

**American Lobster Fishery Proposed Rule
Limited Entry and Trap Transfer Program**
June 12, 2013

What is the purpose of this letter?

We are seeking your comments on a proposed rule recently published in the Federal Register. The proposed rule describes a way to control trap fishing effort in Area 2 (Federal inshore waters– Southern New England) and the Outer Cape Area (Federal inshore waters east of Cape Cod, Massachusetts) by capping the number of Federal lobster trap permits in these two areas based on a permit’s lobster trap fishing history. The proposed rule also describes a trap transfer program that would allow Federal lobster permit holders to buy and sell Area 2, Outer Cape Area, and Area 3 (Federal offshore waters) traps. The Atlantic States Marine Fisheries Commission (Commission) urged us to develop these measures to control fishing effort and to provide a way for lobster fishermen to scale their businesses to optimum efficiency through the purchase and sale of lobster trap allocations.

What new regulations are under review?

The proposed program would require Federal lobster permit holders, who want to fish with traps in Area 2 or the Outer Cape Area in the future, to submit an application showing that his or her permit meets the eligibility criteria set forth in the rule, consistent with the Commission’s Interstate Fisheries Management Plan for American Lobster. We will review the applications and determine whether the permit qualifies for the area, and if so, how many traps the permit may fish. The trap transfer program would allow Federal lobster permit holders who have qualified trap allocations in these areas, as well as those with qualified Area 3 allocations, to transfer (buy and/or sell) all or part of their allocations with other Federal lobster permit holders.

How can I submit a comment and get more information?

- **Electronic Submissions**: Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2012-0244, click the “Comment Now!” icon, complete the required fields, and enter or attach your comments.
- **Mail**: Submit written comments to: Peter Burns, Fishery Policy Analyst, Sustainable Fisheries Division, NMFS, 55 Great Republic Drive, Gloucester, MA 01930. Mark the outside of the envelope: “Comments on Lobster Transferable Trap Proposed Rule.”
- Fax: (978) 281-9135; Attn: Peter Burns

Comments must be received by July 29, 2013. You can get a copy of the proposed rule and draft environmental impact statement prepared for this action by writing to the mailing address specified above or by calling (978) 281-9180. The documents are also available online at <http://www.nero.noaa.gov/sfd/lobster>.