



NOAA FISHERIES FACT SHEET



Summary of Information, Answers to Commonly Asked Monkfish Amendment 2 Questions, and Monkfish 2005 Specifications

Regulated Species: Monkfish

NATIONAL MARINE FISHERIES SERVICE

New regulations implementing Amendment 2 to the Monkfish Fishery Management Plan (Amendment 2) become effective on May 1, 2005. The New England Fishery Management Council (NEFMC) and the Mid-Atlantic Fishery Management Council (MAFMC) developed Amendment 2 to address a number of issues that arose out of the implementation of the FMP, as well as issues that were identified during public scoping.

This insert is intended to be a brief, practical guide to some of the changes taking place under Amendment 2. It is not a substitute for the complete regulations. All federal permit holders and federally permitted dealers should get a copy of the complete, official regulations which include area coordinates by calling NOAA Fisheries at 978-281-9315, or by going to our web site at <http://www.nero.noaa.gov/nero/hotnews/monkfish/index.html>.

A full copy of Amendment 2, including the Final Supplemental Environmental Impact Statement, Regulatory Impact Review and Regulatory Flexibility Analysis is available from the New England Fishery Management Council (telephone 978-465-0492, web site: <http://www.nefmc.org>).

New Limited Access Monkfish Permit Categories

Modified Monkfish Limited Entry Program

Amendment 2 implements two new monkfish limited access permit categories that are available to qualifying vessels that have not been issued a monkfish limited access Category A, B, C, or D permit. Vessels that qualify for either of these new permit categories will be restricted to fishing south of 38°20' N. lat. when on a monkfish day-at-sea (DAS).

Eligibility Criteria

In order to obtain a limited access category G or H monkfish permit, a vessel must not be eligible to receive any other limited access monkfish permit and must have landed monkfish in the amounts specified below, during the qualification period March 15 through June 15, in any or all of the years 1995 through 1998.

Category G: At least 50,000 lb tail weight or 166,000 lb whole weight of monkfish at a port located south of 38°00' North latitude.

Category H: At least 7,500 lb tail weight or 24,900 lb whole weight of monkfish at a port south of 38°00' North latitude.

Application Deadline

The deadline for submitting an application to apply for a monkfish limited access Category G or H permit is April 30, 2006. Any applications received by NOAA Fisheries Service after this date will not be considered.

DAS Allocations and Trip Limits

- Vessels issued a monkfish limited access Category G or H permit will be allocated the same number of monkfish DAS as limited access Category A, B, C, or D vessels.
- When fishing under a monkfish DAS, Category G vessels are subject to the same trip limits as Category A or C vessels, and Category H vessels are subject to the same trip limits as Category B or D vessels (see Table 1).
- When fishing under a Northeast (NE) multispecies DAS, Category G and H vessels are subject to the same monkfish incidental catch limits specified for monkfish incidental (Category E) vessels (see Table 2).
- When fishing under a scallop DAS, Category G and H vessels are subject to the same monkfish trip limits as limited access Category A, B, C, or D vessels (300 lb tail weight per scallop DAS) (see Table 2).
- When not fishing under a DAS program, Category G and H vessels are subject to the same monkfish incidental catch limits specified for monkfish incidental (Category E) vessels (see Table 3).

Offshore Fishery Program in the Southern Fishery Management Area (SFMA)

Amendment 2 implements an Offshore Fishery Program in the SFMA where limited access monkfish vessels eligible for a Category A, B, C, or D permit can elect to fish under a higher possession limit of 1,600 lb tail weight per monkfish DAS, but at a reduced DAS allocation. In order to participate in the Offshore Fishery Program, owners of limited access monkfish vessels must elect to change their limited access monkfish permit category (A, B, C, or D) to a Category F permit, abide by the season, area, and gear restrictions (specified below), and install a vessel monitoring system (VMS).

Proration of DAS

The annual monkfish DAS allocation for vessels participating in the Offshore Fishery Program is calculated by dividing the standard trip limit for vessels fishing in the SFMA (based on the applicable permit category) by the special possession limit of 1,600 lb tail weight, and then multiplying by the standard annual DAS allocation for monkfish limited access vessels. Any carryover DAS are factored into the calculation of prorated DAS. For the 2005 fishing year, the annual prorated DAS allocation for vessels fishing in the Offshore Fishery Program would be as follows, based on limited access monkfish permit category and excluding carryover DAS:

- Category A and C vessels: $700 \text{ lb} / 1,600 \text{ lb} \times 39.3 \text{ DAS} = 17.2 \text{ DAS}$
- Category B and D vessels: $600 \text{ lb} / 1,600 \text{ lb} \times 39.3 \text{ DAS} = 14.7 \text{ DAS}$

Seasonal Restriction

Vessels issued a limited access Category F permit may only fish under a monkfish DAS during the Offshore Fishery Program Season of October 1 through April 30.

Area Restriction

Vessels issued a limited access Category F permit may only fish under a monkfish DAS within the designated Offshore Fishery Program Area. The Offshore Fishery Program Area is bounded on the south by 38°00' N. lat., and on the north, west, and east by the area coordinates specified for the *Loligo* squid exemption line (see Map 1).

Monkfish Trip Limits While Under a Monkfish DAS				
Permit Category	DAS Program	Area	Gear	Trip Limits (tail weight per DAS)
A, B, C, or D	Monkfish	NFMA	All Gear	No Trip Limit
A, C, or G	Monkfish	SFMA	All Gear	700 lb
B, D, or H	Monkfish	SFMA	All Gear	600 lb
F	Monkfish	Offshore Fishery Program Area	All Gear	1,600 lb

Table 1

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Gear Restriction

Vessels issued a limited access Category F permit are subject to the gear requirements applicable to limited access Category A and B vessels when fishing under a monkfish DAS, and the roller gear restriction applicable to all trawl vessels fishing under a monkfish DAS in the SFMA (see Table 4).

