



# NOAA FISHERIES SERVICE

NORTHEAST REGIONAL OFFICE



This is a summary of, but not a substitute for, the Atlantic herring Federal regulations. You are strongly encouraged to read the regulations along with this information sheet to fully understand how this fishery is managed.

Last Updated: January 1, 2012

## ATLANTIC HERRING INFORMATION SHEET

Herring is managed in Federal waters by the New England Fishery Management Council and NOAA Fisheries Service (NMFS). Herring is managed in state waters by the Atlantic States Marine Fisheries Commission and individual states. Individual states may set different regulations, such as possession/landing restrictions or spawning area closures. If state regulations differ from Federal regulations, herring permit holders must adhere to the more restrictive regulations. Contact your local state fisheries office for more information on state regulations.

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### PERMITS AND POSSESSION LIMITS

Any vessel fishing for, possessing, or landing herring in or from Federal waters must have a valid Federal herring permit. You may obtain an open access herring permit application by contacting the Northeast Region’s Permit Office at (978) 281-9370 or online at: [www.nero.noaa.gov/permits/](http://www.nero.noaa.gov/permits/).

## Atlantic Herring Information Sheet

- A vessel must be less than 165 feet in length overall, 750 gross registered tons, and 3,000 horsepower to be issued a herring permit. Vessels exceeding the size and horsepower restrictions may receive an at-sea processing permit.

Vessels can possess herring without a Federal herring permit, provided:

- Herring is only used for bait, commercial fishing gear (purse seine, mid-water trawl, pelagic gillnet, sink gillnet, or bottom trawl gear) is not on board the vessel, and herring is not transferred, sold, traded, or bartered.
- A skiff or other similar vessel is used exclusively to set the net in a purse seine operation with a vessel that has a herring permit.

Permit Category	Description	Possession Limit
<b>Category A</b>	All Areas Limited Access	Unlimited in all areas
<b>Category B</b>	Areas 2/3 Limited Access	Unlimited in Areas 2/3
<b>Category C</b>	Incidental Catch Limited Access	55,000 lb per trip/day in all areas
<b>Category D</b>	Open Access	6,600 lb per trip/day in all areas

A vessel issued a herring permit may possess herring roe, provided it also retains the herring carcasses.

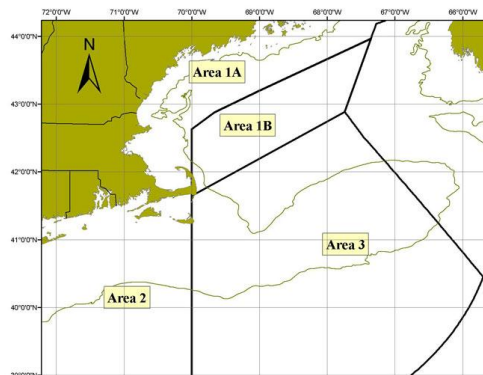
## HERRING MANAGEMENT AREAS

Area 1A – Inshore Gulf of Maine

Area 1B – Offshore Gulf of Maine

Area 2 – South Coastal Area

Area 3 – Georges Bank



## ANNUAL SPECIFICATIONS

- The herring fishing year is from January 1 through December 31.
- Every 3 years, NMFS, based on the recommendations of the New England Fishery Management Council, sets herring specifications.

## Atlantic Herring Information Sheet

<b>2012 Herring Specifications</b>	
<i>Specification</i>	<i>Allocation (mt)</i>
Overfishing Level	127,000
Allowable Biological Catch	106,000
Annual Catch Limit (ACL)	91,200
Optimum Yield	91,200
Domestic Annual Harvest	91,200
Border Transfer	4,000
Domestic Annual Processing	87,200
U.S. At-Sea Processing	0
<b>Area 1A Sub-ACL</b>	<b>26,546*</b>
<b>Area 1B Sub-ACL</b>	<b>4,362</b>
<b>Area 2 Sub-ACL</b>	<b>22,146</b>
<b>Area 3 Sub-ACL</b>	<b>38,146</b>
Research Set Aside	0

