



UNITED STATES DEPARTMENT OF COMMERCE National
Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
NORTHEAST REGION
One Blackburn Drive
Gloucester, MA 01930-2298

November 7, 2001

Dear Permit Holder:

This is to inform you that the Secretary of Commerce, at the request of the New England Fishery Management Council, has extended for 180 days the expiration date of the Emergency Rule that established management measures in the Atlantic Deep-Sea Red Crab Fishery. These measures pertain to vessels fishing for, possessing or landing, Atlantic red crab in or from the portion of the U.S. Exclusive Economic Zone (EEZ) from 35°15.3' N. Lat. (the latitude of Cape Hatteras Light, NC), northward to the U.S.-Canada border. The regulations extending the emergency action include the following measures: A total allowable catch (TAC) for the directed fishery of 2.16 million lb of red crab; a possession/landing limit of 65,000 lb whole weight of red crab, or its whole weight equivalent, per vessel per fishing trip; a trap/pot limit of 600 pots per vessel; and an incidental catch limit of 100 lb of red crab per fishing trip. To monitor this TAC, and to obtain data on which to manage this fishery, participants in the directed red crab fishery must obtain a new letter of authorization (LOA) for the extended 180-day period. Owners or operators of vessels issued a valid LOA must report red crab landings via the NMFS interactive voice response (IVR) system and submit vessel trip reports (VTRs).

EFFECTIVE DATES

The additional 180-day period of the emergency rule is effective from 0001 hours, November 15, 2001 through 2400 hours, May 14, 2002.

TAC

This action establishes a TAC of 2.16 million lb. The TAC is reduced from 2.5 million lb for the 180-day extended period by 340,000 lb (the amount of the overage caught during the initial period of the emergency action) in order to ensure that the annual TAC of 5 million lb is not exceeded. If at any time during this 180-day extended period the Regional Administrator projects that the 2.16 million lb TAC will be harvested, the directed red crab fishery will be closed, and fishing for and landings of red crab, in amounts greater than the incidental catch limit (100 lb per fishing trip), will be prohibited.



VESSEL LOA

If you own or operate a vessel and intend to fish for, catch, possess, transport, land, sell, trade, barter, or process at sea, more than 100 lb whole weight or its equivalent of red crab, per fishing trip, in or from the portion of the EEZ covered by these regulations, you must obtain an LOA issued by the Regional Administrator. You must keep the LOA on board the vessel and comply with all of the conditions specified in the LOA. You may request an LOA in writing from the Northeast Region Permit Office, NMFS, One Blackburn Drive, Gloucester, MA 01930 or by calling the Permit Office at 978-281-9370.

An LOA, once issued, is effective for the duration of the additional 180-day emergency period or until the TAC has been reached and the fishery has been closed.

When issued a valid LOA, the following measures apply while the directed fishery remains open:

1. POSSESSION AND LANDING LIMIT

A vessel may fish for, catch, possess, transport, land, sell, trade, barter, or process at sea, up to 65,000 lb, or its equivalent (as specified below), of whole red crab (including culls), per fishing trip.

- (a) The conversion factor for red crab meat-only to whole red crab is 4; that is, multiply the weight of the red crab meat by 4, for example, 16,250 lb of red crab meat-only \times 4 = 65,000 lb of whole weight of red crab. (Thus, vessels may retain up to 16,250 lb of red crab meat-only per trip.)
- (b) The conversion factor for red crab parts (other than whole or meat-only) to whole red crab is 1.56; that is, multiply the weight of the red crab parts by 1.56, for example, 41,667 lb of red crab parts \times 1.56 = 65,000 lb of whole weight of red crab. (Thus, vessels may retain up to 41,667 lb of red crab parts per trip.)

2. TRAP/POT LIMIT

A vessel may possess, haul, harvest red crab from, or carry on board a vessel, up to a total of 600 traps/pots when fishing for, catching, or landing red crab.

3. MANDATORY REPORTING

The following reports must be submitted unless the TAC has been reached and the fishery has been closed. *Note: Vessels holding permits for other managed species are not exempted from further reporting requirements when the red crab fishery is closed.*

You will be sent forms and instructions, including the address and telephone number to which to submit reports, with your red crab LOA.

(a) IVR System Report

You must report red crab landings for each fishing trip, via the NMFS IVR system, within 24 hours after returning to port and offloading. The IVR report does not exempt the owner or operator from any other applicable reporting requirements and shall include at least the following information, and any other information required by the Regional Administrator: Vessel permit number, vessel pass code, pounds of red crab landed, and pounds of red crab discarded at sea.

(b) Vessel Fishing Log Report

You must maintain on board the vessel, and submit to the Regional Administrator, an accurate fishing log report for each fishing trip, on forms supplied by or approved by NMFS. Log reports must be filled out with all required information, except for information not yet ascertainable, prior to entering port with fish and/or red crab. Fishing vessel log reports, including negative fishing reports, must be postmarked or received by the Regional Administrator within 15 days after the end of the reporting month. This log report does not exempt the owner or operator from other applicable reporting requirements.

INCIDENTAL CATCH ALLOWANCE

Any vessel that has not been issued a valid LOA, or a vessel that has been issued a valid LOA and the fishery has been closed because NMFS has determined that the TAC would be exceeded if left open, is authorized to possess and land no more than 100 lb of whole red crab, or its whole weight equivalent, per trip.

TRANSFER AT SEA

Transferring red crab at sea from one vessel or conveyance to another is prohibited.

