



# Northeast (NE) Multispecies Small Mesh Fishery Exemptions

Last Updated: July 2015

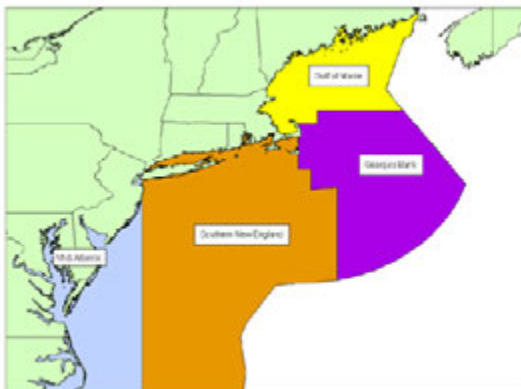
*Unless otherwise noted, the regulations described below apply to fishing vessels issued valid Federal fishing permits or any vessel fishing in Federal waters. (See 50 CFR 648.4 for Federal fishing permit requirements.) This information sheet is only a summary of applicable fishing regulations and is not a substitute for the actual regulations which can be found at 50 CFR part 648.*

This summary includes information on the various small mesh exemption programs in the Northeast Region. To assist you in navigating the information, this sheet is arranged by topic as follows:

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## Small Mesh Exemption Programs

Exempted fisheries allow vessels to fish for specific species, such as whiting or northern shrimp, in designated areas using mesh sizes smaller than the minimum mesh size allowed under the Regulated Mesh Area (RMA) regulations. The following figure illustrates the four Northeast Region RMAs.



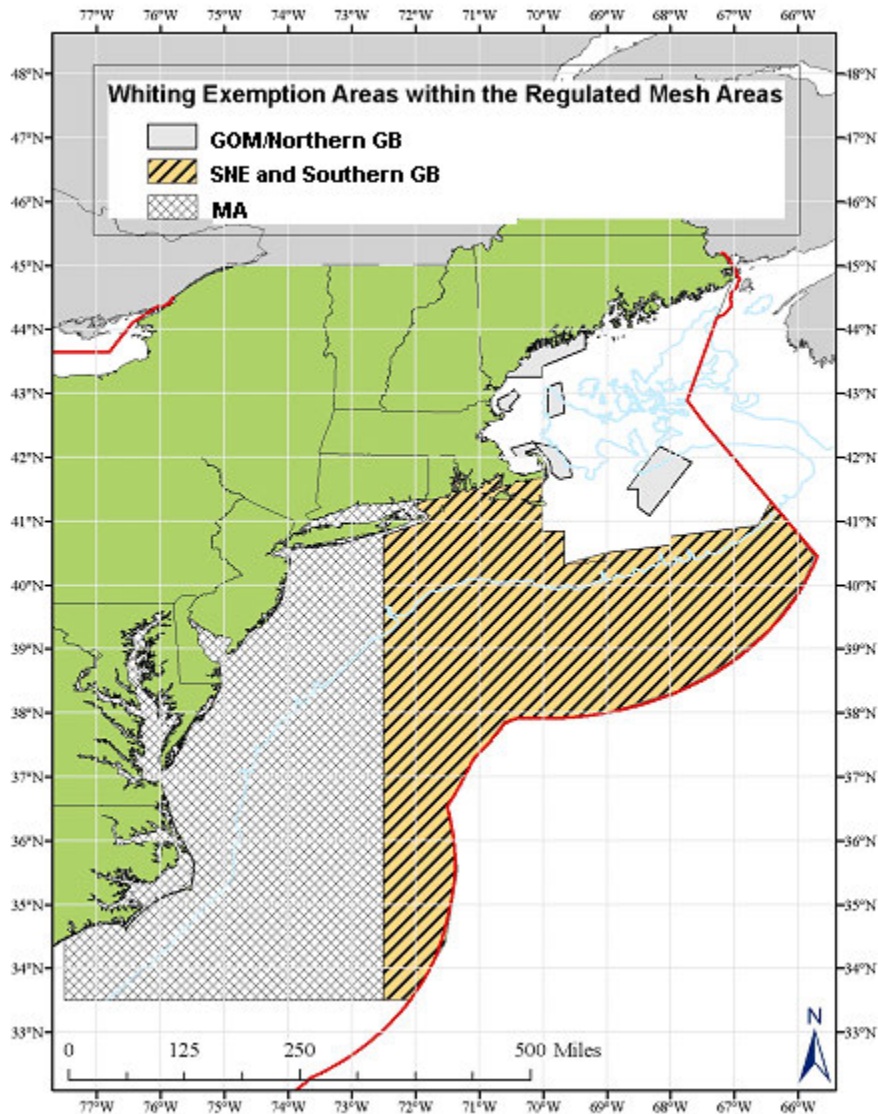
The following minimum mesh sizes apply to trawl net codends:

<b>Regulated Mesh Area</b>	<b>Codend mesh size requirement</b>
Gulf of Maine (GOM)	6.5-inch square or diamond
Georges Bank (GB)	
Southern New England (SNE)	6.5-inch square or diamond
Mid-Atlantic (MA)	6.5-inch square or diamond

No one may fish using a mesh smaller than those identified above unless they are eligible to participate in, and comply with all of the requirements of, a specific exempted fishery. To be approved and implemented, exemption programs must have demonstrated that incidental catch of regulated species is less than 5 percent of the total catch, by weight, and that the exemption will not jeopardize fishing mortality objectives.