### **\*Area 1A Sub-ACL:**

- The Area 1A sub-ACL is divided into two seasons: January 1 – May 31 and June 1 – December 31.
- Up to 500 mt of the Area 1A sub-ACL is allocated to fixed gear fisheries (weirs and stop seines) that occur west of Cutler, Maine (44°26.2 N. Lat, 67°16.8 W. Long) until November 1. Any portion of this allocation that is not used by November 1 will be returned to the Area 1A sub-ACL.
- If the New Brunswick weir fishery lands less than 9,000 mt by October 15, an additional 3,000 mt will be allocated to the Area 1A sub-ACL in November of the same year.
- Weekly landing reports tracking the quota are posted at: [http://www.nero.noaa.gov/ro/fso/reports/reports\\_frame.htm](http://www.nero.noaa.gov/ro/fso/reports/reports_frame.htm)

## ACCOUNTABILITY MEASURES

Accountability measures are designed to minimize the frequency and magnitude of catch in excess of the ACLs (overages) and provide for subsequent harvest adjustments if ACLs are exceeded. Accountability measures in the herring fishery include a mechanism to close directed fishing for herring when catch is close to a management area sub-ACL, deducting any over-harvest that occurs from the following year's ACL, and limiting haddock catch in the herring fishery.

### **Restricting Fishing in a Management Area:**

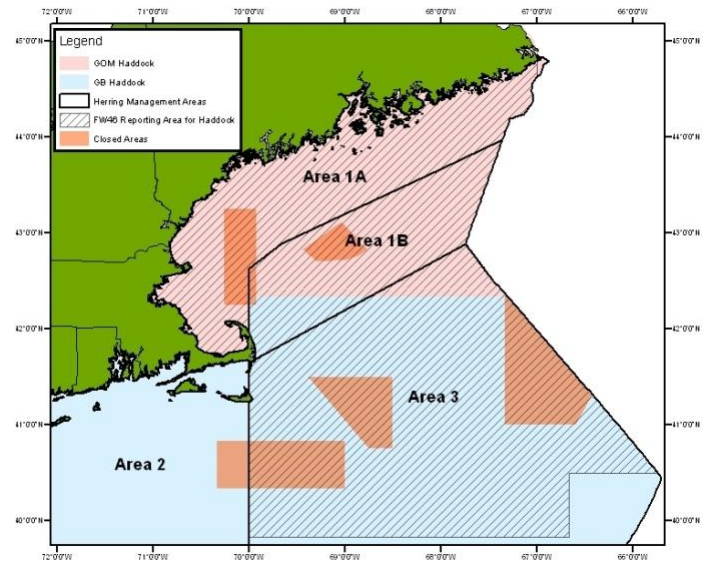
- When herring catch reaches 95 percent of the annual management area sub-ACL before the end of the fishing year, or 95 percent of the Area 1A sub-ACL allocated to the first seasonal period, vessels will be prohibited from possessing more than 2,000 lb of herring per trip or calendar day from that management area until the end of the first seasonal period or the end of the fishing year.
- If the 2,000-lb possession limit goes into effect, NMFS will notify all permit holders by vessel monitoring system (VMS), e-mail, weather radio, and mail.
- Vessels may transit through a management area with more than 2,000 lb on board, as long as the herring was not caught in that management area and that all fishing gear has been stowed and cannot be used.

### ACL Overage Deduction:

- If total herring catch exceeds the stock wide-ACL or any management area sub-ACL during a fishing year, then the amount of the overage will be deducted from that ACL or sub-ACL in a subsequent year.
- Overages are calculated during the year following the fishing year and deducted the next year. For example, any overages in 2011 will be calculated during 2012 and deducted during 2013.

### Haddock Incidental Catch Cap:

- The herring fishery is allocated 1 percent of the haddock acceptable biological catch for each stock of haddock (Gulf of Maine (GOM) and Georges Bank (GB)) each multispecies fishing year (May 1 – April 30).
- When the haddock incidental catch cap for a particular haddock stock (GOM or GB) has been caught, all herring vessels fishing with midwater trawl gear will be prohibited from fishing for, possessing, or landing, more than 2,000 lb of herring in that particular haddock accountability measure area (GOM or GB) for the remainder of the multispecies fishing year.
- In addition, the haddock possession limit will be reduced to 0 lb, in the applicable haddock accountability measure area, for the following vessels:
  - All vessels that have a Federal herring permit and are fishing with midwater trawl gear, and
  - All vessels that have an All Areas Limited Access Herring Permit or an Areas 2/ 3 Limited Access Herring Permit fishing on a declared herring trip.
- A vessel can possess haddock after the catch cap has been caught, provided the vessel possesses a Northeast multispecies permit and is operating on a declared Northeast multispecies trip.