Vessel Monitoring System (VMS) Requirement

Vessels that participate in the program are required to have on board a VMS that is continuously operable from October 1 through April 30. The VMS is not required to be operational outside of this time period (i.e., May 1 - September 30) unless required by the applicable VMS regulations for other fisheries (e.g., herring, scallop).

SFMA Roller Gear Restriction

All limited access monkfish vessels fishing with trawl gear under a monkfish DAS in the SFMA are restricted to using roller gear having a maximum disc diameter of 6 inches.

Revisions to Incidental Catch Restrictions

Amendment 2 makes several adjustments to the monkfish incidental catch limits for vessels not fishing under a monkfish, NE multispecies, or scallop DAS. For the purpose of calculating these trip limits, a day is the 24-hour period that begins when the vessel leaves port as indicated on the vessel's Vessel Trip Report (VTR) or, if the vessel has an operational VMS unit, when the vessel crosses the VMS demarcation line. These changes are as follows, and are included in Table 3.

- The trip limit for vessels fishing with small mesh gear when not fishing under a DAS has been increased to 50 lb tail weight per day, or partial day, up to a maximum of 150 lb tail weight. When fishing east of the NE Multispecies Mid-Atlantic Exemption boundary line (see Map 2), small mesh is defined as mesh smaller than the minimum NE multispecies regulated mesh size authorized for that NE Multispecies Regulated Mesh Area. When fishing

west of the NE Multispecies Mid-Atlantic Exemption boundary line, small mesh is defined as mesh smaller than the minimum mesh size authorized for summer flounder vessels.

- The trip limit for vessels fishing with large mesh when not fishing under a DAS gear west of the NE Multispecies Mid-Atlantic Exemption boundary line will be 5-percent of the total weight of fish on board, up to a maximum of 450 lb tail weight per trip. When fishing west NE Multispecies Mid-Atlantic Exemption boundary line, large mesh is defined as mesh equal to or greater than the minimum mesh size authorized for summer flounder vessels.
- The trip limit for vessels fishing with handgear, or vessels fishing under a NE multispecies small vessel permit (vessels less than 30 feet in length), when not fishing under a DAS is 50 lb tail weight per day, or partial day, up to a maximum of 150 lb per trip.
- The trip limit for vessels fishing under a surf clam or ocean quahog permit with hydraulic dredge gear, and scallop vessels (General Category and limited access) not fishing under a scallop DAS with dredge gear is 50 lb tail weight per day, or partial day, up to a maximum of 150 lb per trip. These vessels were previously prohibited from retaining monkfish.

Decrease in Minimum Monkfish Size for SFMA

The minimum fish size for monkfish in the SFMA has been reduced to 11 inches tail length, or 17 inches total length. This is the same minimum fish size in effect for the Northern Fishery Management Area (NFMA).

Northwest Atlantic Fisheries Organization (NAFO) Regulatory Area Exemption Program

Amendment 2 implements a NAFO Regulatory Area Exemption Program that enables vessels to fish for monkfish in the international waters known as the NAFO Regulatory Area, while being exempt from the Federal

monkfish regulations regarding permit requirements, minimum mesh size, DAS, and possession limits, provided the following conditions are met:

- The vessel has on board a monkfish NAFO Regulatory Area Exemption Program Letter of Authorization (LOA) issued by the Regional Administrator;
- For the duration of the trip, the vessel fishes exclusively in the NAFO Regulatory Area and does not harvest fish in, or possess fish harvested from, the Exclusive Economic Zone (EEZ);
- If transiting the EEZ, all gear must be properly stowed and not available for immediate use; and
- The vessel complies with all High Seas Fishing Compliance Permit and NAFO conservation and enforcement measures while fishing in the NAFO Regulatory Area.

All monkfish harvested from the NAFO Regulatory Area under this exemption program will not count against the monkfish target total allowable catch (TAC) established for each management area.

Elimination of 20-Day Block Requirement

The requirement for monkfish limited access Category A and B vessels to take continuous 20-day block out of the monkfish fishery between April 1 and June 30 of each calendar year has been eliminated. However, limited access monkfish vessels that also possess a limited access NE multispecies permit (i.e., Category C and D permits) must continue to abide by the 20-day block requirement specified under the NE Multispecies FMP.

Deep-Sea Canyon Closure Areas

Vessels fishing on a monkfish DAS are prohibited from fishing in the Oceanographer and Lydonia Canyon closure areas, regardless of the type of gear used (see Map 2). The coordinates for these closure areas are as follows:

OCEANOGRAPHER CANYON CLOSURE AREA

Point	N.Lat.	W.Long.
OC1	40° 10'	68° 12'
OC2	40° 24'	68° 09'
OC3	40° 24'	68° 08'
OC4	40° 10'	67° 59'
OC1	40° 10'	68° 12'

LYDONIA CANYON CLOSURE AREA

Point	N.Lat.	W.Long.
LC1	40° 16'	67° 34'
LC2	40° 16'	67° 42'
LC3	40° 20'	67° 43'
LC4	40° 27'	67° 40'
LCS	40° 27'	67° 38'
LC1	40° 16'	67° 34'

DAS Set-Aside and DAS Exemption Programs

Amendment 2 contains two cooperative research programs that set aside a pool of 500 DAS to distribute

FY 2005 Monkfish Trip Limits While Under a Northeast Multispecies or Scallop DAS				
Permit Category	DAS Program	Area	Gear	Trip Limits (tail weight per DAS)
C or D	Multispecies	NFMA	All Gear	No Trip Limit
C, D, or F	Multispecies	SFMA	Trawl	300 lb
C, D, or F	Multispecies	SFMA	Non-trawl	50 lb
E, G, or H	Multispecies	SFMA	All Gear	50 lb
E, F, G, or H	Multispecies	NFMA	All Gear	400 lb, or 50% of the total weight of fish on board (all weight is converted to tail weight ¹) whichever is less
C, D, E, F, G, or H	Scallop	NFMA & SFMA	All Gear	300 lb