## General Small-Mesh Whiting\* Fishery Exemption Program Information:

Several specific areas within the GOM and GB RMAs have established fishery exemptions for whiting. Whiting may be fished for in the entire SNE and MA RMAs, under specific requirements. Vessels may fish for whiting with small mesh trawls only within the designated exempted fishery areas and provided they comply with the additional requirements and conditions specified in the regulations and summarized in this information sheet for each area/fishery.



Vessels fishing for whiting in an exemption program must possess either an open access (Category K) or limited access (Categories A-F) Northeast (NE) Multispecies permit. If the vessel has a limited access NE Multispecies permit, fishing for whiting may be done while the vessel is not fishing under a Day-At-Sea (DAS) and while declared out of the fishery (DOF), if the vessel is required to operate a Vessel Monitoring System (VMS).

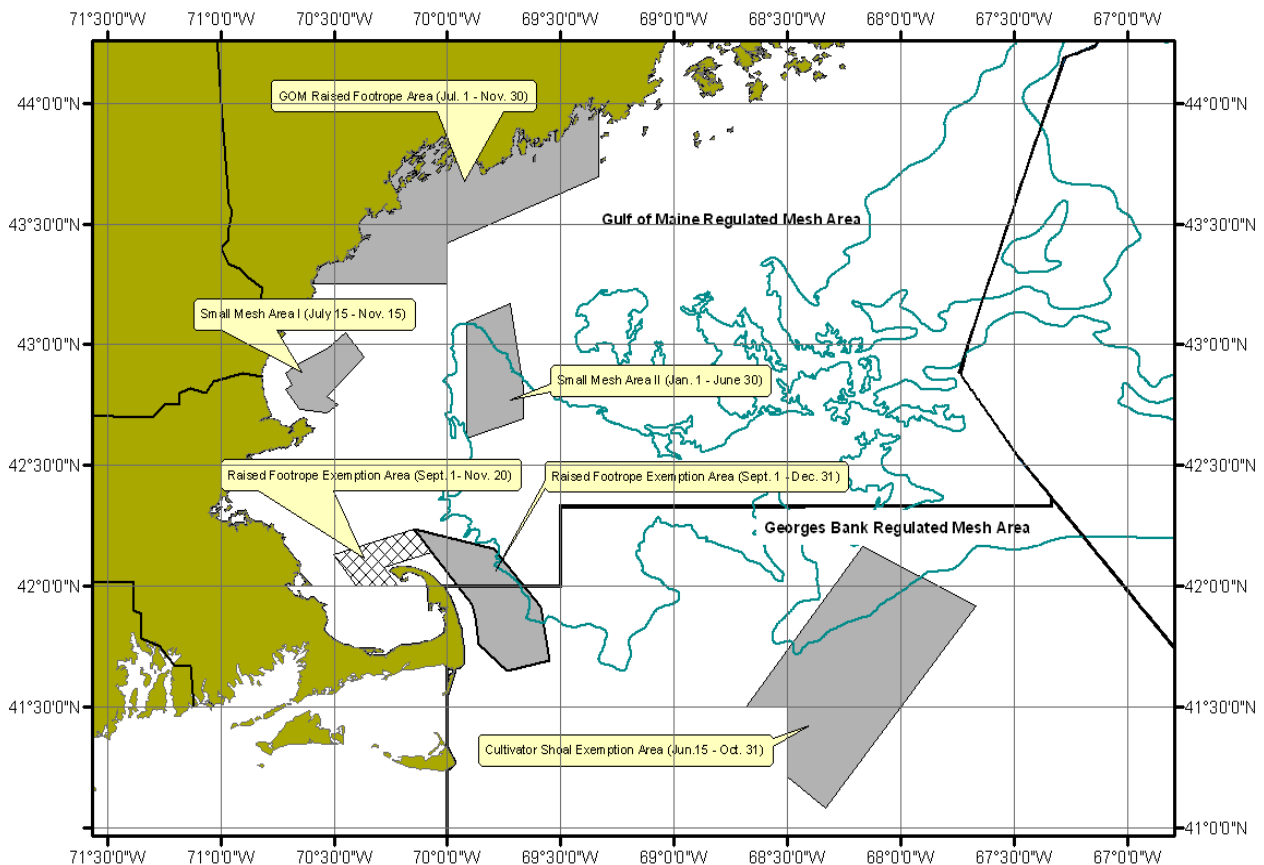
\* Throughout this information sheet, the term "whiting fishery" or "whiting" is intended to include the harvest of silver hake (whiting), red hake, and offshore hake. These three species comprise the small mesh multispecies complex within the Northeastern (NE) Multispecies Fishery Management Plan (FMP).