**Herring Management Areas and Haddock Stock Areas**

### MINIMUM FISH SIZE

There is no minimum fish size for herring.

## GEAR RESTRICTIONS

### Mid-water Trawl Restrictions:

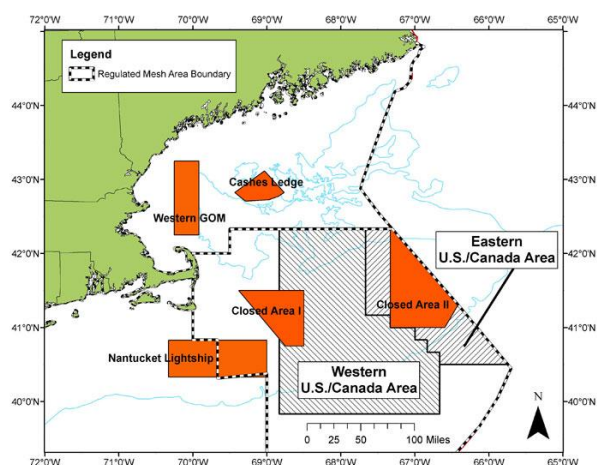
- Vessels must obtain a Letter of Authorization (LOA) from the Regional Administrator.
- Midwater trawl gear may only be used in the GOM/GB Regulated Mesh Area, including Closed Area I, Closed Area II, the Nantucket Lightship Closed Area, and other areas closed for NE multispecies conservation.
- Vessels fishing for herring may not use, deploy, or fish with midwater trawl gear in Area 1A from June 1 - September 30.

### Bottom Trawl Restrictions:

- Vessels must fish consistent with regulations for Northeast multispecies Small-Mesh Exemption Areas.
- Please phone the Sustainable Fisheries Division at (978) 281-9315 for information on regulations for Northeast multispecies Small-Mesh Exemption Areas.

### Purse Seine Restrictions:

- Vessels must obtain an LOA from the Regional Administrator.
- Purse seine gear may only be used in the GOM/GB Regulated Mesh Area, including Closed Area I, Closed Area II, the Nantucket Lightship Closed Area, and other areas closed for NE multispecies conservation.



To request an LOA from the Regional Administrator, contact the Northeast Region Permit Office at (978) 282-9370.

## VESSEL NOTIFICATION AND REPORTING REQUIREMENTS

### Limited Access Instructions:

#### If you are an owner/operator of a vessel issued a limited access herring permit, please report as follows:

- Declare that the vessel is participating in the herring fishery (HER) via the VMS prior to leaving port. If a vessel is declared out of the herring fishery (DOF) prior to leaving port, that vessel may not harvest, possess, or land herring on that trip.
- Submit a VMS catch report for each day (0000–2400 hr) of a trip by 9 a.m. of the following day for all herring caught. If no herring are caught during that day, you should report zero catch.
- If the vessel is not on a declared herring trip, then a VMS catch report is not required for that day.
- VMS operator instructions are available on the VMS web page at [www.nero.noaa.gov](http://www.nero.noaa.gov), under 'Fishing Industry & Seafood Dealers.'
- Submit a vessel trip report (VTR) for each week (Sunday–Saturday) by midnight on Tuesday of the following week. If no fish are caught during that week, you should report zero catch.

## *Atlantic Herring Information Sheet*

### **If your vessel has an All Areas or Areas 2/3 Limited Access Herring Permit (Category A or B permit) and is on a declared herring trip using midwater trawl gear, you must also:**

- Obtain the appropriate LOA for the gear fished before beginning any fishing trip. You can obtain an LOA by phoning the Northeast Region Permit Office (978-281-9370).
- Provide notice and contact information (e.g., contact name and phone number; vessel name; date, time, and port of departure) to the Northeast Fisheries Observer Program (774-392-2735) at least 72 hr prior to beginning any trip.
- Carry an observer on board if intending to fish using midwater trawl in Northeast multispecies Closed Area I.
- Complete and sign a released codend affidavit if fish are released from a codend in Closed Area I without being sampled by an observer.
- Report all fish kept by haddock stock area on the VMS catch report for each day (0000-2400 hr) by 9 a.m. of the following day. If no fish are kept during that day, you should report zero kept catch.
- Notify the National Marine Fisheries Service Office of Law Enforcement (via VMS) of the time and place of offloading at least 6 hr prior to crossing the VMS demarcation line on your return trip to port, or, for vessels that have not fished seaward of the VMS demarcation line, at least 6 hr prior to landing.

