A GUIDE TO
LOBSTERING
IN MAINEN

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• When choosing your buoy color, make sure that no one else in your area is fishing with similar color(s) or a similar color pattern. Your buoy must be clearly and permanently marked with your license number. Ex Branding, painting, or permanent marker.
• The buoy color design shall be displayed on the boat in one of two methods:
  • On BOTH sides of the hull or on a panel painted on both sides and attached to the boat’s forward topside in a manner to be clearly visible on both sides of the boat. Each color shall appear as a solid color strip 4 inches high and 18 inches long abutting another color on its longest side to form a rectangle with a one inch black border on all sides, OR
  • A buoy at least 12 inches long, mounted in a manner so the color design is clearly visible on both sides of the boat.
• It is against the law to set, raise, lift or transfer a lobster trap or buoy unless clearly marked with your lobster/crab fishing license number and buoy color.

Note: Both buoys and traps must be visibly marked with your lobster/crab license number, you are responsible for marking your buoys and traps ex: branding, painting or permanent marker.

Closed Period
Title 12, Section 6440
It is against the law to raise or haul any lobster trap during closed periods.
It is unlawful to raise or haul any lobster trap:

SUMMER: During the period ½ hour after sunset until ½ hour before sunrise from June 1st to September 30th, both days inclusive, and during the period ½ hour after sunset until 4am October 1st to October 31st, both days inclusive.

WEEKENDS: During the period from 4pm Eastern Daylight Savings Time, Saturday to ½ hour before sunrise the following Monday morning from June 1st to August 31st. Both days inclusive.

It is legal to haul lobster traps at any time from November 1st to May 31st, it is also legal to set lobster traps at any time throughout the year.

*It is lawful to raise or haul traps during this period if a hurricane warning issued by NWS is in effect for the coastal waters of the State

Lobster Measurement
Title 12, Section 6431
Lobsters must be measured with a special double-sided gauge to make sure that they are "keepers". You may purchase a gauge from your local fishing supply store. A legal lobster in the State of Maine has a carapace or body shell length that measures between 3 \( \frac{1}{4} \) inches and 5 inches. The measurement is made between the extreme rear of the eye socket to the end of the carapace.
• Minimum lobster size has a carapace or body shell length of 3 \( \frac{1}{4} \) inches.
• Maximum lobster size has a carapace or body shell length of 5 inches.
• Lobsters are measured from the extreme rear of the eye socket.

Measuring a Lobster correctly
along a line parallel to the center line of the body shell, to the rear end of the body shell. To be a "keeper", this length must be at least $3\frac{1}{2}$ in but no longer than 5 in.

**Note:** A common error made by novice lobstermen is to measure over the horn or rostrum located above the eye socket. Make certain that your measure is in the extreme rear of the eye socket and below the horn.

**Exception:** No violation shall occur if the illegal lobster is immediately liberated alive into the coastal waters.

**Penalty:** For oversized or undersized lobsters, a fine of $500 for each violation and, in addition, a fine of $100 for each lobster involved, up to and including the first 5, and a fine of $200 for each lobster more than 5, or, if the number of lobsters cannot be determined, a fine of not less than $1,000 or more than $5,000. A court may not suspend a fine imposed under this section.

**Mutilation:** It shall be unlawful to possess any lobster, or part thereof, which is mutilated in a manner which makes accurate measurement impossible.

### Bait

**Title 12, Section 6432-A**

It is unlawful to use offal bait to fish for or take lobsters or crabs. Offal means the carcass, waste parts, renderings or remains of a wild or domesticated animal that is not a marine organism, but does not include animal hide from which the hair has been removed.

**Note:** The possession of offal while fishing for or taking lobster or crabs is a violation of this section.

### Molesting Lobster Gear

**Title 12, Section 6434, Rule 25.05**

*It is unlawful for anyone except the licensed owner, or a Marine Patrol Officer to raise, lift, transfer, possess, or in any manner molest any lobster trap, warp, buoy, or lobster car. An adjudication under this section carries a mandatory three (3) years loss of license.*

**Note:** A lobster trap, car, buoy or warp may be moved or removed from the waters or shores of the State for the purpose of returning the lobster gear to the licensed owner or properly disposing of lobster gear by any person who has written permission from a Marine Patrol Officer. Any person who wants to obtain written permission to remove the above described gear must contact the Department in advance of removal. This includes all gear that has washed ashore and is seemingly abandoned.

### Underwater Storage

**Title 12, Section 6443**

Any trap or other container used for storing lobsters beneath the surface of the coastal waters must be clearly marked with the fishing license number of the person storing the lobsters. Any trap or other container and the contents within, found in violation of this section may be seized and the contents returned to their natural habitat.

