



Northeast Region Bulletin

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Northeast Sink Gillnet Fisheries

Notice

Harbor Porpoise Consequence Closure Area Update

Effective Date: February 1, 2013

In April 2012, we issued a notice announcing the implementation of the Coastal Gulf of Maine Closure Area beginning October 1, 2012 under the Harbor Porpoise Take Reduction Plan regulations. After reviewing a request to analyze updated harbor porpoise bycatch and fishing information, **we have decided to temporarily shift, for one year, the dates of the Coastal Gulf of Maine Closure Area to February and March of 2013.**

In August 2012, we received a request from a fishing industry representative to temporarily shift the dates of the Coastal Gulf of Maine Closure from October and November of 2012 to February 15 through March 31 of 2013, citing conservation benefits to harbor porpoises and economic benefits to the struggling groundfish industry. After careful review and consideration of the request and updated harbor porpoise bycatch and fishing effort data, we conclude that there is a benefit to harbor porpoises by shifting the timing of the closure to the entire month of February and March, and there may be economic benefits to the groundfish industry by allowing fishing to occur during October and November. This is a temporary shift that is only applicable to February and March of 2013. As a reminder, pinger requirements still apply when the area is not closed. You are responsible for ensuring that your nets are equipped with the proper number of functioning pingers.

We plan to convene the Harbor Porpoise Take Reduction Team in late October to review the most recent harbor porpoise abundance and bycatch information, as well as information related to changes in fishing effort and practices that may have resulted from the implementation of groundfish sectors in 2010. At that time, the Team may recommend an alternative conservation strategy for effectively reducing harbor porpoise bycatch in gillnet fisheries.

The two-year average bycatch rate in the Southern New England Management Area **has not exceeded** the target rate. Therefore, the Eastern Cape Cod and Cape Cod South Expansion Consequence Closure Areas will not be closed at this time. We will continue to monitor bycatch rates in these areas.

For small entity compliance guides, this bulletin complies with section 212 of the Small Business Regulatory Enforcement and Fairness Act of 1996. This notice is authorized by the Regional Administrator of the National Marine Fisheries Service, Northeast Region.

Frequently Asked Questions

<p>Where is the Coastal Gulf of Maine Closure Area located?</p>	<p>The Coastal Gulf of Maine Closure Area extends along the coast from southern Maine to northern Massachusetts. The graphic below displays the area and its coordinate boundaries.</p> <p>Note: When the Coastal Gulf of Maine Closure Area is not in effect, requirements for the Mid-Coast, Massachusetts Bay, and Stellwagen Bank Management Areas apply.</p>								
<p>When is the Coastal Gulf of Maine Closure Area in effect?</p>	<p>The area prohibits the use of gillnet gear during the months of February and March during 2013 only. It will then revert to being closed during October and November, pending the implementation of revised conservation measures that result from the Harbor Porpoise Take Reduction Team's deliberations.</p>								
<p>What happens when the area is not closed?</p>	<p>When the area is not closed, the seasonal pinger requirements of the three overlapping management areas (Mid-Coast, Massachusetts Bay, and Stellwagen Bank Management Areas) will remain in effect, as will the March gillnet closure in the Massachusetts Bay Management Area.</p>								
<p>What were the monitoring seasons used to calculate the observed bycatch rates?</p>	<p>As specified in the Harbor Porpoise Take Reduction Plan, the first two monitoring seasons occurred from September 15, 2010 through May 31, 2011 (year 1), and from September 15, 2011 through May 31, 2012 (year 2).</p>								
<p>What were the target and observed bycatch rates for the Coastal Gulf of Maine Closure Area?</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">Two Year Target Bycatch Rate (takes/mtons)</th> <th style="text-align: center;">Year One Final Bycatch Rate (takes/mtons)</th> <th style="text-align: center;">Year Two Final Bycatch Rate (takes/mtons)</th> <th style="text-align: center;">Two-Year Average Bycatch Rate (takes/mtons)</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">0.031</td> <td style="text-align: center;">0.078</td> <td style="text-align: center;">0.043</td> <td style="text-align: center;">0.057</td> </tr> </tbody> </table>	Two Year Target Bycatch Rate (takes/mtons)	Year One Final Bycatch Rate (takes/mtons)	Year Two Final Bycatch Rate (takes/mtons)	Two-Year Average Bycatch Rate (takes/mtons)	0.031	0.078	0.043	0.057
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Why was the Coastal Gulf of Maine Closure Area's target rate exceeded?	Low compliance with the pinger requirements is the primary cause of high bycatch rates. We urge you to comply with pinger requirements to prevent the implementation of additional closure areas, which would be required if harbor porpoise bycatch remains too high.											
What were the target and observed bycatch rates for the Cape Cod South Expansion and Eastern Cape Cod Consequence Closure Areas?	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center; padding: 5px;">Two Year Target Bycatch Rate (takes/mtons)</th><th style="text-align: center; padding: 5px;">Year One Final Bycatch Rate (takes/mtons)</th><th style="text-align: center; padding: 5px;">Year Two Final Bycatch Rate (takes/mtons)</th><th style="text-align: center; padding: 5px;">Two-Year Average Bycatch Rate (takes/mtons)</th></tr> </thead> <tbody> <tr> <td style="text-align: center; padding: 5px;">0.023</td><td style="text-align: center; padding: 5px;">0.012</td><td style="text-align: center; padding: 5px;">0.029</td><td style="text-align: center; padding: 5px;">0.020</td></tr> </tbody> </table>				Two Year Target Bycatch Rate (takes/mtons)	Year One Final Bycatch Rate (takes/mtons)	Year Two Final Bycatch Rate (takes/mtons)	Two-Year Average Bycatch Rate (takes/mtons)	0.023	0.012	0.029	0.020
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Once implemented, how long will the consequence closure areas remain in effect?	Once triggered, the consequence closure areas would remain in effect until bycatch levels are reduced to an insignificant level approaching a zero mortality and serious injury rate, or until we work with the Harbor Porpoise Take Reduction Team to develop and implement new conservation measures.											
Where can I get more information about this notification, the consequence closure areas, or HPTRP in general?	If you have any questions, please contact the NOAA Fisheries Service Northeast Regional Office Protected Resources Division at 978-281-9328, or visit the Harbor Porpoise Take Reduction Plan website (www.noro.noaa.gov/hptrp).											