Some species permitted for possession and landing in the small-mesh exemption areas are governed by other separate Federal FMPs. To assist you in compliance, species that fall under a separate FMP are listed in *italics* in the remainder of this information sheet. Unless fishing occurs exclusively in state waters, to possess and land such species, vessels must possess the appropriate Federal fishery permit for the FMP in question. In addition, separate regulations may apply. For example, if the fishery for *Loligo* squid were closed, triggering a restriction on possession of *Loligo*, the more restrictive possession limit of the *Loligo* FMP would apply. For information on Federal fishery permits and what regulations may be applicable to species governed by a separate FMP, please call the Sustainable Fisheries Division at (978) 281-9315.

**Exemptions within the GOM/GB Regulated Mesh Area: (§ 648.80(a))**

Vessels may fish in the following GOM/GB exempted fisheries in the area specified, provided they comply with requirements and conditions listed for each fishery, as follows:

**Whiting (Silver Hake)  
Small Mesh Exemption Areas**



## GOM Grate Raised Footrope Trawl Whiting Fishery Exemption (§ 648.80(a)(16))

### Area

<u>N. Latitude</u>	<u>W. Longitude</u>
43°15'	70°35.4'
43°15'	70°00'
43°25.2'	70°00'
43°41.8'	69°20'
43°58.8'	69°20'

### Small-Mesh Multispecies Possession Limits

- Combined silver hake (whiting) and offshore hake, up to 7,500 lb; and
- Red hake, 3,000 lb, reduced to 1,500 lb if 45% of landings limit is reached.

*Possession limits may be reduced to 2,000 lb for whiting and 400 lb for red hake if the in-season possession limit trigger is reached.*

### Additional Species Permitted for Retention

- *Butterfish*
- *Atlantic herring*
- *Squid*
- *Alewife*
- *Atlantic Mackerel*

### Season

July 1 – November 30.

### Gear

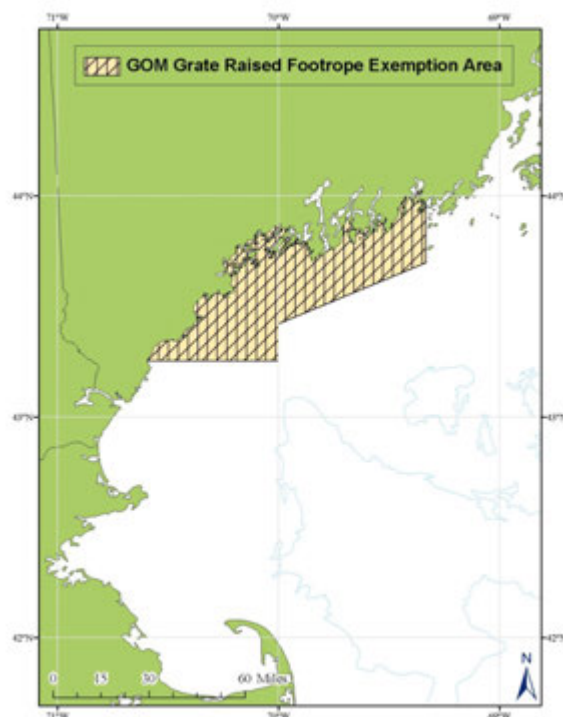
Vessels must comply with a **minimum mesh size of 2.5-inch** square or diamond mesh applied to the first 100 meshes (200 bars in case of square mesh) for vessels greater than 60 feet in length, and 50 meshes (100 bars in case of square mesh) for vessels less than or equal to 60 feet in length, counted from the terminus of the net.

Trawl vessels are required to use raised footrope trawl gear equipped with an excluder grate (see below) in this exemption area.

Vessels are considered to be fishing with a raised footrope if their trawl gear is designed according to the specifications outlined on page 8 of this information sheet.

The excluder grate must be:

- secured forward of the codend;
- constructed of rigid or semi-rigid parallel bars spaced not more than 1.97 inches apart;
- capable of effectively excluding all fish and other objects too large to fit between the bars from entering the codend; and
- paired with an outlet hole forward of the grate towards the mouth of the net whose aftermost edge is at least as wide as the grate at the point of the attachment.



