

UNITED STATES DEPARTMENT OF COMMERCE National Oceanic and Atmospheric Administration National Marine Fisheries Service Northeast Region 55 Great Republic Drive Gloucester, MA 01930-2298 www.nero.noaa.gov



Notification and Reporting Requirements for the Atlantic Herring Fishery Effective September 28, 2011

This letter summarizes new and existing notification and reporting requirements for participants in the Atlantic herring (herring) fishery. Please keep this letter as a reporting reference guide.

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GENERAL REPORTING INSTRUCTIONS

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 vessel monitoring system (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.
- Detailed instructions for completing the VMS catch report are provided on page 6 of this letter. Additionally, updated VMS operator instructions (effective September 1, 2011) are available on the VMS web page at <u>www.nero.noaa.gov</u>, 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.

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 letter of authorization (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 (508-990-9057) 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 (508-990-9057) 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 (508-990-9057) 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, 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 (kept and discarded). 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 (508-990-9057) 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 atsea processors, unless it is being sold at-sea to a vessel that is purchasing the herring for its own use as bait.

Dealer/At-Sea Processor Instructions

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.

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.

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.

REPORTING INSTRUCTIONS FOR VMS CATCH REPORT

The new VMS herring catch report is shown below. The layout of the report will vary depending on the VMS vendor you use, but the information should be the same. If the information on your catch report is different than below, you must update your VMS software.

Please enter VTR serial number, date fish caught, and herring catch (kept and discarded) for each Herring Management Area. If no herring were caught in an area, please enter 0 lb for that area.

If you are fishing with midwater trawl gear in Herring Management Areas 1A, 1B, and/or 3, you must also report all fish kept (all species) by haddock stock area. If no fish were kept from an area, please enter 0 lb for that area.

This report is required by all limited access herring vessels on all declared herring trips. For each day of a declared trip, this report must be submitted by 9 AM the following day. Negative reports (0 lb) must be submitted when no fish were caught.

Note: VTR serial number must be the same number reported to the seafood dealer receiving the landings at the end of the trip. If you use multiple pages of the VTR on the trip, record the serial number from the first VTR page used.

0	Serial Number: h (01-12) (01-31)			_
SPECIES	AREA 1A	AREA 1B	AREA 2	AREA 3
Herring Kept (lb) Herring Discarded (lb)				
All Fish Kept (lb)	GOM Haddo	ck Area	GB Haddock	Area

Note: Reporting by haddock area is only required for vessels using mid-water trawl gear in Areas 1A, 1B, and/or 3. Include total lb of all herring and non-herring.

GOM Haddock Area includes Stat Areas 464, 465, and 511 thru 515. GB Haddock Area includes Stat Areas 521, 522, 525, 526, 561, and 562.

REPORTING INSTRUCTIONS FOR VMS PRE-LANDING NOTIFICATION FORM

The new herring VMS pre-landing notification form is shown below. The layout of the form will vary depending on the VMS vendor you use, but the information should be the same. If the information on your pre-landing notification form is different than below, you must update your VMS software.

This report must be completed by any vessel issued an All Areas or Areas 2/3 Limited Access Herring Permit (Category A or B permit) on a declared herring trip using midwater trawl or purse seine gear.

This form must also be completed by any vessel issued an Incidental Catch Limited Access Herring Permit (Category C) using midwater trawl gear in Herring Management Areas 1A, 1B, and/or 3.

All fields in this form must be completed.

This report is to be sent by limited access herring vessels on a declared herring trip as described below:
a. Category A & B vessels: Fishing with mid-water trawl or purse seine gear in any area.
b. Category C vessels: Fishing with mid-water trawl gear in areas 1A, 1B, and/or 3.
Note: Send report at least 6 hours prior to crossing the VMS demarcation line on the return trip to port, or 6 hours prior to landing if no fishing occurred seaward of the VMS demarcation line.
Estimated Landing Month (01 - 12):
Estimated Landing Day (01 - 31):
Estimated Landing Hour (00 - 23):
Estimated Landing Minute (00 - 59):
Landing Port State:
Landing Port City:

REPORTING INSTRUCTIONS FOR PAIR TRAWL VESSELS

Dealers: When you purchase fish from pair trawl vessels, you must report the poundage received from each individual vessel as separate transactions.