### **If your vessel has an All Areas or Areas 2/3 Limited Access Herring (Category A or B) and is on a declared herring trip using purse seine gear, you must also:**

- Obtain the appropriate LOA for the gear fished before beginning any fishing trip. You can obtain an LOA by phoning the Northeast Region Permit Office (978-281-9370).
- Provide notice and contact information (e.g., contact name and phone number; vessel name; date, time, and port of departure) to the Northeast Fisheries Observer Program (774-392-2735) at least 72 hr prior to beginning any trip.
- Notify the National Marine Fisheries Service Office of Law Enforcement (via VMS) of the time and place of offloading at least 6 hr prior to crossing the VMS demarcation line on your return trip to port, or, for vessels that have not fished seaward of the VMS demarcation line, at least 6 hr prior to landing.

### **If your vessel has an Incidental Catch Limited Access Herring Permit (Category C) and is on a declared herring trip using midwater trawl gear in Herring Management Areas 1A, 1B, or 3, you must also:**

- Provide notice and contact information (e.g., contact name and phone number; vessel name; date, time, and port of departure) to the Northeast Fisheries Observer Program (774-392-2735) at least 72 hr prior to beginning any trip.
- Carry an observer on board if intending to fish using midwater trawl in Northeast multispecies Closed Area I.
- Complete and sign a released codend affidavit if fish are released from a codend in Closed Area I without being sampled by an observer.
- Report all fish kept by haddock stock area on the VMS catch report for each day (0000-2400 hr) by 9 am of the following day. If no fish are kept during that day, you should report zero kept catch.
- Notify the National Marine Fisheries Service Office of Law Enforcement (via VMS) of the time and place of offloading at least 6 hr prior to crossing the VMS demarcation line on your return trip to port, or, for vessels that have not fished seaward of the VMS demarcation line, at least 6 hr prior to landing.



## **Open Access Instructions:**

### **If you are the owner/operator of a vessel issued an open access herring permit, please report as follows:**

- If you have another permit (e.g., multispecies, monkfish, and scallop) that requires your vessel to operate a VMS, you should declare the vessel out of the fishery (DOF) via VMS prior to leaving port on a herring trip. If you do not have another permit that requires your vessel to operate a VMS, no declaration is necessary.
- Submit an interactive voice response (IVR) catch report for each week (Sunday-Saturday) by midnight on Tuesday of the following week for all herring caught. If no herring are caught during that week, then you do not need to submit an IVR catch report.
- Submit a VTR for each week by midnight on Tuesday of the following week. If no fish are caught during that week, you should report zero catch.

### **If you are an owner/operator of a vessel issued an open access permit using midwater trawl gear in Herring Areas 1A, 1B, or 3, you must also:**

- Provide notice and contact information (e.g., contact name and phone number; vessel name; date, time, and port of departure) to the Northeast Fisheries Observer Program (774-392-2735) at least 72 hr prior to beginning any trip.
- Carry an observer on board if intending to fish using midwater trawl in Northeast multispecies Closed Area I.
- Complete and sign a released codend affidavit if fish are released from a codend in Closed Area I without being sampled by an observer.

*Reminder for all vessel owner/operators:* Herring may only be sold to federally permitted dealers or at-sea processors, unless it is being sold at-sea to a vessel that is purchasing the herring for its own use as bait.

## **DEALER AND AT-SEA PROCESSOR REPORTING REQUIREMENTS**

### **If you have been issued a dealer permit or are the owner/operator of a vessel issued an at-sea processing permit, please report as follows:**

- Submit, for each transaction, an electronic dealer report. Reports are due by midnight on Tuesday for transactions from the previous week (Sunday-Saturday). If no fish are bought during that week, you should report that zero fish were bought.
- Report the vessel name, Federal permit number, and hull number (Coast Guard documentation or state registration number) of each vessel that harvested any fish received. If the vessel does not have a Federal permit, then only report the vessel name and hull number. Many vessels have similar names, so please double check vessel name and numbers with the vessel operator to ensure you are reporting the correct vessel.
- Accurately report the units (pounds or bushels) for purchased fish. Please double check weight units because reporting the wrong unit could count as additional landings and lead to early closure.
- Report the VTR serial number from the vessels that harvested the fish.

