

**AMENDMENT #4 TO THE TRI-STATE SECTOR
FISHING YEAR (FY) 2010 SECTOR OPERATIONS PLAN**

APPROVED BY THE NATIONAL MARINE FISHERIES SERVICE
DECEMBER 23, 2010

EFFECTIVE DECEMBER 23, 2010, THROUGH APRIL 30, 2011

This amendment officially recognizes that the Tri-State Sector FY2010 Operations Plan has been amended to include the following additional exemptions from regulations of the Northeast (NE) Multispecies Fishery Management Plan, made effective through a final rule published December 23, 2010 (75 FR 80720).

Vessels participating in the Tri-State Sector are granted the following additional exemptions (as described in 75 FR 80720):

1. 120-Day Block Requirement Out of the Fishery for Day Gillnet Vessels: Exemption from the declaration of time out of the gillnet fishery, specified in § 648.82(j)(1)(ii);
2. 20-Day Spawning Block: Exemption from the declaration of 20 days out of the fishery for the spawning season, specified in § 648.82(g);
3. Limitation on the Number of Gillnets for Day Gillnet Vessels: Exemption from the limit on the number of sink gillnets that a Day gillnet vessel may fish in any of the Regulated Mesh Areas, specified in §§ 648.80(a)(3)(iv)(B)(2), (a)(4)(iv)(B)(1), (b)(2)(iv)(B)(1), and (c)(2)(v)(B)(1), and the requirement for two gillnet tags per roundfish net specified in §§ 648.80(a)(3)(iv)(B)(4), (a)(4)(iv)(B)(3), (b)(2)(iv)(B)(3), and (c)(2)(v)(B)(3), with the caveat that a sector vessel may fish up to 150 roundfish or flatfish nets in any of the RMAs, not to exceed 150 nets total, and must tag both roundfish and flatfish nets with one tag per net;
4. Prohibition on a Vessel Hauling Another Vessel's Gillnet Gear: Exemption from the tagging requirements specified in §§ 648.14(k)(6)(ii)(A) and 648.84(a), such that a sector vessel may fish gillnets marked and tagged by another vessel, provided the gear is tagged with each sector vessel's gillnet tags consistent with §§ 648.80(a)(3)(iv)(B)(4), 648.80(a)(4)(iv)(B)(3), 648.80(b)(2)(iv)(B)(3), and 648.80(c)(2)(v)(B)(3) or exemption 3 above, and all gear is marked consistent with § 648.84(a);
5. Limitation on the Number of Gillnets that May Be Hauled on Georges Bank (GB) When Fishing Under a Groundfish/Monkfish Day-at-sea (DAS): Exemption from the limit on the number of gillnets that may be hauled on GB specified in § 648.80(a)(4)(iv)(B)(1), provided the vessel is fishing under concurrent NE multispecies and monkfish DAS and does not haul more than 150 nets total;
6. Limitation on the Number of Hooks that May Be Fished: Exemption from the limit on the number of hooks that may be fished in any of the RMAs, specified in §§ 648.80(a)(3)(v), 648.80(a)(4)(v), 648.80(b)(2)(v), and 648.80(c)(2)(iv);
7. Length and Horsepower Restrictions of the DAS Leasing Program: Exemption from the restriction on the length and horsepower of a Lessee vessel, specified for the DAS Leasing Program in § 648.82(k)(4)(ix); and
8. GOM Sink Gillnet Mesh Exemption: Exemption from the minimum mesh size for a

sink gillnet in the Gulf of Maine (GOM) RMA, specified at § 648.80(a)(3)(iv)(A)(I) and (B)(I), when fishing in the GOM RMA with roundfish nets January 1, 2011, through April 30, 2011, provided the vessel uses minimum 6" mesh roundfish nets. The sector vessel may not fish with, haul, possess, or deploy flatfish nets in the GOM RMA during this period, but may transit the area with flatfish nets, provided they are properly stowed and not available for immediate use in accordance with one of the methods specified at § 648.23(b).