Vessels: If your vessel is pair trawling, you must submit VMS or IVR reports (depending on your vessel's permit requirements) and VTRs. The vessel with the most restrictive possession limit determines the limit on the amount of herring that may be fished for or possessed by any pair. For example, if a vessel issued the All Areas Limited Access Permit pair trawls with a vessel issued a Limited Access Incidental Catch Permit, the pair may not fish for, possess or land more than 55,000 pounds of herring. You should report the actual amount of catch taken on board and eventually landed by your vessel, regardless of the number of vessels involved in the pair trawling. The example below explains how to complete these reports accurately.

Example 1: Vessel A and Vessel B catch 250,000 pounds of herring using midwater pair trawl gear. Vessel A accepted and landed the catch from 1 haul totaling 50,000 pounds. Vessel B accepted and landed the catch from 2 hauls totaling 200,000 pounds. Vessels should report the catch as follows:

	dealer: discard:	1
	dealer: discard:	2
VMS/IVR Vessel A:	-	50,000 pounds by area Pounds of herring from its 1 haul by area
VMS/IVR Vessel B:	-	200,000 pounds Pounds of herring from its 2 hauls by area

Example 2: Vessel A and Vessel B catch 100,000 pounds of herring in 2 hauls using midwater pair trawl gear. The entire catch of 100,000 pounds is retained by Vessel A. Vessels should report the catch as follows:

VTR Vessel A:	dealer: discard:	2
VTR Vessel B:	species: kept: discard:	PTM Leave blank NO CATCH Leave blank Leave blank Include a notation on the VTR form indicating "Pair trawling with F/V (insert name of the vessel and permit number)"
VMS/IVR Vessel A:	-	100,000 pounds Pounds of herring from its 2 hauls by area
VMS/IVR Vessel B:	-	Zero catch Zero catch

REPORTING INSTRUCTIONS FOR PURSE SEINE VESSELS

Dealers: When you purchase fish from purse seine vessels, you must report the poundage received from each individual vessel.

Vessels: If your vessel is purse seining, you must submit VMS or IVR reports (depending on your vessel's permit requirements) and VTRs. If a single vessel retains all the catch while seining, then only that vessel reports the catch via VMS or IVR and VTR. The vessel with the most restrictive possession limit determines the limit on the amount of herring that may be fished for or possessed by vessels using purse seines. For example, if a vessel issued the All Areas Limited Access Permit seines with a vessel issued a Limited Access Incidental Catch Permit, the pair may not fish for, possess or land more than 55,000 pounds of herring. You should report the actual amount of catch accepted and landed by your vessel, regardless of the number of vessels involved in the purse seining. The example below explains how to complete these reports accurately.

Example: Vessel A and Vessel B catch 20,000 pounds of herring using purse seine gear. Vessel A accepted and landed the catch from 2 hauls totaling 15,000 pounds. Vessel B accepted and landed the catch from 1 haul totaling 5,000 pounds. Vessels should report the catch as follows:

VTR Vessel A:	dealer: discard:	2
VTR Vessel B:	dealer: discard:	1
VMS/IVR Vessel A:	-	15,000 pounds Pounds of herring from its 2 hauls by area
VMS/IVR Vessel B:	-	5,000 pounds Pounds of herring from its 1 haul by area

REPORTING INSTRUCTIONS FOR CATCHER VESSELS THAT TRANSFER HERRING

If your vessel has a herring permit, you may transfer herring at sea if you obtain a Transfer and Receive Atlantic Herring At-Sea Letter of Authorization (Transfer/Receive LOA) from the Northeast Region Permit Office (Permit Office) and comply with all of the requirements specified in the LOA. If your vessel transfers herring at sea, you must submit VMS or IVR reports (depending on your vessel's permit requirements) and VTRs as specified below. Reporting requirements for the vessel receiving such transfers are specified in a separate section titled, "Vessels that Receive Herring at Sea."

Transferring Herring to a Carrier Vessel

If your vessel has a herring permit and a Transfer/Receive LOA, you may transfer herring to a vessel that has been issued an Atlantic Herring Carrier (Carrier) LOA by the Permit Office. You may not fish for, catch, transfer, or possess more herring than allowed by your vessel's permit category, and you cannot transfer more than 2,000 pounds per day if the vessel is in, or the fish were harvested from, a management area closed to directed fishing.

- VTR: Your vessel's VTR should show each dealer that purchased catch from your vessel. You should provide one of the extra pages of your vessel's VTR to the carrier vessel. The carrier vessel is required to report your vessel's VTR serial number to the dealer(s).
- **VMS/IVR:** You must report all herring catch, including catch transferred to a carrier vessel, by area.