**Cultivator Shoal Whiting Fishery Exemption Area (§ 648.80(a)(6))**

Area

N. Latitude	W. Longitude
42°10'	68°10'
41°30'	68°41'
41°30'	68°30'
41°12.8'	68°30'
41°05'	68°20'
41°55'	67°40'
42°10'	68°10'

Small-Mesh Multispecies Possession Limits

- Silver hake (whiting) and offshore hake, up to 30,000 lb combined; and
- Red hake, 3,000 lb, reduced to 1,500 lb if 45% of landings limit is reached.

*Possession limits may be reduced to 2,000 lb for whiting and 400 lb for red hake if the in-season possession limit trigger is reached.*

Additional Species Permitted for Retention

- *Atlantic herring*
- Longhorn sculpin
- *Squid*
- *Butterfish*
- *Atlantic mackerel*
- *Spiny dogfish*
- *Monkfish* and monkfish parts up to 10 percent by weight of all other species onboard or 50 lb tail weight (146 lb whole weight), whichever is less.
- *American lobster* up to 10 percent by weight of all other species on board up to 200

lobsters, whichever is less, unless otherwise restricted.

Season

June 15 – October 31, unless otherwise specified by notification in the Federal Register.

Gear

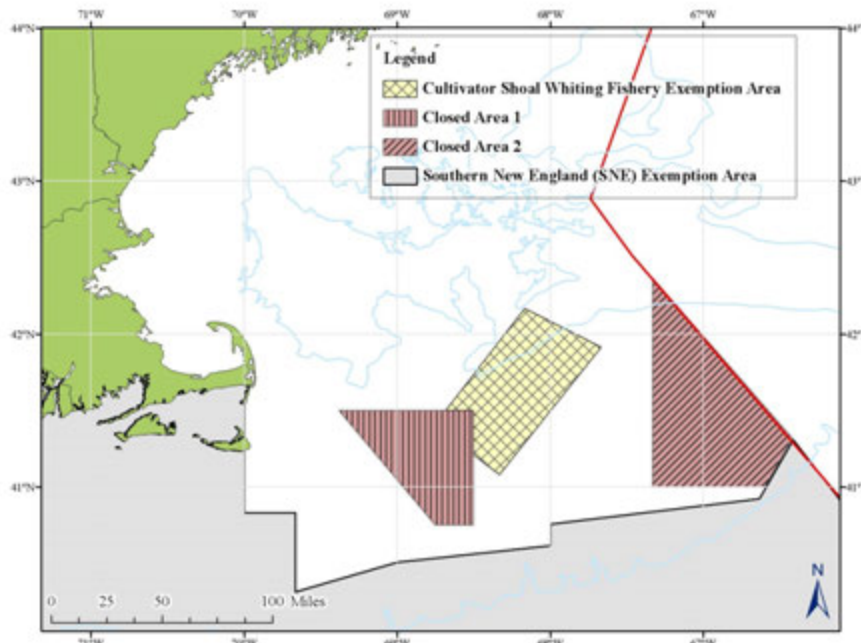
Vessels must comply with a minimum mesh size of 3-inch square or diamond mesh, applied to the first 100 meshes (200 bars in case of square mesh) for vessels greater than 60 feet in length, and 50 meshes (100 bars in case of square mesh) for vessels less than or equal to 60 feet in length, counted from the terminus of the net.

Additional Requirements and Conditions

Participating vessels must carry a Letter of Authorization issued by the Regional Administrator, valid for a minimum of 7 days. Participating vessels may withdraw from the program no earlier than 7 days from the date of enrollment. Letters of authorization, and withdrawals, may be obtained from the Northeast Region Permit Office at (978) 281-9370.

When transiting through the GOM/GB Regulated Mesh Area, nets of mesh size smaller than the regulated mesh size must be stowed properly.

**Note:** Small mesh may not be used outside the Cultivator Shoal Exemption Area (see below) in either the Western or Eastern US/Canada Areas or elsewhere on GB except in the SNE Exemption Area (See page 9).



**Small Mesh Area 1 and 2 Exemption Areas**  
**(§ 648.80(a)(9))**

Area

**Small Mesh Area 1**

<u>N. Latitude</u>	<u>W. Longitude</u>
43°03'	70°27'
42°57'	70°22'
42°47'	70°32'
42°45'	70°29'
42°43'	70°32'
42°44'	70°39'
42°49'	70°43'
42°50'	70°41'
42°53'	70°43'
42°55'	70°40'
42°59'	70°32'

Small Mesh Area 1 Season

July 15 – November 15.