Table 2

FY 2005 Monkfish Trip Limits When Not Under a DAS Program

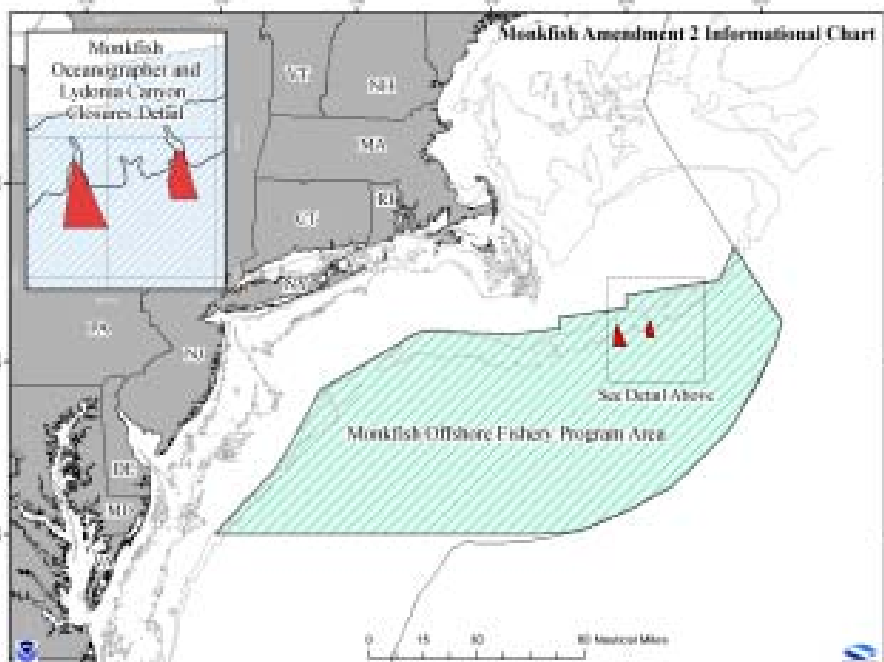
Permit Category	DAS Program	Area(s) and Gear	Trip Limits (tail weight per DAS unless stated otherwise)
A, B, C, D, E, F, G, or H	No DAS	Area: The Gulf of Maine (GOM) or Georges Bank (GB) Regulated Mesh Areas (RMAs), or the Southern New England (SNE) RMA east of Mid-Atlantic (MA) Exemption Area boundary. Gear: Mesh greater than or equal to that required in these NE Multispecies RMAs	Up to 5% the total weight (all weight is converted to tail weight ¹) of fish on board
A, B, C, D, E, F, G, or H	No DAS	Area: SNE or MA RMA west of the MA Exemption Area boundary Gear: Mesh greater than or equal to that specified for summer flounder fishery	Up to 5% the total weight (all weight is converted to tail weight ¹) of fish on board, not to exceed 450 lbs
A, B, C, D, E, F, G, or H	No DAS	Areas: NFMA and SFMA Gear: Mesh smaller than that specified for the NE Multispecies RMAs when fishing east of the MA Exemption Area boundary, or mesh smaller than that specified for summer flounder fishery when fishing west of MA Exemption Area boundary	50 lb per day ² , or partial day, not to exceed 150 lbs per trip
A, B, C, D, E, F, G, or H with a NE Multispecies Small Vessel Permit ³	No DAS	Area: NFMA or SFMA Gear: All gear	50 lb per day, or partial day, not to exceed 150 lbs per trip
A, B, C, D, E, F, G, or H	No DAS	Area: NFMA or SFMA Gear: Rod and reel or handlines only	50 lb per day, or partial day, not to exceed 150 lbs per trip
A, B, C, D, E, F, G, or H with a Surfclam or Ocean Quahog Permit	No DAS	Area: NFMA or SFMA Gear: Hydraulic clam dredge or mahogany quahog dredge	50 lb per day, or partial day, not to exceed 150 lbs per trip
A, B, C, D, E, F, G, or H with a Sea Scallop Permit	No DAS	Area: NFMA or SFMA Gear: Scallop dredge only	50 lb per day, or partial day, not to exceed 150 lbs per trip

Table 3

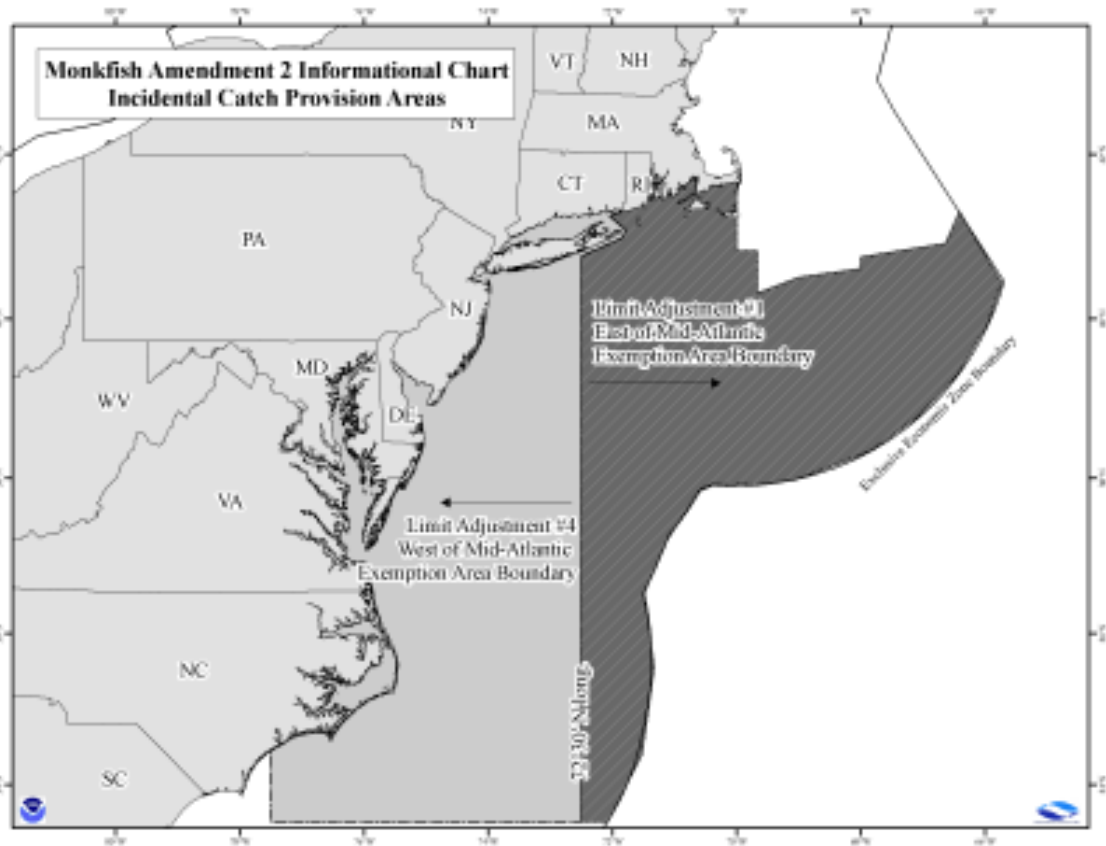
¹ The conversion factor for tail weight to whole weight is 3.32. For example: tail weight x 3.32 = whole weight, or whole weight/3.32 = tail weight.

