



Northeast Region Bulletin

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GROUND FISH SECTOR AND EXEMPTION APPROVAL

Announcement of approved sector operations plans
Explanation of exemptions that have been granted
Effective Date: May 1, 2012

We have approved the following 18 sectors to operate in fishing year (FY) 2012 (May 1, 2012 through April 30, 2013):

- Georges Bank Cod Fixed Gear Sector (FGS)
- Northeast Coastal Communities Sector (NCCS)
- Northeast Fishery Sectors (NEFS) II, III, IV, V, VI, VII, VIII, IX, X, XI, XII, and XIII
- Port Clyde Community Groundfish Sector (PCS)
- Sustainable Harvest Sectors (SHS) 1 and 3
- Tri-State Sector (TSS)

All approved sectors receive “universal” exemptions from trip limits for allocated stocks, the Georges Bank (GB) Seasonal Closure Area, and the requirement to use multispecies days-at-sea (DAS) to land groundfish. All sector vessels may use a 6-inch mesh cod end on haddock separator trawls, rope trawls, and Ruhle trawls when fishing on GB. Sector vessels are also exempt from portions of the Gulf of Maine (GOM) Rolling Closure Areas. In addition to these universal exemptions, we approved 20 additional exemptions for 2012. Table 1 (see last page) lists the exemptions that we granted to each individual sector.

Frequently Asked Questions

Which exemptions apply to me?	All vessels in sectors receive the universal exemptions described above. To find the additional exemptions that apply to your sector, look up the name of your sector in the top row of Table 1. Below each sector’s name is an X in the row for each exemption granted to your sector. The unique exemptions that apply to you and your sector are also in the Letter of Authorization granted to your vessel.
What about the other exemptions my sector asked for?	Only the exemptions listed on the table are approved. All other exemptions requested by sectors were denied.
Who do I contact with questions about my sector’s exemptions?	Please contact your sector manager with any additional questions. If you are unable to reach your manager, you may contact the Sustainable Fisheries Division at 978-281-9315.

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.

What do the exemptions mean?	Exemptions are briefly explained below:
The 120-day gillnet block out of the fishery	A gillnet vessel granted this exemption is not required to declare and take 120 days out of the gillnet fishery in 2012.
The 20-day spawning block	A vessel granted this exemption is not required to stop fishing for groundfish for a 20-day period between March 1 and May 31 of 2012.
The limits on the number of gillnets for Day gillnet vessels	This exemption allows a sector Day gillnet vessel to fish up to a maximum of 150 nets (any combination of flatfish or roundfish nets). Vessels granted this exemption must tag each gillnet with one gillnet tag.
The prohibition on hauling another vessel's gillnet gear	This exemption allows multiple vessels participating in the same sector to haul each other's gillnet gear. Each vessel using this exemption must tag each gillnet it intends to haul with one tag.
The number of gillnets that may be hauled on GB when fishing on a groundfish/monkfish DAS	This exemption allows a vessel issued both a groundfish permit and a monkfish permit to haul all of their gillnets on a single GB trip.
The number of hooks that may be fished	A vessel granted this exemption has no limit on the number of hooks they may fish.
The DAS Leasing Program length and horsepower restrictions	Any sector vessel granted this exemption may lease DAS to any other sector vessel also granted this exemption.
The January through April GOM sink gillnet mesh exemption	This exemption allows a gillnet vessel to use 6-inch mesh stand-up gillnets in the GOM regulated mesh area from January 1, 2013, to April 30, 2013, when fishing for haddock.
The extension of the May GOM sink gillnet mesh exemption	This exemption allows a gillnet vessel to use 6-inch mesh stand-up gillnets in the GOM regulated mesh area in May 2012 when fishing for haddock.
The prohibition on discarding	A vessel granted this exemption <u>must</u> discard <u>all</u> legal-sized unmarketable fish at sea (not on selected trips), and cannot land unmarketable fish.
Daily catch reporting by sector managers for sectors vessels fishing in the Closed Area (CA) I Hook Gear Haddock Special Access Program (SAP)	A sector vessel fishing in the CA I Hook Gear Haddock SAP must complete a daily vessel monitoring system (VMS) catch report and submit it directly to us.
Gear requirements in the U.S./Canada Management Area	This exemption allows for the use of any trawl gear in the U.S./Canada Management Area.
Powering a VMS while at the dock	This exemption allows a sector vessel to power down its VMS unit at the dock, after sending a power-down code to us. A vessel with multiple permits requiring VMS (i.e., monkfish, scallop, etc.) must continue to comply with reporting requirements for other fisheries, and may not be able to take advantage of this exemption.
Dockside monitoring (DSM) requirements for vessels fishing west of 72° 30' W. Long, Handgear A permitted vessels, and monkfish trips in the monkfish Southern Fishery Management Area (SFMA)	We will not fund DSM in FY 2012. However, should that change, Handgear A-permitted vessels are exempt from DSM. In addition, groundfish trips occurring west of 72° 30' W. Long. and monkfish trips in the monkfish SFMA are also exempt from DSM.