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### **If you have been issued a dealer permit or are the owner/operator of a vessel issued an at-sea processing permit, please follow these instructions for handling haddock:**

- Dealers, including at-sea processors, that cull or separate all other fish from the herring catch must separate and retain all haddock offloaded from vessels that have an All Areas or Areas 2/3 Limited Access Herring Permit or any vessel with a herring permit that fished with midwater trawl gear in Herring Areas 1A, 1B, or 3.
- Haddock may not be sold, purchased, received, traded, bartered, or transferred, and must be retained, after it has been separated from the herring, for at least 12 hr for dealers and processors on land, and for 12 hr after landing on shore by at-sea processors.
- The dealer or at-sea processor must report all haddock in its weekly electronic dealer report and must use the appropriate disposition code for the haddock.
- Law enforcement officials must be given access to inspect the haddock.

### **TRANSFERS AT SEA**

A vessel issued a herring permit must obtain a Transfer and Receive Herring at Sea LOA from the Regional Administrator. A vessel may not transfer or receive herring in amounts greater than its possession limit or any management area possession limit.

### **HERRING AS BAIT IN TUNA FISHERIES**

Vessels fishing for tuna may not have on board purse seine, mid-water trawl, pelagic gillnet, sink gillnet, or bottom trawl gear, for catching herring as bait. Tuna vessels can purchase herring for bait without a herring permit, provided they do not have these herring gears on board.

### **CONTACT INFORMATION FOR QUESTIONS**

If you have questions, please phone the following numbers:

- VMS Reporting – 978-281-9213;
- Dealer Reporting – 978-281-9212;
- IVR Reporting – 978-281-9209;
- VTR Reporting – 978-281-9246;
- Regulations – 978-281-9315;
- Permits – 978-281-9370.

### **HIGHLY MIGRATORY SPECIES**

Please be aware that, if you also hold an Atlantic Highly Migratory Species (HMS) Permit, the regulations at 50 CFR Part 635 will apply to your activities. Please visit the HMS website at <http://www.nmfs.noaa.gov/sfa/hms/> or call HMS staff at 978-281-9260.



## COORDINATES FOR HERRING MANAGEMENT AREAS

### Management Area 1 (Gulf of Maine):

All U.S. waters in the Gulf of Maine (GOM) north of a line extending from a point at 41°39' N. lat. and 70°00' W. long. to 42°53'14" N. lat. and 67°44'35" W. long., and northerly along the Hague Line to the U.S.-Canadian border, including state and Federal waters adjacent to the States of Maine, New Hampshire, and Massachusetts.

Area 1 is divided into Area 1A (inshore) and Area 1B (offshore).

The line dividing these areas is defined by the following coordinates:

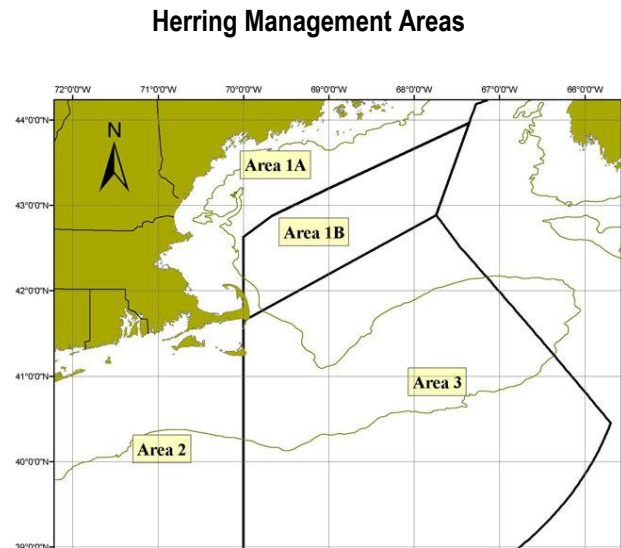
N. lat.	W. long.
41°58'	70° 00'
42°38'	70° 00'
42°53'	69° 40'
43°12'	69° 00'
43°40'	68° 00'
43°58'	67° 22'

### Management Area 2 (South Coastal Area):

All waters west of 70° 00' W. long. and south of 41°39' N. lat., including state and Federal waters adjacent to the States of Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Maryland, Virginia, and North Carolina.

