the required documentation, must be received by the Department no later than December 31, 2002. Applications may be mailed to:

New Jersey Lobster Pot Permit
Nacote Creek Research Station
PO Box 418
Port Republic, NJ 08241

i. For a Type A Lobster Pot Permit, the applicant shall document that the vessel owner possesses a current valid Federal Lobster Permit, had landed and sold a minimum of 2,000 pounds of lobster in New Jersey in any one calendar year during the period from March 25, 1991 to September 3, 1998, and participated in the harvest of lobster by lobster pot, pursuant to (a)4 below, during the year of documented landings submitted by the applicant.

(1) A Type A Lobster Pot Permittee shall receive an allocation for the number of lobster pots (traps) authorized on the permittee's Federal Fisheries Permit for American lobster (Federal Lobster Permit), to be fished in Federal and/or State waters. For the purpose of this section, lobster pots will be assumed to last for five years with a 10 percent loss of pots per year.

(2) Documented proof of participation in an ASMFC Management Area pot fishery shall consist of one or more of the following:

(A) Federal logbook reporting forms identifying the vessel, number of pots fished, date of landings and National Marine Fisheries Service Statistical Area from where lobster were harvested;

(B) A personal logbook in combination with a notarized statement from the applicant attesting to its authenticity; and/or

(C) Gear damage compensation reports.

ii. For a Type B Lobster Pot Permit, the applicant shall document that the vessel owner possesses a current valid Federal Lobster Permit, had landed and sold a minimum of 2,000 pounds of lobster in New Jersey in any one calendar year during the period from January 1, 1980 to March 25, 1991 and participated in the harvest of lobster by lobster pot pursuant to (a)4 below, during the year of documented landings submitted by the applicant.

(1) A Type B Lobster Pot Permittee shall receive an allocation for the number of lobster pots (traps) authorized on the permittee's Federal Fisheries Permit for American lobster to be fished in Federal and/or State waters.

iii. For a Type C Lobster Pot Permit, the applicant shall document that the vessel owner has possessed a valid New Jersey Lobster/Fish Pot License in any one calendar year during the period from January 1, 1980 to September 3, 1998 and landed and sold a minimum of 2,000 pounds of lobster in New Jersey during the year of the valid New Jersey Lobster and Fish Pot License submitted by the applicant.

(1) A Type C Commercial Lobster Pot permittee shall receive an allocation for 500 lobster pots to be fished in State waters only.

(2) An applicant seeking eligibility for a Type C New Jersey Lobster Pot Permit and pot allocation shall not have received or applied for pot or trap tags from any other lobster pot or trap tag issuing jurisdiction.

iv. For a Type D Recreational Pot Permit, the applicant must purchase a New Jersey Lobster or Fish Pot License.

(1) A Type D Recreational Lobster Pot permittee shall receive an allocation for 10 lobster pots to be fished in State waters only and limited to six lobsters per person per day.

(A) Lobsters taken under provisions of a Type D Recreational Pot Permit may not be sold, offered for sale or used for barter.

(B) An applicant for a Type D Recreational Pot Permit will be exempt from qualifying criteria and application deadline as established under this paragraph and (a)2 through 11 below.

v. For a Type E Lobster Pot Permit, the applicant shall document that the vessel owner possesses a current valid Federal Lobster Permit, landed and sold a minimum of 500 pounds of lobster in New Jersey in any

one calendar year during the period from January 1, 1980 to September 3, 1998, and participated in the harvest of lobster by otter trawl or lobster pot, pursuant to (a)4 or (a)5 below, during the year of documented landings submitted by the applicant.

(1) A Type E Lobster Pot Permittee shall receive an allocation for the number of lobster pots (traps) authorized on the permittee's Federal Fisheries Permit for American lobster to be fished in Federal and/or State waters.

(2) A Type E Lobster Pot Permittee that does not possess a Federal Fisheries Permit for American Lobster shall receive a lobster pot (trap) allocation of 500 pots (traps) to be fished in State waters only.