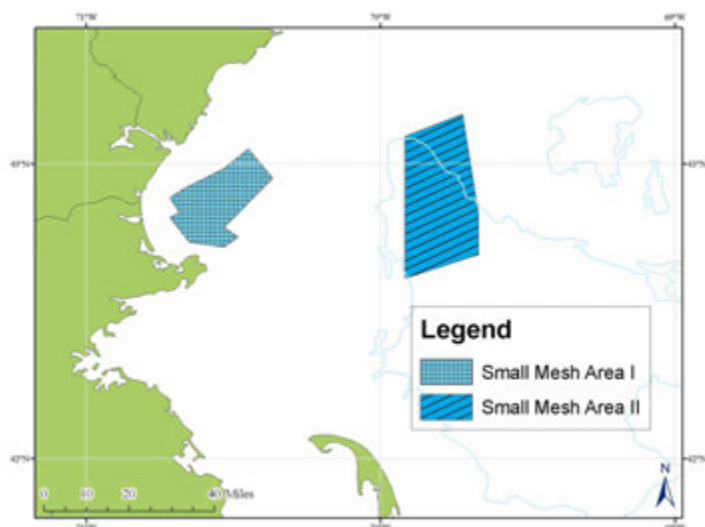
Area

**Small Mesh Area 2**

<u>N. Latitude</u>	<u>W. Longitude</u>
43°05.6'	69°55'
43°10.1=	69°43.3'
42°49.5=	69°40'
42°41.5=	69°40'
42°36.6'	69°55'
43°05.6'	69°55'

Small Mesh Area 2 Season

January 1 – June 30.



Small-Mesh Multispecies Possession Limits

- Silver hake (whiting) and offshore hake combined, mesh size dependent:

<u>Codend Mesh Size</u>	<u>Possession Limit</u>
Smaller than 2.5 inches	3,500 lb
Greater than 2.5 inches but less than 3.0 inches	7,500 lb
Equal to or greater than 3.0 inches	30,000 lb

- Red hake, 3,000 lb, reduced to 1,500 lb if 45% of landings limit is reached.

*Possession limits may be reduced to 2,000 lb for whiting and 400 lb for red hake if the in-season possession limit trigger is reached.*

Additional Species Permitted for Retention

- Butterfish
- Spiny dogfish
- Atlantic herring
- Atlantic mackerel
- Scup
- Squid

**Note:** Vessels are reminded that portions of Small Mesh Area 1 fall within the state jurisdictions of Massachusetts and New Hampshire. When fishing in state waters, federally permitted vessels are subject to the more restrictive of Federal or state regulations. Also, be aware that portions of Small Mesh Area 2 are affected by Inshore Closure Areas and are thus closed during these time periods.

Gear

Trawl vessels are required to use a raised footrope trawl when fishing in Small Mesh Areas 1 and 2, depending on the species of fish targeted. Vessels are considered to be fishing with a raised footrope if their trawl gear is designed according to the specifications outlined on page 8 of this information sheet.

**Raised Footrope Trawl Exempted Whiting Fishery Areas (§ 648.80(a)(15))**

Areas and Seasons

Raised Footrope Trawl Exempted Whiting Fishery Area (September 1 – November 20)

N. Latitude	W. Longitude
42E14.05'	70E08.8'
42E09.2'	69E47.8'
41E54.85'	69E35.2'
41E41.5'	69E32.85'
41E39'	69E44.3'
41E45.6'	69E51.8'
41E52.3'	69E52.55'
41E55.5'	69E53.45'
42E08.35'	70E04.05'
42E04.75'	70E16.95'
42E00'	70E13.2'
42E00'	70E24.1'
42E07.85'	70E30.1'
42E14.05'	70E08.8'

Raised Footrope Trawl Exempted Whiting Fishery Area (September 1 - December 31)

N. Latitude	W. Longitude
42E14.05'	70E08.8'
42E09.2'	69E47.8'
41E54.85'	69E35.2'
41E41.5'	69E32.85'
41E39'	69E44.3'
41E45.6'	69E51.8'
41E52.3'	69E52.55'
41E55.5'	69E53.45'
42E08.35'	70E04.05'
42E14.05'	70E08.8'

Small-Mesh Multispecies Possession Limits

- Silver hake (whiting) and offshore hake combined, mesh size dependent:

Codend Mesh Size	Possession Limit
Greater than 2.5 inches but less than 3.0 inches	7,500 lb
Equal to or greater than 3.0 inches	30,000 lb

- Red hake, 3,000 lb, reduced to 1,500 lb if 45% of landings limit is reached.