NOTE

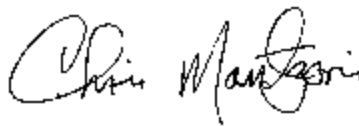
The red crab fishery falls under the Marine Mammal Protection Act Category I Lobster Trap/Pot Fishery and, therefore, is required to comply with the applicable gear restrictions for that fishery, including a required weak link at the buoy that breaks away knotless at 3,780 lb and other requirements as specified at 50 CFR § 229.32. Also, red crab trap/pot fishing gear, fished in 200 fathoms or less by a vessel issued a limited access lobster permit under 50 CFR §

697.4(a), must comply with the trap tagging requirements specified at 50 CFR § 697.19.

Because these regulations extend the expiration date of an emergency rule for red crab, I encourage you to keep this letter handy for future reference. However, this letter is only a summary of the major regulatory measures in the Federal regulations and is not considered a substitute of the actual regulations. To read the requirements in their entirety, I strongly suggest that you request a complete copy of the regulations, along with pertinent modifications, by calling the Sustainable Fisheries Division at 978-281-9315, or by accessing the Federal Register Online through our Internet home page at <http://www.nero.nmfs.gov/ro/doc/nero.html>.

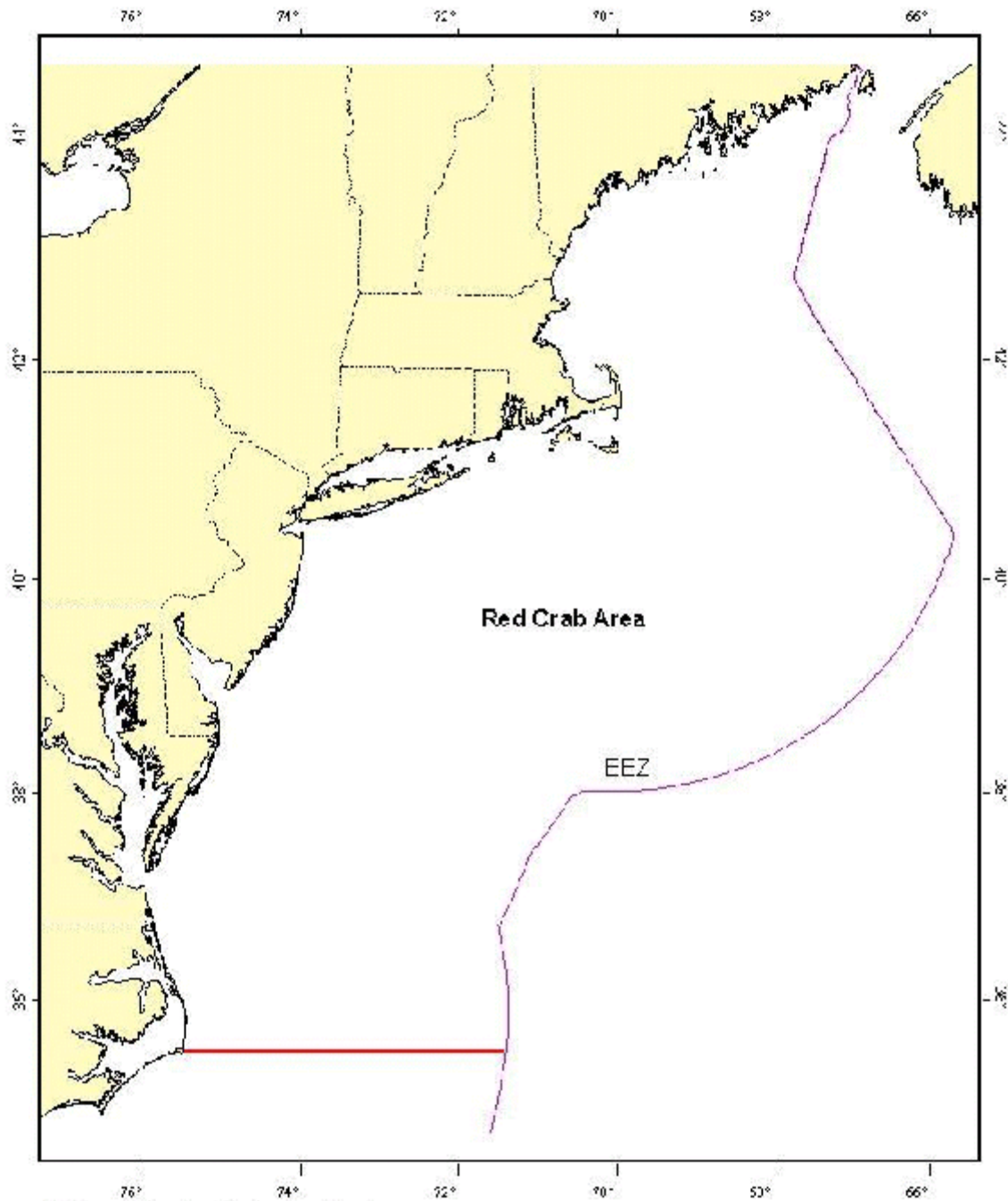
If you have any questions relating to LOAs or want to request an LOA, please call the Permits Office at 978-281-9370. For further information concerning vessel logbook reporting and recordkeeping, please contact the Fisheries Statistics Office at 978-281-9246. For further information concerning vessel reporting on the NMFS IVR system, contact the Fishery Statistics Office at 978-281-9296.

Sincerely,



for Patricia A. Kurkul
Regional Administrator

Atlantic Deep-Sea Red Crab Area



National Marine Fisheries Service
Northeast Regional Office
Sustainable Fisheries Division
Gloucester, MA