(3) A Type E Lobster Pot Permittee shall not possess otter trawl gear aboard his or her permitted vessel when fishing with pot gear. The simultaneous possession of otter trawl gear and lobster pot gear on board a vessel shall constitute prima facie evidence of a violation of this section.

vi. For a Type F Lobster Pot Permit, the applicant shall document that the vessel owner possesses a current valid Federal Lobster Permit, landed and sold a minimum of 2,000 pounds of lobster in New Jersey in any one calendar year during the period from September 3, 1998 to December 31, 2000, and participated in the harvest of lobster by lobster pot pursuant to (a)4 below during the year of documented landings submitted by the applicant.

(1) A Type F Lobster Pot Permittee shall receive an allocation for the number of lobster pots (traps) authorized on the permittee's Federal Fisheries Permit for American lobster to be fished in Federal and/or State waters.

2. Documented proof of a Federal Lobster Permit or State Lobster/Fish Pot License shall consist of a copy of said permit or license submitted with the application that can be confirmed by Federal and State records.

3. Documented proof of landings shall consist of one or more of the following:

i. Weigh-out slips from the purchaser totaling the weight and the date the lobster was harvested; or

ii. A notarized statement from the applicant and the purchaser(s), attesting to the weight and date the lobster were landed and sold. A copy of the business records supporting the statement(s) must accompany the application.

4. Documented proof of participation in the lobster pot fishery shall be established through one or more of the following:

i. Federal logbook reporting forms identifying the vessel, number of pots fished and date of landings in New Jersey;

ii. A personal logbook in combination with bait and pot receipts;

iii. Gear damage compensation reports; or

iv. A notarized statement from the applicant and pot manufacturer or retailer attesting to the number of lobster pots and the date that the pots were purchased. A copy of the business records supporting the statement(s) must accompany the application.

5. Documented proof of participation in the lobster otter trawl fishery shall be established through one or more of the following:

i. Federal logbook reporting forms identifying the vessel, fishing gear and date of landings in New Jersey; or

ii. A copy of New Jersey license to fish with an otter trawl that can be confirmed by State records.

6. Other documentation similar to that in (a)3, 4 and 5 above may be accepted at the discretion of the Commissioner after his or her review.

7. The applicable New Jersey Lobster Pot Permit shall be on board the vessel to which it is issued at all times. The permit and pot allocation is valid upon issuance and in subsequent years unless revoked as part of a penalty action pursuant to N.J.A.C. 7:25-14.19 or as modified by the Commissioner, pursuant to N.J.A.C. 7:25-14.19. The applicable permit is issued to a specific vessel in the name of the owner.

8. The owner of a vessel permitted pursuant to this subsection may transfer his or her Lobster Pot Permit, upon application to Department as follows:

i. To his or her replacement vessel. The vessel being replaced shall no longer be eligible for a New Jersey Lobster Pot Permit or pot allocation based upon the vessel's history, but shall be eligible for a permit transfer from another permitted vessel.

ii. Along with the sale of his or her vessel to a new owner, the owner selling the vessel shall no longer be eligible for a New Jersey Lobster Pot Permit based on the harvesting history of the vessel being sold.

iii. Transfer of a permit to a new vessel shall be limited to the same pot allocation and Lobster Permit Type as the original permitted vessel or as modified by the Commissioner pursuant to N.J.A.C. 7:25-14.19.

iv. No permit shall be transferred without the prior approval of the Department, based upon satisfaction of (a)7i through iii above.

9. Any harvester or vessel landing lobster in New Jersey for the purpose of sale shall sell all lobster only to a permitted Federal lobster dealer.

10. All New Jersey Lobster Permit holders landing lobster in New Jersey shall be required to complete monthly reports signed by the permittee attesting to the validity of the information. The monthly report forms shall be supplied by and returned to the Federal or State agency given authority for the Pot Tag Program and shall include all information required by said agency.