*Possession limits may be reduced to 2,000 lb for whiting and 400 lb for red hake if the in-season possession limit trigger is reached.*

Additional Species Permitted for Retention

- Butterfish
- Spiny dogfish
- Atlantic herring
- Atlantic mackerel
- Squid
- Scup

Gear

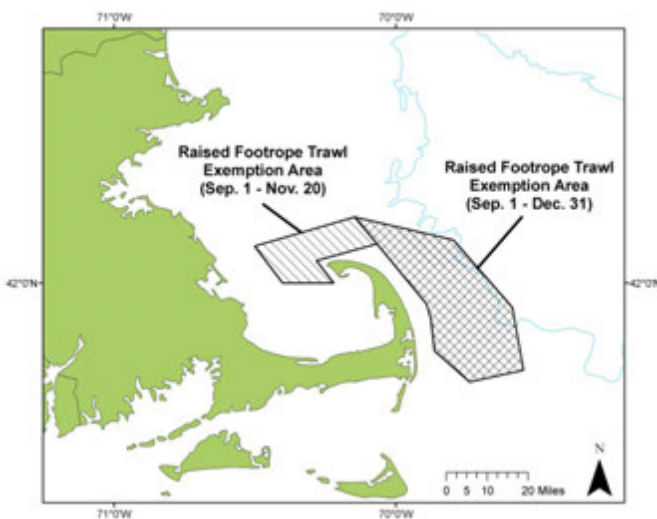
All nets must be no smaller than the minimum mesh size of 2.5-inch square or diamond mesh. Participating vessels must use a raised footrope trawl. A description of the raised footrope trawl can be found on page 8 of this information sheet.

Vessels participating in the Raised Footrope Trawl Exempted Whiting Fishery may not use liners, codend covers, and/or outside net strengtheners.

Additional Requirements and Conditions

Participating vessels must carry a Letter of Authorization issued by the Regional Administrator, valid for a minimum of 7 days. Participating vessels may withdraw from the program no earlier than 7 days from the date of enrollment. Letters of authorization, and withdrawals, may be obtained from the Northeast Region Permit Office at (978) 281-9370.

**Note:** Vessels participating in the Raised Footrope Trawl Whiting Fishery may participate in other small-mesh exemption areas provided they adhere to the more restrictive gear, possession, and other requirements for the entire participation period specified in the letter of authorization.



## **Raised Footrope Trawl Gear Specifications** **(§ 648.80(a)(9)(ii))**

Vessels fishing in the Raised Footrope Trawl Exempted Whiting Fishery (GOM or adjacent to Cape Cod), Small Mesh Area 1, or Small Mesh Area 2 must configure the trawl gear in such a way that, when towed, the footrope is not in contact with the ocean bottom. Vessels are presumed to be fishing in such a manner if their trawl gear is designed as specified below.

### Headrope

- Floats with a minimum diameter of 8 inches must be attached along the entire length of the headrope with a maximum spacing of 4 feet between each float.

### Ground Gear

- Ground gear must be all bare wire, not larger than 1/2 inch in diameter, for the top leg, not larger than 5/8 inch in diameter for the bottom leg, and not larger than 3/4 inch in diameter for the ground cables.
- The top legs must be equal with bottom legs, with no extensions.
- The total length of the ground cables must not be greater than 40 fathoms from the doors to the wing ends.

### Footrope

- The footrope must be longer than the headrope, but not more than 20 feet longer than the headrope, and must be rigged so that it does not contact the bottom while fishing.

### Drop Chains

- Drop chains must be used with or without a chain sweep.
- Drop chains must be 42 inches in length or greater.

- The maximum size drop chain stock when used with a sweep is 5/16 inch. Drop chains may be a maximum of 3/8-inch stock when no sweep is used.
- Only bare chain may be used; cookies or additional weights on the drop chains are prohibited.
- Drop chains must be hung from the center of the footrope and each corner (the quarter, or the junction of the bottom wing to the belly at the footrope).
- Drop chains must be hung at 8-foot intervals along the footrope from the corners to the wing ends.

### Sweep Specifications and Optional Sweepless Trawl

- The raised footrope trawl may be used with or without a chain sweep. The sweep, if used, must be rigged in the following manner:
- The sweep must be bare chain, the same length as the footrope. (Note: The required drop chains at the wing ends of the footrope effectively make the sweep 7 feet longer than the footrope.)
- The maximum size of the sweep is 5/16-inch stock chain.
- The sweep must be attached to the ends of the drop chains.
- The center of the sweep must be attached to the drop chain from the center of the footrope.
- The attachment points of each drop chain on the sweep and the footrope must be the same distance from the center drop chain attachments.
- The ends of the sweep must be attached to the drop chains at the end of the footrope.



**Small Mesh Exemptions within the SNE Regulated Mesh Area: (§ 648.80(b))**

Vessels may fish in the following SNE exempted fisheries in the area specified, provided they comply with requirements and conditions listed for each fishery, as follows:

**SNE Exemption Area (§ 648.80(b)(10))**

Area

N. Latitude      W. Longitude

*Bounded on the east by:*

41°18.6'	66°24.8'
40°55.5'	66°38'
40°45.5'	68°00'
40°37'	68°00'
40°30.5'	69°00'
40°22.7'	69°00'
40°18.7'	69°40'
40°50'	69°40'
40°50'	70°00'

*Bounded on the west by:*

A line running from the Rhode Island shoreline at 41°18.2' N. lat. and 71°51.5' W. long. (Watch Hill, RI) southwesterly through Fishers Island, NY, to Race Point, Fishers Island, NY; and from Race Point, Fishers Island, NY, southeasterly to the intersection of the 3-nautical mile line east of Montauk Point; southwesterly along the 3-nautical mile line to the intersection of 72°30' W. long., and south along that line to the intersection of the outer boundary of the Exclusive Economic Zone.

