

6 NYCRR Part 44 – Lobsters and Crabs (Jonah Crab) Express Terms

Existing subdivision 44.2 (a) of 6 NYCRR, is amended to read as follows:

Paragraph 44.2(a)(7) is amended to read:

(7) [*Jonah Crab bycatch* indicates there must be fewer pounds of Jonah Crab onboard the fishing vessel at all times during a fishing trip than the pounds of the target species the deployed gear is targeting. Target species are those species primarily sought by the fishermen and are the subject of directed fishing effort.] 'Bycatch' means any incidental harvest of non-targeted or otherwise protected species in the course of legal fishing activity..

A new paragraph 44.2(a)(8) is added to read:

(8) 'Target species' means those species that are the main subject of fishing effort in a fishery.

Subdivision 44.2(f) is repealed.

A new subdivision 44.2(f) is added to read as follows:

(f) Jonah Crab.

(1) Directed trap fishery.

(i) To participate in the Jonah Crab fishery, an individual must either :

('a') Hold a current commercial lobster permit with trap tag allocations; or,

('b') Hold a current commercial crab permit and prove prior participation in the Jonah Crab fishery before June 2, 2015.

(‘1’) Submission of state and/or federal vessel trip reports which include Jonah Crab landings prior to the control date of June 2, 2015 constitute proof of prior participation in the Jonah Crab fishery.

(‘2’) Those who qualify under the above provision are eligible to receive a 50-trap tag allocation to participate in the directed Jonah Crab fishery.

(ii) All traps must conform to specifications of the lobster management plan, including the trap tag and escape vent requirements at Part 44.1 of this Title.

(2) Bycatch limits.

(i) Any person landing Jonah Crab who does not qualify to participate in the directed Jonah Crab fishery pursuant to (f)(1), must hold a commercial crab permit and abide by the following bycatch limits

(ii) There must be fewer pounds of Jonah Crab onboard the fishing vessel at all times during a fishing trip than the pounds of the target species the deployed gear is targeting.

(iii) There is a 1,000-crab incidental bycatch limit for vessels fishing non-trap gear and non-lobster traps (including but not limited to, fish pots, whelk pots, and crab pots). The 1,000-crab limit applies to trips of any length.

(3) Claw harvest.

Permit holders may possess or land whole Jonah Crabs or may remove claws at sea, keeping the claw and returning the crab to the water. If the permit holder is taking more than a five-gallon bucket full of claws, each claw must measure at least two and three-

quarters inches long.. Claw length is measured along the bottom of the claw, from the joint to the lower tip of the claw. Only whole Jonah Crab may be possessed or landed recreationally.