² A day is the 24-hour period that begins when the vessel leaves port as indicated by the vessel owner/operator in the Vessel Trip Reports or, if the vessel has an operational VMS, when the vessel crosses the VMS demarcation line.

³ Vessels are exempt from a NE multispecies DAS provided they meet the vessel size requirements applicable to the limited access NE multispecies small vessel permit category.



Map 1



Map 2

to vessels to participate in cooperative research activities. These two programs are a DAS Set-Aside Program and a DAS Exemption Program. As a result of this 500 DAS set-aside, the total DAS allocated to limited access monkfish vessels will be adjusted annually. After accounting for the distribution of these 500 DAS among the fleet, the resulting DAS allocation per vessel for the 2005 FY is 39.3 DAS. For FY 2005, a 500-DAS set-aside for monkfish related research is available to be distributed only through the DAS Exemption Program. In FY 2006, and in subsequent fishing years, any of the 500 DAS not distributed first through the formal DAS Research Set-Aside Program will be available to vessels through the DAS Exemption Program. In FY 2006, and in subsequent fishing years, the 500 DAS set-aside shall be available first through formal DAS Research Set-Aside Program, and any of the 500 DAS not distributed through this program will be made available to vessels through the DAS Exemption Program.

DAS Exemption Program

- To qualify under the DAS exemption program, a vessel owner/operator must submit a request for an Exempted Fishing Permit (EFP) and indicate the number of monkfish DAS he/she will require to complete the research project.
- NOAA Fisheries Service will then review the EFP application and, if approved, issue an EFP to exempt the vessel from monkfish DAS requirements, and any other regulations that may be necessary and appropriate for the project to occur.

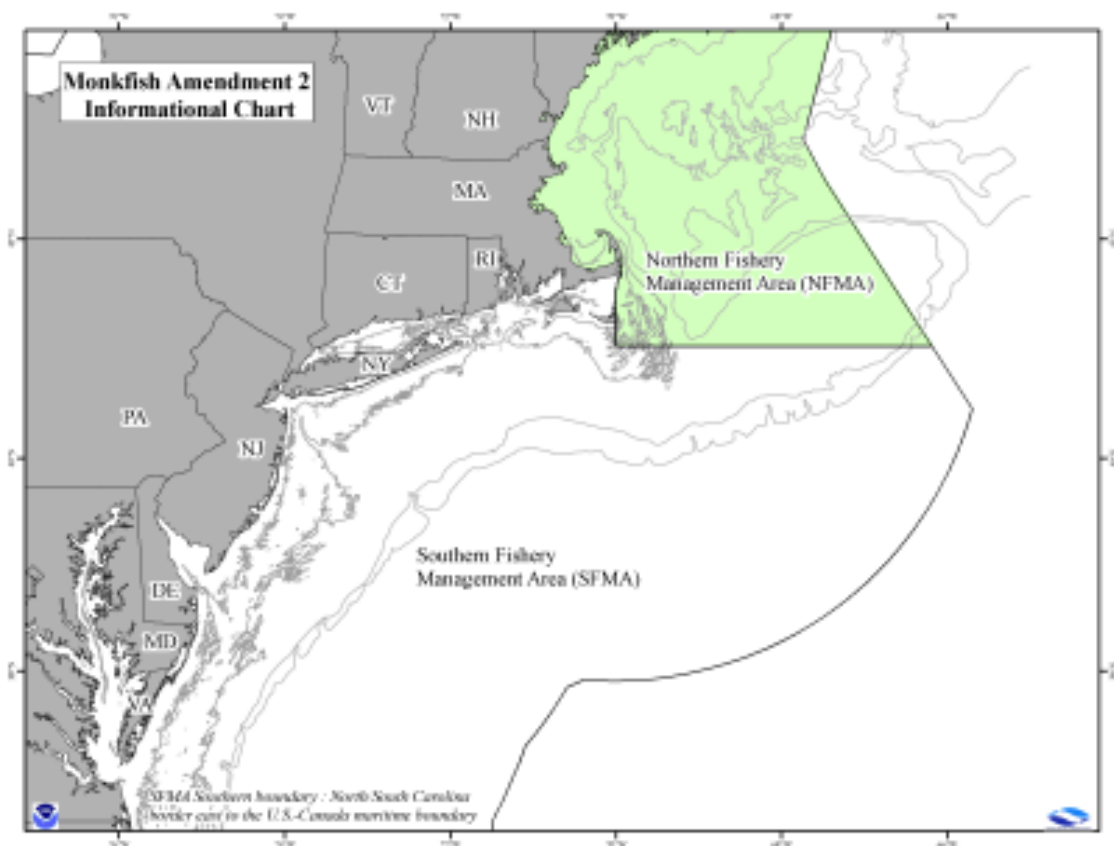
Monkfish Gear Requirements		
Permit Category	DAS Program	Gear Requirement
A, B, and F	Monkfish	Gillnet: 10-inch diamond mesh Trawl: 10-inch square or 12-inch diamond. In SFMA, roller gear is restricted to 6-inches in diameter
C, D, G, and H	Monkfish-Only	Same as Category A, B, and F vessels
C, D, G, and H	Monkfish/Multispecies	Gillnet: 10-inch diamond mesh Trawl: Minimum NE multispecies regulated mesh. In SFMA, roller gear is restricted to 6-inches in diameter
C, D, G, and H	Monkfish/Scallop	Gillnet: Not authorized Trawl: 10-inch square or 12-inch diamond. In SFMA, roller gear is restricted to 6-inches in diameter