<p>Prohibition on fishing inside and outside the CA I Hook Gear Haddock SAP while on the same trip</p>	<p>A vessel may fish both inside and outside the CA I Hook Gear Haddock SAP on the same trip, but is prohibited from setting or hauling fixed gear across the border of the SAP. The vessel will be required to report catch from inside the SAP daily either to the sector manager or to us if the sector manager is also exempt from daily reporting requirements for the CA I Hook Gear Haddock SAP. Vessels declared into the Closed Area I Hook Gear Haddock SAP may possess only demersal longline gear or tub trawl gear on the vessel during the trip.</p>
<p>The 6.5 inch minimum mesh size requirement to allow 6-inch mesh for targeted redfish trips</p>	<p>This exemption allows a vessel to use 6-inch mesh codends to target redfish. A vessel using this exemption is required to declare such trips to the sector manager at least 48 hours prior to departure, comply with the pre-trip notification system (PTNS) requirements, only use this exemption on trips carrying either an at-sea monitor or Northeast Fishery Observer Program observer to monitor catch and bycatch, and submit daily catch reports to the sector manager.</p>
<p>The prohibition on a vessel hauling another vessel's hook gear</p>	<p>This exemption allows multiple vessels participating in the same sector to haul each other's hook gear. Each vessel intending to haul the hook gear must tag the gear consistent with §§ 648.14(k)(6)(ii)(B) and 648.84(a).</p>
<p>The requirement to declare intent to fish in the Eastern U.S./Canada SAP and the CA II Yellowtail flounder/Haddock SAP</p>	<p>This exemption allows a sector vessel to declare its intent to fish in these SAPs while at sea. This exemption <u>is not effective</u> until we modify the VMS system to accommodate making these declarations at sea. We will inform you once the VMS system is modified and when you may begin to use the VMS system for these declarations.</p>

PROVISIONS APPROVED BY FRAMEWORK 47 THAT AFFECT SECTORS

Accountability Measures for Windowpane Flounder, Ocean Pout, and Atlantic Halibut

Framework Adjustment 47 implements accountability measures (AMs) that will apply to common pool and sector vessels if a total annual catch limit (ACL) is exceeded for windowpane flounder, ocean pout, or Atlantic halibut. If the total ACL is exceeded for northern or southern windowpane flounder or ocean pout, a restricted gear area (RGA) will be implemented in Year 3. For example, if the total ACL for ocean pout is exceeded in FY 2012, the Ocean Pout AM Area will be implemented in FY 2014. Vessels fishing with trawl gear will be required to use selective trawl gear, such as the haddock separator trawl, the Ruhle trawl, or the rope trawl. There are no restrictions on longline or gillnet gear because these gear types make up a small amount of the total catch for these stocks. If the total ACL for Atlantic halibut is exceeded, commercial vessels will be prohibited from possessing Atlantic halibut in Year 3.