Example 1: F/V Catcher catches 100,000 pounds of herring in 2 hauls using midwater trawl gear and transfers 75,000 pounds to F/V Carrier 1 which offloads the catch to Seafood Dealer, Inc. F/V Catcher also transfers 25,000 pounds to F/V Carrier 2 which also offloads the catch to Seafood Dealer, Inc. F/V Catcher should report the catch as follows:

VTR F/V Catcher:	dealer: discard:	2
VMS/IVR F/V Catcher:	-	100,000 pounds Pounds of herring from its 2 hauls by area

Example 2: F/V Catcher catches 75,000 pounds of herring in 2 hauls using midwater trawl gear and transfers 50,000 pounds to F/V Carrier 1. F/V Carrier 1 offloads the catch to Seafood Dealer, Inc. F/V Catcher also transfers 25,000 pounds to F/V Carrier 2 which offloads the catch to Fish Company, LLC. F/V Catcher should report the catch as follows:

VTR F/V Catcher: gear code:	OTM
hauls:	2
species:	
kept:	50,000 pounds
dealer:	#1234, Seafood Dealer, Inc.
species:	HERR
kept:	25,000 pounds
dealer:	#4567, Fish Company, LLC
discard:	Pounds, by species, from 2 hauls
notation:	Include a notation on the VTR form indicating
	"Offloaded to carriers, F/V (insert name of the carrier
	vessel and permit number) and F/V (insert name of the
	carrier vessel and permit number)"
	1 /
VMS/IVR F/V Catcher: kept:	75,000 pounds
-	Pounds of herring from its 2 hauls by area

Transferring Herring to a Vessel for Bait

If your vessel has a herring permit and a Transfer/Receive LOA, you may transfer or sell herring to another vessel that does not have a herring permit, as long as the receiving vessel only uses the herring for its own bait. You may not fish for, catch, transfer, or possess more herring than allowed by your vessel's permit category, and no more than 2,000 pounds per day may be transferred if the vessel is in, or the fish were harvested from, a management area closed to directed fishing.

- **VTR:** Your vessel's VTR should show all bait transfers. The total number of transfers and total quantity of herring sold as bait must be recorded for each day.
- **VMS/IVR:** You must report all herring catch, including catch transferred to other vessels to be used as bait, by area.

Example: F/V Catcher makes 2 hauls and catches 50,000 pounds of herring. On day 1, the vessel makes 2 transfers at sea totaling 20,000 pounds to other vessels that will use the herring as bait. On day 2, the vessel makes 4 transfers at sea totaling 10,000 pounds to other vessels that will use the herring as bait. F/V Catcher should report catch as follows:

VTR F/V Catcher: gea	r code:	OTM
-	hauls:	2
s	species:	HERR
	kept:	20,000 pounds
	dealer:	#1234, Seafood Dealer, Inc.
	species:	HEDB
5	-	
	-	20,000 pounds
		2 transfers
dat	te sold:	Day 1 (actual date)
s	species:	HERR
	-	10,000 pounds
	-	4 transfers
		Day 2 (actual date)
no	otation:	Include a notation on the VTR form indicating "Frequency of transfers per day (insert # for each MM/DD/YY)"
VMS/IVR F/V Catcher:	-	50,000 pounds Pounds of herring from its 2 hauls by area

Transferring Herring to Another Permitted Herring Vessel

If your vessel has a herring permit and a Transfer/Receive LOA, you may transfer herring to another vessel with a herring permit that will land and sell the herring, as long as the receiving vessel is also issued a Transfer/Receive LOA. You may not fish for, catch, transfer, or possess more herring than allowed by your vessel's permit category, and you cannot transfer more than 2,000 pounds per day if the vessel is in, or the fish were harvested from, a management area closed to directed fishing.

Example: Vessel A makes 3 hauls and catches 200,000 pounds of herring. Vessel A then transfers 50,000 pounds to Vessel B. Vessel A should record the Federal permit number and vessel name of the vessel that received herring in the dealer number and name fields of the VTR. Vessel A should report catch as follows:

gear code:	OTM
hauls:	3
species:	HERR
kept:	150,000 pounds
dealer:	#1234, Seafood Dealer, Inc.
species:	HERR
kept:	50,000 pounds
dealer:	Vessel name and permit number
-	150,000 pounds
discard:	Pounds of herring from its 3 hauls by area
	hauls: species: kept: dealer: species: kept: dealer: kept:

REPORTING INSTRUCTIONS FOR VESSELS THAT RECEIVE HERRING AT SEA

Receiving as a Carrier Vessel

Dealers: When you receive catch from a carrier vessel, you must report the herring as landed by the catcher vessel(s). You must report each catcher vessel's name, Federal permit number, and hull number, along with each catcher vessel's VTR serial number in the electronic dealer report. Please confirm this information with the carrier vessel operator.