Table 4

- Additional impact analyses may be required for any DAS exemption request that exceeds the 500 DAS set-aside amount.
- Following a review process, NOAA Fisheries Service will award contracts to successful applicants, including a distribution of research DAS from the set-aside pool.
- Information on how to submit a proposal under the set-aside program for FY 2006, including the procedure for evaluating proposals, will follow in a notice, or RFP to be published in the *Federal Register* at a later date by NOAA Fisheries Service.

Research Set-Aside Program (FY 2006 and beyond)

- NOAA Fisheries Service will publish a Request for Proposals (RFP) and vessels will be required to submit competitive bids to participate in specific research or survey projects.



Map 3

Answers to Commonly Asked Monkfish Amendment 2 Questions

Limited Access Monkfish G and H Permit Categories

Q: To qualify for a limited access Category G or H permit, do I need to submit landings for each of the years from 1995 through 1998, or does the landings criteria represent a total for all four years?

A: To qualify for a limited access Category G or H permits, monkfish landings do not have to come from each of the qualification years. The landings criteria of 50,000 lb tail weight for a Category G permit, and 7,500 lb tail weight for a Category H permit relates to the sum of a vessel's total qualifying monkfish landings across all four qualification years.

Q: Do monkfish landings that occurred outside the March 15 through June 15 window count as long as they were during the qualifying years?

A: No. Only monkfish landings that occurred during the March 15 through June 15 time period, during the qualifying years, will be considered in the qualification process.

Q: What is meant by the requirement that all monkfish landings must have occurred in the area south of 38°00' N. lat. to qualify for a limited access Category G or H permit?

A: This requirement means that the monkfish landings must have occurred at a port located south of 38°00' N. lat. in order for them to be considered in the qualification process.

Q: Am I eligible for a Category G or H limited access monkfish permit if my vessel previously held a limited access monkfish permit (Category A, B, C, or D), provided it is not within the same fishing year that my vessel receives a Category H or G permit?

A: No. Only vessels that did not qualify for a limited access permit under the limited entry program established in the original Monkfish FMP (Categories A, B, C, or D) are eligible to apply for a limited access Category G or H permit.

Q: I currently possess a limited access monkfish permit. Will I be able to qualify for the new (category G and H) permits?

A: If a vessel did not qualify for the limited access monkfish permit it currently possesses, but the permit was obtained through a vessel replacement (permit transfer), it may qualify for a limited access Category G or H permit based on its own landings history. However, a vessel may not possess two monkfish limited access permits at one time. As a result, one of the limited access monkfish permits (the limited access permit obtained by vessel replacement, or the new limited access permit for which the vessel qualifies) would need to be transferred to another vessel. As noted above, a vessel cannot qualify for a limited access Category G or H permit if it qualified for a limited access Category A, B, C, or D permit under the original Monkfish FMP.

Q: What is the application deadline for the Category G and H permits?

A: All applications for a monkfish limited access Category G or H permit must be received on or before April 30, 2006. All applications received after this date will not be considered.

Q: How are the DAS linkage requirements applied to the new monkfish limited access Category G and H permits?

A: If a vessel that qualifies for a monkfish limited access Category G or H permit also possesses a limited access multispecies DAS permit, or a limited access scallop permit, it must use a multispecies or scallop DAS concurrently with their monkfish DAS.

Offshore Fishery Program

Q: If I elect to fish under the Offshore Fishery Program, will the Category F permit replace my vessel's current monkfish limited access permit category?

A: Yes. Your vessel will receive a new limited access permit category (Category F) for the entire fishing year. This change will not affect the permit category for which your vessel initially qualified (i.e., Category A, B, C, or D) under the original Monkfish FMP. However, you may change your permit category back to your initial limited access permit category in the next fishing year.

Q: Can I switch my vessel into the Offshore Fishery Program at any time during the fishing year?

A: For a limited access monkfish vessel to participate in the Offshore Fishery Program, it must fish under the monkfish limited access Category F permit for the entire fishing year. However, the owner of a vessel, or authorized representative, may change the vessel's limited access monkfish permit category within 45 days of the effective date of the vessel's permit, provided the vessel has not fished under the monkfish DAS program during that fishing year.

Q: If my vessel participates in the Offshore Fishery Program, will any carryover monkfish DAS be included in the prorated DAS calculation for the Category F permit, or added onto the end of it?

A: Yes. Any carryover monkfish DAS will be factored into the calculation of prorated DAS for vessels that elect to participate in the Offshore Fishery Program. For example, if a Category C vessel has 10 carryover DAS, the calculation of prorated DAS under this program for FY 2005 would work as follows: $700/1600 \times (39.3 + 10)$ (carryover) = 21.6 monkfish DAS.