Transfer of Georges Bank Yellowtail Flounder Quota

By January 15 of each fishing year, we will re-estimate the expected catch of GB yellowtail flounder by the scallop fishery. If the expected catch by scallop vessels is less than 90 percent of the scallop fishery's sub-ACL, we can reduce the scallop fishery sub-ACL and increase the commercial groundfish fishery sub-ACL for GB yellowtail flounder. Any increase to the groundfish fishery sub-ACL will be distributed to the common pool and sectors. We will announce any changes to the GB yellowtail flounder catch limits as soon as possible after we re-estimate the scallop fishery's expected catch. This measure will allow additional GB yellowtail flounder yield for common pool and sector vessels.

This bulletin is only a summary of applicable fishing regulations, and sector exemptions, and is not a substitute for the actual regulations which can be found at 50 CFR part 648.

Approved Sector Exemptions for 2012

Table 1. Exemptions Granted to FY 2012 Sectors

Exemption	FGS	NCCS	NEFS II	NEFS III	NEFS IV	NEFS V	NEFS VI	NEFS VII	NEFS VIII	NEFS IX	NEFS X	NEFS XI	NEFS XII	NEFS XIII	PCS	SHS1	SHS 3	TSS
1 120-Day Gillnet Block out of the Fishery	X	X		X			X	X			X	X	X	X	X	X	X	X
2 20-Day Spawning Block	X	X	X	X		X	X	X	X	X	X	X	X	X	X	X	X	X
3 Limits on the Number of Gillnets for Day Gillnet Vessels	X			X			X	X			X	X	X	X	X	X	X	X
4 Prohibition on a Vessel Hauling Another Vessel's Gillnet Gear	X		X	X			X	X			X	X	X	X	X	X	X	X
5 Limits on the Number of Gillnets that May be Hauled on GB when Fishing on a Groundfish/Monkfish DAS	X			X			X	X			X	X	X	X	X	X	X	X
6 Limits on the Number of Hooks that May be Fished	X	X		X			X	X			X	X	X			X	X	X
7 DAS Leasing Program Length and Horsepower Restrictions	X		X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
8 GOM Sink Gillnet Mesh Exemption January Through April	X			X			X	X			X	X	X	X	X	X	X	X
9 Extension of the GOM Haddock Sink Gillnet Program Through May	X			X			X	X			X	X	X	X	X	X	X	X
10 Prohibition on Discarding	X											X	X			X	X	
11 Daily Catch Reporting by Sector Managers for Sector Vessels that Fish in the CA I Hook Gear Haddock SAP	X	X		X			X	X			X	X	X	X		X	X	X
12 Gear Requirements in the US/CA Management Area	X		X	X		X	X	X	X	X	X	X	X	X		X	X	X
13 Powering VMS While at the Dock*	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
14 DSM Requirements for Vessels Fishing West of 72°30' W. Long.	X		X	X		X	X	X	X	X	X	X	X	X		X	X	X
15 DSM Requirements for Handgear A-permitted Sector Vessels	X		X	X			X	X	X		X	X	X	X		X	X	X
16 DSM Requirements for Monkfish Trips in the Monkfish SFMA	X		X	X		X	X	X	X	X	X	X	X	X		X	X	X
17 Prohibition on Fishing Inside and Outside the CA I Hook Gear Haddock SAP While on the Same Trip	X						X	X			X	X	X	X		X	X	X
18 6.5-Inch Minimum Mesh Size Requirement to Allow 6-Inch Mesh for Targeted Redfish Trips	X		X	X		X	X	X	X	X	X	X	X	X	X	X	X	X
19 Prohibition on a Vessel Hauling Another Vessel's Hook Gear	X			X			X	X			X	X	X	X		X	X	
20 Requirement to Declare Intent to Fish in the Eastern US/CA SAP and CA II YT/haddock SAP from the Dock	X		X			X	X	X	X	X	X	X	X	X		X	X	X

* The sector vessel may only powerdown its VMS if the vessel does not hold other permits requiring continuous VMS operation, and must send the VMS powerdown declaration before turning off power to the VMS unit.