### Egg Bearing Lobsters

**Title 12, Section 6436**

When a female lobster releases her eggs, they are glued to the swimmerets under her tail. The number of eggs carried by a female varies with her size. The smallest mature lobster in Maine will produce about 6,000 eggs, while the largest will produce about 100,000 eggs. The female lobster protects and
oxygenates her eggs for nine to eleven months before they hatch out as larvae. The thousands of eggs under her tail resemble berries, which is why a lobster with eggs is often referred to as a berried female. Scientists estimate that only $\frac{1}{10}$ of the eggs that hatch will survive to minimal legal size.

- It is against the law to take, transport, sell or possess any lobster that is bearing eggs (carried under the tail).
- Penalty for possessing an egg bearing lobster is $1,000 for each violation and, in addition a fine of $200 for each lobster involved up to and including the first 5, more than 5, a fine of $400 for each lobster, or, if the number of lobsters cannot be determined, a fine of not less than $2,500 or more than $10,000.
- There is no violation if a berried female is immediately liberated into coastal waters.
- It is illegal to remove the eggs from a berried female. The penalty for removing eggs from a female lobster is $1,000 for each violation and, in addition a fine of $300 for each lobster involved, or if the number cannot be determined, a fine of not less than $1,000 or more than $5,000. (Title 12, Section 6438-A, Subsection 2).

Figure 8-Female carrying eggs

Determining the Sex of a Lobster

To determine the sex of a lobster, you must look at the first pair of appendages under the tail, called swimmerets. They are positioned near the base of the last pair of walking legs. The first pair of swimmerets are hard in the male, and soft and feathery in the female. Check the first pair of swimmerets under the tail and near the base of the last pair of walking legs.

-Females are soft-
-Males are hard-

Figure 9
V-Notched Lobsters

**Title 12, Section 6436, Rule 25.15**

All lobstermen in the State of Maine participate in a mandatory v-notch program, requiring them to notch all egg-bearing lobster prior to liberation. The practice of notching a known "breeder" extends her protection beyond the hatching of her eggs. While viewing the top side, the flipper immediately to the right of the center one is subject to be notched should the female lobster be carrying eggs. A v-notch tool or a sharp knife is used to remove a one quarter ($1/4$) inch deep portion from the center of the flipper. This v-notch will remain through the next few molts allowing her to reproduce for several years to come. If the v-notch grows out, it should be v-notched again to the one-quarter ($1/4$) inch size to maintain the protection of this breeder. A natural occurrence may also cause mutilation to a female's right flipper, which also makes her illegal to possess.

- A female lobster marked with a v-notch in the right flipper next to the middle flipper is illegal to possess.
- The correct flipper is determined when the underside of the lobster is down and the tail is toward the person making the determination.
- It is illegal to possess a female

Figure 11

Figure 10
lobster mutilated in a manner which could hide or obliterate a v-notch, including that missing flipper.

- No violation is charged if a v-notched/mutilated female lobster is immediately liberated into our coastal waters.
- The penalty for a v-notched/mutilated female is $500 for each violation and, in addition, a fine of $100 for each lobster involved, up to and including the first 5, and a fine of $400 for each lobster in excess of 5, or, if the number of lobsters cannot be determined, a fine of not less than $1,000 or more then $5,000. A court may not suspend a fine imposed under this subsection.

**Trap Construction**

Lobster traps are also known locally as "pots". The material used for construction has changed over the years, but the basic compartmented design continues to attract and catch lobsters. Today most lobster traps used in Maine's fishery are constructed of plastic coated wire. They usually have two funneled openings called "heads", through which lobsters enter the first compartment commonly called the "kitchen". After feeding, lobsters may venture through the inner funnel or parlor head into the compartment called the "parlor".

**Escape Vent**

**Title 12, Section 6433, Rule 25.85**

It is against the law to fish for or take lobsters unless the lobster trap is equipped with unobstructed vents or gaps in the parlor section. There are two types of plastic vents used in wire traps: rectangular and circular.

**Rectangular Vent:** This vent has an opening of $1\frac{15}{16}$ inches by $5\frac{3}{4}$ inches. The vent can be placed near the bottom of the trap with the vent opening no higher than one row of mesh from the bottom. The vent can also be placed on top of the parlor section, but must be over the parlor head.

**Circular Vent:** This vent has two circular openings $2\frac{7}{16}$ inches in diameter and commonly referred to as "crab vents". Circular vents can only be used in a trap when the vent is placed in the trap horizontally, not vertically one above the other.