Q: If my vessel holds a limited access NE multispecies DAS permit in addition to a limited access monkfish permit, will I be required to use a NE multispecies DAS for every monkfish DAS used if I participate in the Offshore Fishery Program?

A: Yes. If your vessel holds both a limited access monkfish and a limited access NE multispecies DAS permit, the vessel is required to use a NE multispecies DAS in conjunction with any monkfish DAS used. Similarly, if a vessel holds a limited access monkfish and a limited access scallop DAS permit, the vessel must use a scallop DAS for every monkfish DAS used. There is an exception to this requirement if the vessel is allocated fewer NE multispecies DAS than NE multispecies DAS. Under this scenario, the vessel is authorized to use the difference between its allocated monkfish DAS and NE multispecies DAS as monkfish-only DAS. For example, if a vessel's prorated allocation of monkfish

DAS under the Offshore Fishery Program is 21.6 DAS, but the vessel is allocated only 10 NE multispecies DAS annually, that vessel is authorized to use the remaining 11.6 monkfish DAS as monkfish-only DAS.

Q: How will monkfish DAS accrue under the Offshore Fishery Program?

A: Monkfish DAS will accrue based on actual time from the point at which a Category F vessel crosses the VMS demarcation line upon leaving and returning to port. If the vessel holds a limited access NE multispecies or scallop DAS permit, the NE multispecies DAS or scallop DAS will accrue at the same rate. However, if the vessel owner/operator elects to fish under the NE multispecies B Regular DAS Pilot Program, any portion of a B Regular DAS utilized will count as a full 24-hour DAS under the provisions of the B Regular DAS Pilot Program.

Q: Who may participate in the Offshore Fishery Program?

A: Any vessel issued a limited access monkfish Category A, B, C, or D permit may elect to participate in the Offshore Fishery Program. Due to the area restrictions associated with the new limited access Category G and H permits, these vessels will not be authorized to participate in this program.

Q: Will participation in the Offshore Fishery Program impact my vessel's baseline monkfish DAS allocation?

A: No. Participation in the Offshore Fishery Program will not impact your vessel's baseline monkfish DAS allocation. The proration of monkfish DAS for vessels that participate in this program is calculated on an annual basis, and does not impact that vessel's ability to fish under its baseline allocation of monkfish DAS in future fishing years if the vessel owner decides to no longer participate in this program.

Q: I understand that if I choose to fish in the Offshore Fishery Program, my vessel must have an operational VMS during the October 1 through April 30 season. Does this mean that I am authorized to turn off my vessel's VMS unit during the off season of May 1 through September 30? What if I am fishing for other species during the off season?

A: Yes. A vessel that participates in the Offshore Fishery Program is only required to have an operational VMS unit during the October 1 through April 30 season. During the off season of May 1 through September 30, a limited access monkfish vessel this is issued a Category F permit may turn off its VMS unit. However, if that vessel participates in other fisheries for which VMS is required, such as the limited access sea scallop DAS fishery, the herring fishery, and special programs in the NE multispecies fishery, the vessel must abide by the more restrictive VMS requirements of those fisheries.

Incidental Catch Limits

Q: Does Amendment 2 implement an incidental catch limit for scallop dredge vessels that are not under a scallop DAS?

A: Yes. Amendment 2 implements an incidental catch limit for General Category scallop vessels and limited access scallop dredge vessels that are not fishing under a scallop DAS. This incidental catch limit is 50 lb tail weight per day, up to a total of 150 lb tail weight per trip. Previously, these vessels were prohibited from retaining monkfish.

Q: Can surf clam and ocean quahog dredge vessels retain a bycatch allowance of monkfish under these new incidental catch limits?

A: Yes. Similar to scallop dredge vessels not fishing under a scallop DAS, surf clam and ocean quahog vessels are now authorized to keep an incidental catch of monkfish of 50 lb tail weight per day, up to 150 lb tail weight per trip.

Q: If I am fishing for summer flounder with trawl gear, and not under a DAS program, how much monkfish can I keep? Does this change depending on where I am fishing?

A: The incidental catch limit for trawl vessels targeting summer flounder with minimum regulated summer flounder mesh (5.5 inch diamond or 6-inch square) is 5-percent (monkfish tail weight) of the total weight of fish on board, up to a maximum of 450 lb of monkfish tails per trip when a vessel is fishing west of the boundary line for the NE Multispecies Mid-Atlantic Exemption Area (see Map 2). When fishing east of this boundary line, the monkfish incidental catch limit for vessels fishing with minimum regulated summer flounder mesh is 50 lb tail weight per day, up to a total of 150 lb tail weight per trip. This is because the definition of 'small mesh' is based upon the minimum regulated summer flounder mesh size when fishing west of the Mid-Atlantic Exemption Area boundary, but based on the minimum regulated NE multispecies mesh size when fishing east of this boundary.

Q: If I am fishing for squid with trawl gear, and not under a DAS program, how much monkfish can I keep?

A: The minimum mesh size for trawl vessels targeting squid is less than the minimum mesh size for both summer flounder and NE multispecies trawl vessels. Therefore, squid mesh is considered 'small mesh' for the purpose of determining the applicable monkfish incidental catch limit. The monkfish incidental catch limit for vessels using small mesh trawl gear is 50 lb tail weight per day, up to 150 lb tail weight per trip.

Q: If I fish for squid and summer flounder on the same trip, using the smaller mesh first, how much monkfish can I keep?

A: The monkfish incidental catch limit is based upon the mesh size of the smallest mesh used during a trip. Therefore, if a vessel fishes for squid and summer flounder on the same trip, the vessel is subject to the more restrictive possession limit of 50 lb tail weight per day, up to 150 lb tail weight per trip.

Roller Gear Restriction

Q: If I am fishing with trawl gear under a combined monkfish and NE multispecies DAS, may I use roller gear larger than 6 inches in diameter?