11. All New Jersey Lobster Permit holders shall allow research personnel from the Department or a person designated by the Department aboard the permitted vessel at any time following a 48 hour notification to sample lobster pot catches at sea.

New Rule, R.2000 d.395, effective October 2, 2000.
See: 31 N.J.R. 2555(a), 32 N.J.R. 3592(b).
Amended by R.2001 d.346, effective September 17, 2001.
See: 33 N.J.R. 453(a), 33 N.J.R. 3352(a).
Rewrote the section.
Amended by R.2002 d.277, effective August 19, 2002.
See: 34 N.J.R. 1375(a), 34 N.J.R. 2995(a).
Rewrote the section.

7:25-14.17 Lobster pot tag program

(a) All lobster pots as defined under N.J.A.C. 7:25-18.5(g)11 in State or Federal waters or aboard a vessel shall be tagged with appropriate tags to be issued by the Federal or State agency given authority for the pot tag program.

1. Pot tags shall be placed on the pot bridge or main cross member clearly visible for inspection.

2. Pot tags shall be a permanently affixed and not transferable to another pot once attached to a pot.

3. A person or permitted lobster pot vessel shall only have on board or lift pots that have the valid identification as assigned to said person or vessel.

4. A person or vessel shall not have on board or fish more lobster pots than that vessel is allocated under the permittee's New Jersey Lobster Pot Permit.

5. Pot tags shall be issued annually and shall be valid for one year.

6. Permit holders shall be issued tags based upon their allocation of tags plus 10 percent to cover routine losses.

7. Catastrophic tag loss shall be defined as losses above the 10 percent routine loss rate established by the issuing authority due to gear conflicts, storms or other circumstance which may be accepted at the discretion of the Federal or State agency given authority for the pot tag program.

i. When a catastrophic loss occurs, an entirely new allotment of tags shall be dispersed and the original tags shall be invalid upon replacement.

ii. Permittees shall be allowed to fish new pots with a letter of exemption from the issuing authority until new tags are re-issued for a time period not to exceed two months.

iii. The issuing authority shall have the right to invoke emergency measures to suspend pot tag regulations in the event of area-wide catastrophic losses, for a time period not to exceed two months.

8. Permittees shall purchase pot tags only from the issuing authority.

New Rule, R.2000 d.395, effective October 2, 2000.
See: 31 N.J.R. 2555(a), 32 N.J.R. 3592(b).

7:25-14.18 Exceptions for research

N.J.A.C. 7:25-14.13(a), 14.13(b), 14.15(a) and 14.15(b) shall not apply to the taking or possession of lobster bearing a tag that has been issued or affixed by the Department of Environmental Protection or by any other state or Federal agency with which the Department cooperates in a research project.

New Rule, R.1999 d.52, effective February 16, 1999.
See: 30 N.J.R. 3881(a), 31 N.J.R. 538(a).
Recodified from N.J.A.C. 7:25-14.16 by R.2000 d.10, effective January 3, 2000.
See: 31 N.J.R. 2555(a), 32 N.J.R. 48(a).

7:25-14.19 Administrative notice

The Commissioner, with the approval of the New Jersey Marine Fisheries Council, may modify minimum or maximum size limits, pot and trap limits, trip limits and possession limits in this section by notice in order to maintain compliance with any fishery management plan approved by the Atlantic States Marine Fisheries Commission pursuant to 16 U.S.C. § 5104(b). The Department shall publish notice of any such modification by filing and publishing a notice of administrative change in the New Jersey Register and a notice in the Division's commercial regulation publication. All such notices shall be effective when the Department files

the notice with the Office of Administrative Law or as specified otherwise in the notice.

New Rule, R.1999 d.52, effective February 16, 1999.

See: 30 N.J.R. 3881(a), 31 N.J.R. 538(a).

Recodified from N.J.A.C. 7:25-14.17 by R.2000 d.10, effective January 3, 2000.

See: 31 N.J.R. 2555(a), 32 N.J.R. 48(a).

Amended by R.2001 d.346, effective September 17, 2001.