### Management Area 3 (Georges Bank):

All U.S. waters east of 70°00' W. long. and southeast of the line that runs from a point at 70°00' W. long. and 41°39' N. lat., northeasterly to the Hague Line at 42°53'14" N. lat. and 67°44'35" W. long.



## COORDINATES FOR HADDOCK ACCOUNTABILITY MEASURE AREAS

### Herring GOM Haddock Accountability Measure Area:

The GOM Haddock Accountability Measure is defined by the straight lines connecting the following points in the order stated:

Point	N. Latitude	W. Longitude
HGA1	(1)	69° 20'
HGA	43° 40'	69° 20'
HGA3	43° 40'	69° 00'
HGA4	43° 20'	69° 00'
HGA5	43° 20'	67° 40'
HGA6	(2)	67° 40'
HGA7	42° 53.1'	67° 44.4'
HGA8	(2)	67° 40'
HGA9	42° 20'	67° 40'
HGA10	42° 20'	70° 00'
HGA11	(3)	70° 00'

- (1)The intersection of the Maine coastline and 69° 20' W. long.
- (2)The intersection of the U.S./Canada maritime boundary and 67° 40' W. long.
- (3)The intersection of the north-facing shoreline of Cape Cod, MA, and 70°00' W. long.

### Herring GB Haddock Accountability Measure Area:

The GB Haddock Stock Area is defined by the straight lines connecting the following points in the order stated:

Point	N. Latitude	W. Longitude
HBA1	42° 20'	70° 00'
HBA2	42° 20'	(1)
HBA3	40° 30'	(1)
HBA4	40° 30'	66° 40'
HBA5	39° 50'	66° 40'
HBA6	39° 50'	68° 50'
HBA7	(2)	68° 50'
HBA8	41° 00'	(3)
HBA9	41° 00'	69° 30'
HBA10	41° 10'	69° 30'
HBA11	41° 10'	69° 50'
HBA12	41° 20'	69° 50'
HBA13	41° 20'	(4)
HBA14	(5)	70° 00'
HBA15	(6)	70° 00'
HBA16	(7)	70° 00'

- (1)The intersection of the U.S./Canada maritime boundary and 42°20' N. lat.
- (2)The intersection of the boundary of Closed Area I and 68°50' W. long.
- (3)The intersection of the boundary of Closed Area I and 41°00' N. lat.
- (4)The intersection of the east-facing shoreline of Nantucket, MA, and 41°20' N. lat.
- (5)The intersection of the north-facing shoreline of Nantucket, MA, and 70°00' W. long.
- (6)The intersection of the south-facing shoreline of Cape Cod, MA, and 70°00' W. long.
- (7)The intersection of the north-facing shoreline of Cape Cod, MA, and 70° 00' W. long

## COORDINATES FOR HADDOCK STOCK AREAS

The GOM Modified Haddock Stock Area is bounded on the east by the U.S./Canadian maritime boundary and straight lines connecting the following points in the order stated:

N. Latitude	W. Longitude
(1)	(1)
42°20	(2)
42°20	70°00
(3)	70°00

- (1) The intersection of the shoreline and the U.S.-Canada maritime boundary.
- (2) The intersection of 42°20 N. lat. and the U.S./Canada maritime boundary.
- (3) The intersection of the Cape Cod, MA, coastline and 70°00 W. long.

The GB Modified Haddock Stock Area is bounded on the east by the U.S./Canadian maritime boundary and straight lines connecting the following points in the order stated:

N. Latitude	W. Longitude
(1)	70°00
42°20	70°00
42°20	(2)
40°30	(2)
40°30	66°40
39°50	66°40
39°50	70°00
(3)	70°00

- (1) The intersection of the North-facing shoreline of Cape Cod, MA and 70°00 W. long.
- (2) The U.S.-Canada maritime boundary as it intersects with the EEZ.
- (3) The intersection of the South-facing shoreline of Cape Cod, MA and 70°00 W. long.