A: No. All vessels fishing under a monkfish DAS in the SFMA, regardless of whether or not they are using a NE multispecies (or scallop) DAS in conjunction with their monkfish DAS, must abide by the 6-inch diameter roller gear restriction.

Q: If I am fishing under only a multispecies DAS in the SFMA, does the roller gear restriction apply to me?

A: No. The roller gear restriction only applies to vessels fishing under a monkfish DAS in the SFMA.

Minimum Fish Size

Q: Under Amendment 2, is the monkfish minimum size now the same in both the NFMA and the SFMA?

A: Yes. The monkfish minimum size limit is now the same, 11 inches tail length and 17 inches total length, in both the NFMA and the SFMA.

Q: Do I still need a Letter of Authorization (LOA) to fish in the NFMA if the minimum size limits are the same for both management areas?

A: Yes. Although Amendment 2 makes the monkfish minimum size limit the same for both management areas, the trip limits for the NFMA are still less restrictive than the SFMA. As a result, an LOA is required to fish in the NFMA under the less restrictive trip limits of this area. When fishing under the monkfish LOA, vessels must fish exclusively in the NFMA for all species, with the exception of tuna.

20 Day Block Requirement

Q: If I own a limited access monkfish Category A or B vessel, am I required to take a 20-day block out of the monkfish fishery before June 30, 2005?

A: No. Amendment 2 eliminated the 20-day block requirement for limited access Category A and B vessels. Therefore, these vessels do not need to take a 20-day block out of the monkfish fishery during 2005.

Q: If I own a limited access monkfish C or D vessel, am I still required to comply with the NE multispecies spawning block requirement?

A: Yes. Limited access monkfish C and D vessels must still comply with the 20-day block of time out of the NE multispecies fishery that is required from March 1 through May 31.

NAFO Regulatory Area Exemption Program

Q: Do I need a Federal monkfish permit to participate in the NAFO Regulatory Area Exemption Program?

A: No. Vessels that participate in the NAFO Regulatory Area Exemption Program are exempt from Federal monkfish permitting requirements. Therefore, these vessels are not required to hold a Federal monkfish permit (either limited access or incidental).

Q: Do I need to notify someone before going out on a trip into the NAFO Regulatory Area under the Exemption Program?

A: Yes. The vessel owner or operator needs to notify the Regional Administrator that the vessel will be embarking on a NAFO area trip through the vessel's vessel monitoring system (VMS). VMS is required for vessels to fish in the NAFO Regulatory Area.

Q: Am I exempt from all monkfish regulations when fishing in the NAFO Exemption Program?

A: Yes. Vessels that participate in the NAFO Regulatory Area Exemption Program are exempt from all monkfish regulations (permit requirements, DAS, possession limits, and gear requirements), except the minimum fish size.

Q: What is a High Seas Fisheries Compliance Permit, and how do I obtain one?

A: The High Seas Fishing Compliance Act (HSFCA) became law on March 3, 1996. This Act requires all commercial fishing vessels of United States registry to have a permit to fish on the high seas, which are defined as those waters beyond the Exclusive Economic Zone (EEZ) of any country. An HSFCA permit holder must comply with international living marine resource agreements, such as NAFO, including any international conservation and management measures implementing them. You may apply for a High Seas Fishing Compliance Permit at any NOAA Fisheries Service regional office for a \$50 fee. These permits are valid for 5 years. For more information and/or application materials, please call the Northeast Region Permit Office at (978) 281-9438.

Q: Will the monkfish harvested from the NAFO Regulatory Area under this Exemption Program count against the annual monkfish target TACs?

A: No. Any monkfish harvested from the NAFO Regulatory Area under the Exemption Program will not count against the annual monkfish target TACs.

Canyon Closure Areas

Q: Are the Oceanographer and Lydonia Canyon Closure Areas closed to all monkfish vessels, or only Category F (Offshore Fishery Program) vessels?

A: The Oceanographer and Lydonia Canyon Closure Areas are closed to all limited access monkfish vessels when fishing under a monkfish DAS.

Q: Can other vessels fish in the canyon closure areas?

A: Yes. The Oceanographer and Lydonia Canyon Closure Areas are closed only to vessels fishing under a monkfish DAS. Therefore, other vessels are authorized to fish in these areas until further management action is taken to restrict them from doing so.

Q: If I am fishing under a monkfish DAS, may I transit either the Oceanographer or the Lydonia Canyon Closure Areas as long as my vessel's gear is stowed?

A: No. Vessels fishing under a monkfish DAS are not allowed to transit the canyon closure areas, even if their gear is properly stowed.

DAS Exemption and DAS Set-Aside Program

Q: How does the DAS Set-Aside Program affect my annual allocation of monkfish DAS?

A: The DAS Set-Aside Program will reduce every monkfish limited access vessel's annual allocation of monkfish DAS by less than 1 DAS. Based upon the number of current limited access monkfish permit holders, including those in confirmation of permit history, the reduction for FY 2005 will be 0.7 DAS.

Q: How do I apply for research DAS under the DAS Set-Aside program?

A: NOAA Fisheries Service will publish a Request for Proposals (RFP) in the *Federal Register* soliciting applications for monkfish research projects, and establishing a deadline for submission of applications. Interested parties may then apply for monkfish research DAS through the NOAA Grants Application process. Open grant opportunities and instructions on how to apply for a NOAA grant can be found at <http://www.ofa.noaa.gov/%7Egrants/>.

Q: Can a vessel be allocated research DAS for multiple projects?

A: Yes. It is possible for a vessel to be involved in multiple monkfish research projects. As a result, a vessel may be allocated monkfish research DAS for more than one project. The research DAS for each project will be identified and monitored based on a specific project identification number.

Q: Can a multi-year project apply for research DAS? If so, does this mean they have to apply for research DAS through the RFP/grant process every year?

