



# Northeast Region Bulletin

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## **Small-Mesh Multispecies (Whiting) Fishery**

### SMALL ENTITY COMPLIANCE GUIDE

#### Amendment 19

*Effective Date: May 6, 2013*

Amendment 19 to the Northeast Multispecies Fishery Management Plan (FMP), regarding the small-mesh multispecies (or whiting) fishery, will be effective for the 2013 fishing year. We, NOAA's National Marine Fisheries Service (NMFS), have approved in full Amendment 19, as submitted by the New England Fishery Management Council.

This letter documents:

- The specifications for the 2013 and 2014 fishing years (page 2);
- That the red hake trip limit will be 5,000 lb for all areas and all gear types (page 2);
- That the southern whiting trip limit will be 40,000 lb for vessels using 3-inch mesh, or larger, in the Southern New England and Mid-Atlantic Exemption Areas (page 2);
- Changes to the accountability measures for small-mesh multispecies (page 2);
- Changes to the quota structure for the southern area, if landings increase rapidly (page 2); and
- Administrative changes to the specifications and framework adjustment processes for the whiting fishery (page 3).

### **Background Information**

Amendment 19 to the Northeast Multispecies FMP was developed by the Council in order to update the management measures for the small-mesh multispecies fishery. The small-mesh multispecies fishery consists of five stocks of hakes (northern and southern red hake, northern and southern silver hake, and offshore hake).

This fishery is managed through a series of exemptions from the larger groundfish FMP. (Information on the small-mesh exemption programs is available in the Small-Mesh Exemption Information Sheet <http://www.nero.noaa.gov/nero/reg/info.html>.)

*For small entity compliance guides, this bulletin complies with section 212 of the Small Business Regulatory Enforcement and Fairness Act of 1996. This notice is authorized by the Regional Administrator of the National Marine Fisheries Service, Northeast Region.*

## 2013 and 2014 Specifications

	Northern Red Hake	Northern Silver Hake	Southern Red Hake	Southern Whiting*
Overfishing Limit (OFL)	314 mt	24,840 mt	3,448 mt	62,301 mt
Acceptable Biological Catch (ABC)	280 mt	13,177 mt	3,259 mt	33,940 mt
Annual Catch Limit (ACL)	266 mt	12,518 mt	3,096 mt	32,295 mt
Discard Estimate (2008-2010)	65% (173 mt)	26% (3,255 mt)	56% (1,718 mt)	13% (4,198 mt)
State-Waters Landings (3%)	2.8 mt	278 mt	42 mt	842 mt
Federal Total Allowable Landings (TAL)	90.3 mt	8,985 mt	1,336 mt	27,255 mt
Federal TAL (lb)	199,077.4 lb	19,809,243 lb	2,945,376 lb	60,086,990 lb

\* “Southern Whiting” refers to offshore hake and the southern stock of silver hake, combined.

## Year-Round Trip Limit Changes

Amendment 19 establishes a year-round trip limit of 5,000 lb for red hake in both the northern and southern areas. This trip limit is intended to contain landings at approximately the current level and to prevent sudden increases in catch.

The trip limit for southern whiting (southern silver hake and offshore hake, combined) for vessels using 3-inch or larger mesh is increased from 30,000 lb to 40,000 lb. This trip limit increase applies only to vessels fishing exclusively in the Southern New England and Mid-Atlantic Exemption Areas. For example, a vessel fishing with 3-inch mesh in both the Cultivator Shoals Exemption Area Program and the Southern New England Exemption Area on the same trip would be subject to the more restrictive 30,000-lb trip limit.

## Changes to Accountability Measures

Currently, if 90 percent of a total allowable landings (TAL) limit is reached, an incidental possession limit of 400 lb of red hake or 1,000 lb of northern silver hake and southern whiting is triggered. Amendment 19 changes the northern silver hake and southern whiting incidental possession limit to 2,000 lb, but keeps the red hake incidental limit at 400 lb.

Under the existing regulations, if an annual catch limit (ACL) is exceeded, a pound-for-pound payback of the overage is applied to the ACL in the second year following the overage. Amendment 19 instead establishes a measure that would reduce the incidental possession limit trigger (currently 90 percent, as described above) by the same percentage by which the ACL was exceeded. That is, if a 2013 fishing year ACL is exceeded by 5 percent, the incidental possession limit trigger for the 2015 fishing year would be 85 percent. This reduced trigger would remain in place until the Council changes it, either through the specifications process or through a framework adjustment.

## Southern Stock Area Quota Structure

Currently, there is an annual quota (or TAL) in both the northern and southern stock area. However, there is concern that a rapid increase in landings in the southern area could lead to closure of the fishery early in the fishing year. In order to prevent this, we are implementing a regulation that would change the quota (or quotas) in the southern stock area from the annual

quota to a quarterly one, if landings begin to increase. This change would be implemented if in a given year two-thirds or more of a TAL are landed. We would consult with the Council during the following fishing year, and if the Council agrees, we will implement the change in the next fishing year.

For example, if two-thirds of the southern whiting TAL is landed in fishing year 2013, NMFS would consult with the Council during the summer and fall of 2014. Then, if it is deemed necessary, we would implement the quarterly quotas for the 2015 fishing year. The quarterly quotas would remain in place until NMFS approves a Council request to revert back to an annual quota through a specifications or framework adjustment rulemaking.

### **Other Changes Implemented in Amendment 19**

Several other administrative changes were approved in Amendment 19. Amendment 19 streamlines the specifications setting process, adopts new overfishing definitions, and defines the roles and responsibilities of monitoring the fishery on an annual basis.

In addition, vessels fishing for small-mesh multispecies are required to submit weekly vessel trip reports. This requirement was initially put in place in Amendment 16, but because that action did not contain any other measures specific to the whiting fishery, the Council and NMFS wanted to emphasize this requirement for whiting vessels.