Vessels: If your vessel has a herring permit, you may obtain a Carrier LOA. During the time your vessel has a Carrier LOA, your vessel must operate exclusively as a herring carrier and is prohibited from having any fishing gear on board. If your vessel has a Carrier LOA, you may not have any species on board other than herring, with the exception of multispecies received from vessels issued an All Areas or Areas 2/ 3 Limited Access Permit. When your vessel is acting a herring carrier, you must provide each catcher vessel's VTR serial number to each dealer purchasing the catch. You should not provide your herring carrier vessel VTR to the dealer(s).

VTR Carrier vessel:	gear code:	CAR
	chart area:	Leave blank
	lat/long:	Leave blank
	hauls:	Leave blank
	tow time:	Leave blank
	species:	HERR
	kept:	0 pounds
	dealer:	Dealer that receives fish
	notation:	Include a notation on the VTR form indicating
		"Carrying for F/V (insert name, permit number, and
		VTR serial number for each catcher vessel)

VMS/IVR Carrier vessel:

There is no VMS/IVR requirement for carriers.

Note for Vessels: When your vessel is acting as a Carrier vessel, you must also comply with the reporting requirements of your herring permit. If your vessel's permit requires a fishery declaration, then you must declare participation into the herring fishery (HER) via VMS when carrying herring. If your vessel's permit has a VMS/IVR catch reporting requirement, then you should report zero catch when carrying herring.

Receiving for Personal Use as Bait

A vessel that receives herring at-sea for its own use as bait is not required to be issued a Federal herring permit. The receiving vessel may not have purse seine, midwater trawl, pelagic gillnet, sink gillnet, or bottom trawl gear on board. A vessel issued any other Federal permit for any species must comply with VTR requirements and any other reporting requirements associated with those permits. Bait received for personal use is not to be recorded on the receiving vessel's VTR.

Receiving a Transfer from Another Vessel

Dealers: You must report the poundage received from the vessel that offloads the catch. If the vessel received transferred fish, it does not affect or change the information requirements in the electronic dealer report.

Vessels: If your vessel has a herring permit and a Transfer/Receive LOA, you may receive a transfer of herring from another federally-permitted herring vessel that also has a Transfer/Receive LOA. You may not fish for, catch, transfer, or possess more herring than allowed by your vessel's permit category, and you cannot transfer more than 2,000 pounds per day if the vessel is in, or the fish were harvested from, a management area closed to directed fishing.

VTR: You must complete a VTR each time your vessel receives herring. If your vessel receives transfers from other vessels and/or catches fish on its own, separate VTRs need to be completed for each of these activities.

VMS/IVR: You must report all herring catch, including catch from other vessels, by area.

Example: Vessel A makes 3 hauls and catches 200,000 pounds of herring. Vessel A then transfers 50,000 pounds to Vessel B. Vessel B should report catch as follows:

VTR Vessel B:	dealer:	HERR 50,000 pounds #1234, Seafood Dealer, Inc. Include a notation on the VTR form indicating " Received transfer from F/V (insert name of the vessel and permit number)"
VMS/IVR Vessel B:	-	50,000 pounds Zero catch

The National Marine Fisheries Service requires this information for the conservation and management of marine fishery resources in accordance with the Magnuson-Stevens Fishery Conservation and Management Act. The data reported will be used to develop, implement, and monitor fishery management strategies and for a variety of other uses. Submission is mandatory for those persons falling under the requirements of 50 CFR 648.7(b) and 648.10(l). All data submitted will be handled as confidential material in accordance with NOAA regulations and Administrative Orders. Public reporting burden for catch reporting is estimated to average 7 min per individual per VMS response, 7 min per individual per IVR response, and 5 min per individual per VTR response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to NMFS, 55 Great Republic Drive, Gloucester, MA 01930.

Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid Office of Management and Budget (OMB) Control Number.

OMB Number: 0648-0202 and 0648-0212 Expiration: 4-30-2013 and 1-31-2013