Gear

Any vessel participating in the SNE exempted species fisheries (including whiting) and not under a NE multispecies DAS may use gear with minimum mesh sizes smaller than the minimum regulated mesh size (see page 1).

Season

Open continually (year round).

Small-Mesh Multispecies Possession Limits

Silver hake (whiting) and offshore hake combined, mesh size dependent:

<u>Codend Mesh Size</u>	<u>Possession Limit</u>
Smaller than 2.5 inches	3,500 lb
Greater than 2.5 inches but less than 3.0 inches	7,500 lb
Equal to or greater than 3.0 inches	40,000 lb

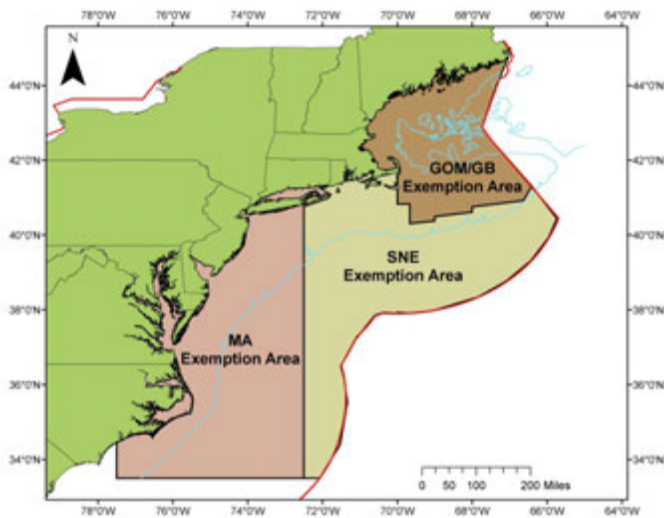
- Red hake, 5,000 lb.

*Possession limits may be reduced to 2,000 lb for whiting and 400 lb for red hake if the in-season possession limit trigger is reached.*

Additional Species Permitted for Retention

- *Butterfish, spiny dogfish (trawl), Atlantic herring, Atlantic mackerel, scup, shrimp, squid, summer flounder, weakfish, Conger eels, searobins, black sea bass, tautog (blackfish), blowfish, cunner, John Dory, mullet, bluefish, tilefish, longhorn sculpin, fourspot flounder, alewife, hickory shad, American shad, blueback herring, sea ravens, Atlantic croaker, spot, swordfish*
- *Monkfish* and monkfish parts up to 10 percent by weight of all other species on board, or 50 lb tail-weight (146 lb whole-weight), whichever is less
- *American lobster* up to 10 percent by weight of all other species on board, up to 100 lobsters for trips of 24 hours or less, or 200 lobsters for trips longer than 24 hours, whichever is less
- *Skate* and skate parts up to 10 percent, by weight, of all other species on board.

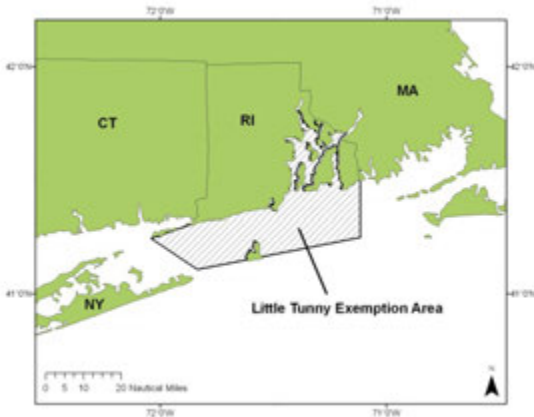
**Note:** Several species on this list are regulated by individual states and/or the Atlantic States Marine Fisheries Commission (ASMFC). For information regarding the applicable rules, please contact ASMFC (202) 289-6400.



**SNE Little Tunny Gillnet Exemption Area**  
**(§ 648.80(b)(9))**

Area

The SNE Little Tunny Gillnet Exemption Area is defined by a line running from the Rhode Island shoreline at 41°18.2' N. lat. and 71°51.5' W. long. (Watch Hill, RI), southwesterly through Fishers Island, NY, to Race Point, Fishers Island, NY; and from Race Point, Fishers Island, NY, southeasterly to 41°06.5' N. lat. and 71°50.2' W. long.; east-northeasterly through Block Island, RI, to 41°15' N. lat. and 71°07' W. long.; then due north to the intersection of the RI-MA shoreline.