See: 33 N.J.R. 453(a), 33 N.J.R. 3352(a).

Inserted "pot and trap limits," preceding "trip limits".

Amended by R.2002 d.277, effective August 19, 2002.

See: 34 N.J.R. 1375(a), 34 N.J.R. 2995(a).

Inserted "or maximum" after "minimum".

7:25-14.20 Penalties

(a) Any person violating any of the provisions of this subchapter relating to crabs shall be liable to the penalties provided by N.J.S.A. 23:2B-14 except for (b), (c) and (d) below.

(b) Any person not having a valid license in possession or failing to exhibit same for inspection by an authorized law enforcement officer while tending a pot or trot line or dredging crabs, or violating the provisions of N.J.A.C. 7:25-14.5(a)1 or 2 or 14.6 shall be liable to a penalty of \$20.00 for the first offense and \$40.00 for each subsequent offense.

(c) Any person failing to check crab pots at least once every 72 hours pursuant to N.J.A.C. 7:25-14.2(d) shall be liable to a penalty of \$20.00 for each pot in violation.

(d) Any person violating the provisions of N.J.A.C. 7:25-14.9 or N.J.A.C. 7:25-14.10 shall be liable to a penalty of \$20.00 for each crab taken or had in possession.

(e) Any person using or possessing a crab pot which does not contain a biodegradable panel or other mechanism specified in N.J.A.C. 7:25-14.1 shall be subject to a penalty of \$20.00 for each pot in violation.

(f) Any person dredging crabs outside of the "crab dredge area" or dredging crabs on unauthorized marked leased shellfish grounds pursuant to N.J.A.C. 7:25-14.7(b) shall be subject to the penalties provided by N.J.S.A. 23:2B-14 in addition to a mandatory 12 month crab dredge license privilege revocation and seizure of the entire catch in possession. The commercial licensee shall be held liable and subject to license privilege revocation and catch seizure for violations actually committed by an agent based upon the apparent authority of the agent to act for his or her principal.

(g) Any person violating the provisions of N.J.A.C. 7:25-14.13, lobster size, tail size and landing of lobster parts; N.J.A.C. 7:25-14.14, possession limits; N.J.A.C. 7:25-14.15, prohibition of egg-bearing lobsters, v-notched female lobsters and the prohibition of the use of a penetrating device; N.J.A.C. 7:25-14.16, eligibility for a lobster pot permit and pot allocation; N.J.A.C. 7:25-14.17, lobster pot tag program; N.J.A.C. 7:25-18.5(g)11i; lobster pot maximum size or N.J.A.C. 7:25-18.5(g)11iv, escape vents, shall be subject to a penalty of \$20.00 for each lobster, lobster part or lobster pot in violation.

(h) Failure to comply with the provisions of N.J.A.C. 7:25-14.13, lobster size, tail size, and landing of lobster parts; N.J.A.C. 7:25-14.15, prohibition of egg-bearing lobsters, v-notched female lobster; N.J.A.C. 7:25-14.16, eligibility for a lobster pot permit and pot allocation; N.J.A.C. 7:25-14.17, lobster pot tag program; N.J.A.C. 7:25-18.5(g)11i, lobster pot maximum size; or N.J.A.C. 7:25-18.5(g)11iv, escape vents, shall result in the suspension or revocation of the vessel's lobster pot permit and/or the lobster pot license of the operator according to the following schedule:

1. First offense: 60 days suspension;
2. Second offense: 120 days suspension;
3. Third offense: permanent revocation.

(i) Pursuant to N.J.S.A. 23:10-21 and 21.1, any gear used in violation of the provisions of this subchapter may be seized and forfeited.

(j) The assessment of any administrative penalty shall not preclude the Department from prosecuting for a larger amount in the event the administrative penalty is not paid by the time requested.

(k) Nothing in this section shall require the Department to assess an administrative penalty before instituting prosecution.

Amended by R.1982 d.169, effective June 7, 1982.

See: 13 N.J.R. 645(a), 14 N.J.R. 578(a).