A: Yes. A multi-year project can apply for monkfish research DAS. Multi-year research DAS grant awards may be approved under a single RFP, as long as the research DAS available under subsequent RFPs are adjusted to account for the approval of multi-year awards.

Q: If I do not use all of my research DAS during the fishing year for which the grant was awarded, can I roll those research DAS over to the next fishing year?

A:No. All research DAS trips shall be completed within the fishing year(s) for which the research grant was awarded.

Q:How is an 'exempted DAS' different from a 'research set-aside DAS'?

A:Research set-aside DAS are actual DAS that are allocated to a vessel as part of a grant award (similar to money or research quota). Vessels must apply for research DAS through the NOAA grants application process. Conversely, exempted DAS are not

allocated through a competitive process, and starting in FY 2006, are only available if all 500 research DAS are not distributed through the formal DAS Set-Aside Program. Vessels can apply for exempted DAS, if available, through the existing Exempted Fishing Permit (EFP) process by submitting an application for an EFP and indicating the number of monkfish DAS he/she will require to complete the research project.

Q:Do these programs automatically exempt a vessel that participated in monkfish research from NE multispecies DAS usage requirements?

A:No. The monkfish DAS Set-Aside and DAS Exemption Programs are authorized to only exempt vessels from monkfish DAS usage requirements. If a monkfish research activity also requires participating vessels to be exempt from NE multispecies DAS usage requirements, an additional DAS exemption request, and possibly environmental impact analysis, will be necessary.

New Monkfish Target TACs, Trip Limits, and DAS for FY 2005



DAS Allocations for FY 2005

Unlike FY 2004, limited access monkfish vessels will no longer be restricted to using only 28 of their 40 monkfish DAS allocation in the SFMA during FY 2005. However, due to a DAS Set-Aside Program contained in Amendment 2 (see Amendment 2 portion of this insert), all limited access monkfish vessels will have their annual monkfish DAS allocation reduced by 0.7 DAS. Therefore, during FY 2005, all limited access monkfish vessels will be allocated 39.3 monkfish DAS, and there are no restrictions on the number of monkfish DAS that can be used in the SFMA. Like in other fishing years, limited access monkfish vessels are able to carry over a maximum of unused 10 monkfish DAS from their FY 2004 allocation.



Vessels that lease NE multispecies DAS to another vessel. A monkfish Category C, D, F, G or H permit holder that leases NE multispecies DAS to another vessel must forfeit a monkfish DAS for each NE multispecies DAS leased out equal in number to the difference between the number of remaining NE multispecies DAS and the number of unused monkfish DAS at the time of the lease. For example, a vessel that is originally allocated 40 monkfish DAS and 47 NE multispecies Category A DAS leases 10 of its NE multispecies DAS to another vessel. Since there are 3 fewer monkfish DAS left after the lease, the vessel must forfeit 3 of its monkfish DAS, leaving the vessel with remaining DAS allocations of 37 NE multispecies DAS and 37 monkfish DAS.

NOAA Fisheries Service has established new target total allowable catch (TAC) levels for the 2005 monkfish fishery, and adjustments to trip limits and DAS for limited access monkfish vessels (Categories A, B, C, D, G, and H) fishing in the Southern Fishery Management Area (SFMA), or portions of the SFMA for the 2005 fishing year (FY). These target TACs, trip limits, and DAS allocations are based upon methods established in Framework Adjustment 2 to the Monkfish FMP, which became effective on May 1, 2003.

DAS Usage

Category C, D, F, G, or H permit holders that also possess a NE multispecies or scallop limited access DAS permit are required to use either a NE multispecies DAS or scallop DAS whenever a monkfish DAS is utilized, regardless of where the vessel is fishing. There are several exceptions to this, as follows.

- **Limited Access NE Multispecies vessels.** This exception applies to Category C, D, F, G or H permit holders that have a NE multispecies Category A DAS allocation that is less than their monkfish DAS allocation. For example, if the DAS allocation associated with a limited access monkfish permit (excluding Categories A and B) is 40 DAS and the NE multispecies Category A DAS allocation is 15 DAS, the difference of 25 monkfish DAS may be used without concurrent use of a NE multispecies DAS. These vessels are required to fish under regulations applicable to limited access monkfish Category A or B vessels ("monkfish-only" DAS vessels), and may not retain regulated NE multispecies.
- **Vessels that receive leased NE multispecies DAS from another vessel.** A Category C, D, F, G, or H permit holder that also has "monkfish-only" DAS as described above, and that leases NE multispecies DAS from another vessel must fish all its "monkfish-only" DAS in conjunction with its leased NE multispecies DAS to the extent that it has NE multispecies available.

New Target TACs

- The new monkfish target TAC for the Northern Fishery Management Area (NFMA) is 13,160 mt.
- The new monkfish target TAC for the SFMA is 9,673 mt.

New Trip Limits for SFMA

The new trip limits for limited access monkfish vessels fishing in the SFMA are listed below, and are contained in Table 1 of this insert.

- Category A, C, and G vessels = 700 lb tail weight per monkfish DAS
- Category B, D, and H vessels = 600 lb tail weight per monkfish DAS

Declaration into the NFMA

All federally permitted monkfish vessels intending to fish for or catch monkfish exclusively in the NFMA under the less restrictive measures of that area must obtain a monkfish exemption certificate from NOAA Fisheries Service. This certificate may be obtained by calling (978) 281-9370. This certificate serves as the vessel's declaration into the NFMA, and is issued for a minimum of 7 days. A vessel that has declared its intent to fish in the NFMA may transit the SFMA, provided the vessel does not harvest or possess monkfish, or any other fish, from the SFMA and the vessel's fishing gear is properly stowed and not available for immediate use, in accordance with the regulations.

PLEASE NOTE: A vessel that does not have a current monkfish exemption certificate on board is presumed to have fished in the SFMA, and is, therefore, subject to the more restrictive possession limits of that area, regardless of where the fish are caught or landed.