Season

September 1 through October 31.

Gear

All gillnets must have a minimum mesh size of 5.5-inch diamond mesh throughout the net.

Possession Restrictions

Vessels fishing under this exemption **may not** possess regulated species, but may possess bonito as an allowable incidental species.

Additional Species Permitted for Retention

- *Butterfish, spiny dogfish (trawl), Atlantic herring, Atlantic mackerel, scup, shrimp,*

*squid, summer flounder, weakfish, Conger eels, searobins, black sea bass, tautog (blackfish), blowfish, cunner, John Dory, mullet, bluefish, tilefish, longhorn sculpin, fourspot flounder, alewife, hickory shad, American shad, blueback herring, sea ravens, Atlantic croaker, spot, swordfish.*

- *Monkfish* and monkfish parts up to 10 percent by weight of all other species on board, or 50 lb tail-weight (146 lb whole-weight), whichever is less.
- *American lobster* up to 10 percent by weight of all other species on board, up to 100 lobsters for trips of 24 hours or less, or 200 lobsters for trips longer than 24 hours, whichever is less.
- *Skate* and skate parts up to 10 percent, by weight, of all other species on board.

**Note:** Several species on this list are regulated by individual states and/or the ASFMC. For information regarding the applicable rules, please contact ASMFC (202) 289-6400.

Additional Requirements and Conditions

Participating vessels must carry a Letter of Authorization issued by the Regional Administrator. Letters of authorization may be obtained from the Northeast Region Permit Office at (978) 281-9370.

**SNE Mussel and Sea Urchin Dredge Exemption**  
**(§ 648.80(b)(8))**

A vessel may fish with a dredge in the SNE Exemption Area (see description on previous page), provided that any dredge on board the vessel does not exceed 8 ft in width and the vessel does not fish for, harvest, possess, or land any species of fish other than mussels and sea urchins.

**Exemptions within the MA Regulated Mesh**

**Area: (§ 648.80(c))**

Vessels may fish in the following MA exempted fisheries in the area specified, provided they comply with requirements and conditions listed for each fishery, as follows:

**MA Exemption Area (§ 648.80(c)(5))**

Area

The MA Exemption is the area that lies west of the SNE Exemption Area described on page 9.

Small-Mesh Multispecies Possession Limits

Silver hake (whiting) and offshore hake combined, mesh size dependent:

<u>Codend Mesh Size</u>	<u>Possession Limit</u>
Smaller than 2.5 inches	3,500 lb
Greater than 2.5 inches but less than 3.0 inches	7,500 lb
Equal to or greater than 3.0 inches	40,000 lb

- Red hake, 5,000 lb.

*Possession limits may be reduced to 2,000 lb for whiting and 400 lb for red hake if the in-season possession limit trigger is reached.*

Season

Open continually (year round).

Gear

Vessels participating in the MA Exemption Area may use mesh smaller than the required 6.5 inches if not fishing under a multispecies DAS and not retaining regulated groundfish and subject to the regulations of the FMPs that apply to the fisheries in which they are participating.



**Northern Shrimp Fishery (§ 648.80(a)(5))**

Area

Northern shrimp vessels may fish in the GOM, GB, SNE, and MA Regulated Mesh Areas (map pg. 1), provided they comply with the requirements and conditions below.

Season

Vessels may only fish under this exemption during the northern shrimp season, as established by the ASFMC.

Gear

Vessels must have a properly configured and installed finfish excluder device (FED) in any net with mesh smaller than the minimum specified size. The FED (e.g., Nordmore grate) must have a rigid or semi-rigid grate consisting of parallel bars of not more than 1-inch spacing secured in the trawl, forward of the codend. The net must have an outlet or hole, at least as wide as the grate, to allow fish or other objects that are too large to pass between the bars of the grate to exit the net.

Possession limits

In addition to shrimp, the following species may be retained, with the restrictions noted, as allowable bycatch species in the northern shrimp fishery:

- Longhorn sculpin;
- Combined *silver hake* (whiting) and *offshore hake* up to an amount equal to the weight of shrimp on board, not to exceed 3,500 pounds; Whiting and offshore hake on board a vessel subject to this possession limit must be separated from other species of fish and stored so as to be readily available for inspection.
- *American lobster* up to 10 percent by weight of all other species on board, up to 200 lobsters, whichever is less.

**Note:** Unless fishing exclusively in state waters, to land and possess whiting and lobsters, vessels are required to obtain a Federal permit and adhere to any applicable regulations.

Additional information on the northern shrimp fishery may be obtained by contacting the ASMFC at (202) 289-6400 or at the website: [www.asmfc.org](http://www.asmfc.org).