(c) added.

Amended by R.1985 d.560, effective November 4, 1985.

See: 17 N.J.R. 1830(a), 17 N.J.R. 2608(a).

"Or" substituted for "and".

Recodified from 7:45-14.8 and amended by R.1994 d.152, effective March 21, 1994.

See: 25 N.J.R. 4831(a), 26 N.J.R. 1337(b).

Recodified from N.J.A.C. 7:25-14.13 and amended by R.1999 d.52, effective February 16, 1999.

See: 30 N.J.R. 3881(a), 31 N.J.R. 538(a).

Rewrote the section.

Recodified from N.J.A.C. 7:25-14.18 and amended by R.2000 d.10, effective January 3, 2000.

See: 31 N.J.R. 2555(a), 32 N.J.R. 48(a).

In (a) and (b), changed N.J.A.C. references; an in (f), inserted references to N.J.A.C. 7:25-14.16 and N.J.A.C. 7:25-14.17.

Administrative correction.

See: 32 N.J.R. 801(a).

Amended by R.2000 d.395, effective October 2, 2000.

See: 31 N.J.R. 2555(a), 32 N.J.R. 3592(b).

In (a) and (b), changed N.J.A.C. references; inserted a new (f); recodified former (f) as (g), and inserted references to N.J.A.C. 7:25-14.16 and 7:25-14.17; inserted a new (h); and recodified former (h) through (j) as (i) through (k).

SUBCHAPTER 15. CLAM RELAY PROGRAM

Authority

N.J.S.A. 50:1-5.

Subchapter Historical Note

Rules concerning the taking of hard clams were originally codified at N.J.A.C. 7:25-9.2, effective June 18, 1974 as R.1974 d.148. See: 6 N.J.R. 262(b). New rules were adopted on May 11, 1977 as R.1977 d.167 and codified at N.J.A.C. 7:25-15 as the Clam Relay Program. See: 9 N.J.R. 264(b). Amendments to the program became effective September 5, 1978 as R.1978 d.198. See: 10 N.J.R. 275(a), 10 N.J.R. 421(a). Further amendments became effective September 16, 1978 as R.1978 d.326. See: 10 N.J.R. 425(a). Subsequent amendments were filed as R.1979 d.156, effective April 20, 1979, and as R.1980 d.161, effective April 16, 1980. See: 11 N.J.R. 230(e), 12 N.J.R. 260(a). Additional revisions became effective April 19, 1982 as R.1982 d.117. See: 13 N.J.R. 645(b), 14 N.J.R. 387(a).

On August 27, 1982 an emergency amendment replaced the existing text and became effective as R.1982 d.309. See: 14 N.J.R. 1055(a). On October 28, 1982 the new text was readopted as R.1982 d.411. See: 14 N.J.R. 1300(d). Subsequently, on October 27, 1983, R.1983 d.519 concerning the operation of the clam relay program was filed as an emergency adoption, but on November 18, 1983 expired without being readopted. See: 15 N.J.R. 1959(a). On March 1, 1984, R.1984 d.65 was in turn effective on an emergency basis to expire on April 30, 1984. See: 16 N.J.R. 560(a). Concurrently, a new rule proposed at 16 N.J.R. 186(a) was adopted on May 7, 1984 as R.1984 d.165. See: 16 N.J.R. 1086(a). See, also, Chapter Historical Note.

7:25-15.1 Relay of hard clams

(a) This rule is intended to implement the hard clam relay program administered statewide by the Department of Environmental Protection (department). This rule must be read together with the shellfish growing water classification rules and definitions which appear at N.J.A.C. 7:12 and are subject to amendment at anytime. N.J.S.A. 58:24-2 requires the department to condemn immediately shellfish beds subject to pollution.

(b) The general intent of this rule is to control the relay of hard clams, (*Ercenaria mercenaria*) from Special Restricted, Seasonal Special Restricted, or Condemned Waters

11. Lobster or fish pots may be used for the taking of all species except those specifically protected and pursuant to the specific requirements of N.J.A.C. 7:25-14.13 through 14.20 and shall be used only in the Atlantic Ocean, Delaware Bay, Raritan Bay and Sandy Hook Bay except as provided in (g)11ix below.

i. To be eligible for a lobster or fish pot license in 2003, an applicant must provide a copy of a previously valid New Jersey lobster or fish pot license held by the applicant in one of the years from 1995 through h 31, 2002. To be eligible for a lobster or fish pot license in all subsequent years, an applicant must provide a copy of a previously valid lobster or fish pot license held by the applicant from the preceding year.

(1) No additional lobster or fish pot licenses shall be issued until the number of licenses decreases below the number issued in 2003.

(2) Applications for a license shall be available from the Department; and successful applicants shall be chosen by lottery, if necessary, from all completed applications received by the Department. When additional licenses are available, unsuccessful applicants from the previous lottery will be given the first right to the license provided they purchase a license within 30 days of being notified by the Department. Notification by the Department shall be by first class mail. It is the responsibility of the applicant to provide the Department with written notification of any change in mailing address. Once a lottery list is exhausted, the Department shall notify commercial docks and fishing organizations as to the availability of licenses.

(3) The holder of a valid lobster or fish pot license not pending revocation or court action due to violation of provisions of this subchapter may transfer the right to the license at any time, upon application to the Department. The new licensee shall have a license issued in his or her name after payment of the fee specified at (g)11xi below and pursuant to the specific requirements of N.J.A.C. 7:25-14.13 through 14.20.

(4) Applicants for a fish and lobster pot license to recreationally take lobster pursuant to N.J.A.C. 7:25-14.6(a)1iv shall be exempt from this subsection. Fish and lobster pot licenses issued pursuant to N.J.A.C. 7:25-14.6(a)1iv for 2003 and subsequent years shall be used only for the purpose of harvesting not more than six lobster per licensee per day.

(5) Fish and lobster pots issued pursuant to N.J.A.C. 7:25-14.6(a)1iv shall not be included in the total of fish and lobster pot licenses identified in (g)11i(1) above.

ii. All lobster and fish pots shall have a maximum size less than a volume equivalent to 22,950 cubic inches (376,082 cubic cm) when deployed in the waters as specified in (g)11 above, except as provided in (g)11ix below.

iii. Any fish or lobster pot license holder shall have priority in retaining the same license number previously issued to him or her provided that he or she has submitted a license application requesting the previously issued license number prior to March 1 of the current year and that the license number applied for was assigned to an active license not more than two years prior to the application;

iv. Effective January 1, 1986, each fishing vessel subject to this regulation must display its license number on the port and starboard sides of the deckhouse or hull and on an appropriate weather deck so as to be visible from above. The license number affixed to each vessel subject to this paragraph must be of block Arabic numerals at least 10 inches in height and of a color contrasting the background;

v. Effective January 1, 1986, all lobster or fish pots or traps and associated buoys and other gear deployed in the salt waters of this State and not permanently attached to the vessel must be legibly and indelibly marked with one of the following codes of identification:

(1) The State lobster or fish pot gear identification number; or

(2) The full name and address of the State lobster or fish pot license holder.

vi. No person other than the license holder shall remove fish or lobsters from any pot or trap. Anyone tending fish or lobster pots or traps after January 1, 1986, shall have in his or her possession the numbered license which corresponds to the gear identification number on the vessel and the gear identification number or name and address affixed to the pots and buoys being tended. The license must be displayed for inspection upon request of any authorized officer. No one shall cut or break the lines or otherwise tamper with or damage any pot, trap, or buoy which he or she does not own;

vii. All lobster and fish pots shall be constructed to include one of the following escape vents in the parlor

section of the pot located in such a manner that it would not be blocked or obstructed in normal use by any portion of the pot, associated gear, or the sea floor:

(1) In a fishery in which the possession of lobster on board a vessel or landed from a vessel exceeds 100 lobsters per trip day (based on a 24-hour period) up to a maximum of 500 lobster per trip for trips of five days or longer, the escape vent(s) shall be not less than:

(A) A rectangular portal with an unobstructed opening not less than 1.9375 inches (49.2 mm) by 5.75 inches (146.0 mm). Effective July 1, 2003 the unobstructed opening shall be increased to not less than 2 inches (50.8 mm) by 5.75 inches (146.0 mm); or

(B) Two circular portals with unobstructed openings not less than 2.625 inches (66.7 mm) in diameter;

(2) In a fishery in which the possession of more than 100 pounds of scup on board a vessel or landed from a vessel occurs, the escape vent(s) shall be not less than:

(A) A rectangular portal with an unobstructed opening not less than 2.25 inches (57.2 mm) by 2.25 inches (57.2 mm); or

(B) A circular portal with an unobstructed opening not less than 3.1 inches (78.7 mm) in diameter.

(3) In a fishery in which the possession of black sea bass on board a vessel or landed from a vessel occurs, the escape vent(s) shall be not less than:

(A) A square portal with an unobstructed opening not less than 2.0 inches (50.8 mm) by 2.0 inches (50.8 mm);

(B) A rectangular portal with an unobstructed opening not less than 1.375 inches (34.9 mm) by 5.75 inches (146.0 mm); or

(C) A circular portal with an unobstructed opening not less than 2.375 inches (60.3 mm) in diameter.

(4) In a fishery in which more than one of the escape vents listed in (g)11vii(1) through (3) above is applicable, the pots shall be constructed with the largest of the applicable escape vents.

viii. All lobster and fish pots shall be constructed to include a ghost panel or other mechanism which is designed to create an opening to allow the escape of lobsters and fish after a pot has been abandoned or lost, and which meets the following specifications:

(1) The opening covered by the panel or created by other approved mechanism shall be located in the outer parlor section(s) of the pot, shall be in a position which allows the unobstructed exit of lobsters or fish from the pot and shall be of the following dimensions:

(A) Not less than 3.75 inches (95.25 mm) by 3.75 inches (95.25 mm), or

(B) Not less than three inches (76.2 mm) by six inches (152.4 mm) when used in a fishery in which the possession of black sea bass on board a vessel or landed from a vessel occurs.

(2) The panel shall be constructed of, or fastened to the pots with, one of the following materials: untreated wood lath; untreated cotton, hemp, sisal or jute twine not greater than $\frac{3}{16}$ inch (4.76 mm) in diameter; non-stainless, ungalvanized, uncoated ferrous metal not greater than $\frac{3}{32}$ inch (2.4 mm) in diameter; or magnesium alloy, timed float release (pop-up device), or similar magnesium alloy fasteners;

(3) The door of the pot may serve as the ghost panel if the door is fastened to the pot with a material specified in (g)11viii(2) above;

(4) The escape vent specified in (g)11vii above may serve as a ghost panel if the escape vent is incorporated into a panel constructed of, or attached to the pot with, a material specified in (g)11viii(2) above, and, upon breakdown of the degradable materials, will create an opening of at least the dimensions specified in (g)11viii(1)(A) and (B) above for the exit of lobster and fish; and

(5) Pots constructed entirely or partially of wood shall be considered to be in compliance with this subparagraph if constructed of wood lath to the extent that deterioration of wooden component(s) will result in an unobstructed opening as specified in (g)11viii(1)(A) and (B) above.

ix. A modified lobster or fish pot may be used for the taking of conchs or whelks and spider crabs in all marine waters of the State including the Atlantic Ocean with the exception of the Newark Bay Complex.

(1) Any such conch pot is defined as a rectangular shaped device no larger than 30 inches on any side; or a cylindrical shaped device not greater than 34 inches in diameter and 30 inches in height. Conch pots must allow for an unobstructed opening on their top surface measuring not less than eight by eight inches square or nine inches in diameter. Conch pots using horseshoe crabs as bait must contain a bait-saving device containing a horseshoe crab or parts of a horseshoe crab as bait which, by design, extends the effective fishing time of the horseshoe crab bait in the water. Conch pots cannot contain a parlor, funnel, or other entrapping mechanism in the interior of the pot. Any similar configuration may be approved for use upon application to the Division and receipt of written approval. Such applications must contain a diagram detailing the shape and dimensions of the requested conch pot configuration.

(2) Conch pots may be tended only from 0400 hours (4:00 A.M.) to 2100 hours (9:00 P.M.).

(3) No conch pot shall be placed in a creek, ditch or tributary less than 50 feet wide at mean low water, in any marked or charted channel or in any man-made lagoon;

x. The lobster or fish pot season shall begin on January 1 and end on December 31;

xi. The resident fee for lobster or fish pots shall be \$100.00 regardless of the number of pots employed.

ATTACHMENT 2

The following is a summary of the NJ limited entry regulations for the lobster pot fishery and permit allocations as of December 31, 2004:

Permit Type	Eligibility	# of Permits Issued	# of Pots Allocated
ADOPTED: 10/02/00			
Type A Permit Allocation of 1,000 pots or based upon historic participation up to 3,250 pots for Lobster Management Areas (LMA) 3, 4 and 5	1) Possess a current (2000 or 2001) valid Federal Limited Access American Lobster Permit. 2) Document landings and sales of a minimum of 2,000 pounds of lobsters in New Jersey harvested by pot in any one calendar year during the period from March 25, 1991 to September 3, 1998. 3) To be eligible for a pot allocation above 1,000 pots under the Type A permit category, an applicant must document the maximum number of pots the vessel fished in total and in each LMA 3, 4 and 5.	62	88,200
Type B Permit Allocation of 1,000 pots for LMA 3, 4 and 5.	1) Possess a current (2000 or 2001) valid Federal Limited Access American Lobster Permit. 2) Document landings and sales of a minimum of 2,000 pounds of lobster in New Jersey harvested by pot in any one calendar year during the period from January 1, 1980 to March 25, 1991.	14	14,000
Type C Permit Allocation of 500 pots only in New Jersey State waters of LMAs 4 and 5.	1) Possess a valid NJ Lobster/Fish Pot License in any one calendar year during the period from January 1, 1980 to September 3, 1998. 2) Document landings and sales of a minimum of 2,000 pounds of lobster in New Jersey harvested by pot in any one calendar year during the period from January 1, 1990 to September 3, 1998.	12	6,000
ADOPTED 09/17/01			
Type D Recreational Lobster Pot Permit Allocation of 10 lobster pots only in State waters of LMA 4 and 5 and limited to six lobster per person per day	1) No qualifying criteria – must possess a current New Jersey Lobster/Fish Pot License.	57	570
Type F Permit Allocation based on the remaining New Jersey lobster pot allocation (156,000) as established by the ASMFC after the Type A, B and C allocations have been established; will not exceed 800 pots for LMA 3, 4 and 5.	1) Possess a current (2000 or 2001) valid Federal Limited Access American Lobster Permit. 2) Document landings and sale of a minimum of 2,000 pounds of lobster in New Jersey harvested by pot in any one calendar year during the period from September 3, 1998 to December 31, 2000.	8	6,400
ADOPTED 08/19/02			
Type E Permit Allocation based on the remaining New Jersey lobster pot allocation as established by the ASMFC after type A, B, C and F allocations have been established; will not exceed 500 pots for LMA 3, 4 and 5. Total reduced NJ allocation = 117, 000 pots.	1) Possess a current (2000 or 2001) valid Federal Limited Access American Lobster Permit. 2) Document landings and sale of a minimum of 500 pounds of lobster in New Jersey harvested by otter trawl in any one calendar year during the period from January 1, 1980 to September 3, 1998.	12	2,400
TOTAL # OF COMMERCIAL PERMITS ISSUED & TOTAL # OF POTS ALLOCATED		109	117,000

