



UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
NATIONAL MARINE FISHERIES SERVICE  
NORTHEAST REGION  
55 Great Republic Drive  
Gloucester, MA 01930-2276

MAY 24 2011

## Monkfish - Changes to Regulations for Fishing Year 2011

Dear Monkfish Permit Holder:

Beginning on May 25, 2011, new regulations for the monkfish fishery will be effective to implement Amendment 5 to the Monkfish Fishery Management Plan. Here is a summary of the new regulations.

### Days-at-Sea (DAS) and Trip Limits

- Limited access monkfish permit holders are allocated **30.3 monkfish DAS**.
- You can use **28 monkfish DAS** in the Southern Fishery Management Area (SFMA).
- Monkfish tail weight trip limits for both the Northern Fishery Management Area (NFMA) and the SFMA are unchanged for fishing year (FY) 2011. However, monkfish whole weight trip limits have changed based on the new tail-to-whole-weight conversion factor described below.

### Correction to Monkfish Conversion Rate

To more accurately account for monkfish that are landed with their heads attached, but their guts removed, the old tail-to-whole-weight conversion factor of 3.32 has been changed to **2.91**.

- For example, on a trip with a monkfish possession limit of 550 lb tail weight, the whole weight possession limit is now 1,601 lb ( $550 \times 2.91$ ). This corrected conversion rate will result in a reduction to all trip limits where monkfish are being landed with the head attached, but guts removed.

### Authorization to Land Monkfish Heads

A monkfish vessel may now land monkfish heads separately from tails, provided the total head weight is not more than **1.91** times the total weight of tails onboard.

- For example, a monkfish Category E permit, not on a DAS, with a possession limit of monkfish of 5% of the total weight of fish onboard, has a total of 500 lb of fish onboard. The vessel would be allowed to retain 25 lb of monkfish tails (5% of 500) and 48 lb of monkfish heads ( $25 \times 1.91$ ) or 73 lb of whole monkfish ( $25 \times 2.91$ ).



## **Automatic DAS Adjustment of Trip Limit Overage**

A limited access monkfish vessel may now land up to one daily monkfish trip limit more than otherwise authorized based on the actual monkfish DAS used during that trip, provided the vessel notifies NOAA's National Marine Fisheries Service (NMFS) of the overage prior to landing (using one of the methods listed below). To account for the trip limit overage, a vessel's monkfish DAS charge will be rounded up to the next 24-hr period plus 1 minute (e.g., 15 hours = 24 hours and 1 minute, and 47 hours = 48 hours and 1 minute). For example, a vessel having two daily monkfish trip limits on board (e.g., 1,100 lb of tails) that has been declared into the monkfish DAS program for only 15 hours, would be permitted to land as long as the vessel notifies NMFS prior to landing. The DAS charge for the trip would then be adjusted from 15 hours to 24 hours and 1 minute to account for the additional landings.

- Method 1: Vessel Monitoring System (VMS) -- A vessel required to use a VMS unit must submit the "monkfish trip limit overage DAS adjustment" form through the vessel's VMS prior to crossing the demarcation line upon returning to port.
- Method 2: Interactive Voice Response (IVR) -- The IVR method is still under development, but this provision may still be used to land an overage. Until further notice, a vessel must call the IVR backup line at 888-487-9994 to report a trip limit overage. A vessel calling the backup line must leave a voice message with their IVR trip start confirmation number, operator name, permit number, call back number, vessel name, and must state that the vessel will be landing a monkfish overage.

NOAA Fisheries Service will notify monkfish permit holders when the IVR method becomes operational through a radio announcement. When the IVR method becomes operational, a vessel must call the IVR call in line at 888-284-4904 at least 1 hour prior to landing and responding "yes" to the trip limit overage question in the monkfish section.

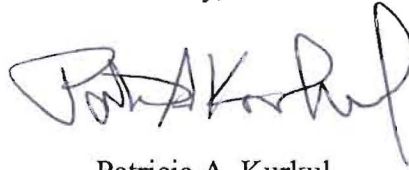
## **Annual Catch Limits (ACL), Annual Catch Targets (ACT), and Accountability Measures (AM)**

In addition to the management measures described above, Amendment 5 also established ACLs for monkfish, to prevent overfishing; an ACT that is set below the ACL to prevent ACL overages; and an AM that is a "pay-back" provision. The new ACLs are 7,592 mt for the NFMA, and 12,316 mt for the SFMA. The ACT for the SFMA is 11,513 mt, but the ACT for the NFMA is pending because the scientific advice recently changed.

If the ACL for a management area is exceeded, the pay-back provision will be triggered, which will deduct, on a pound-for-pound basis, any overage of the ACL from the ACT in the year following the FY in which the overage was identified. DAS and trip limits may be adjusted to ensure the revised ACT is not exceeded. For example, if there is an overage of the 2011 ACL in either the NFMA or the SFMA, 2011 landings will be reviewed during FY 2012, and the 2013 ACT for that area would be reduced by the amount of the overage and 2013 DAS and trip limits would be revised.

A copy of the final rule implementing these new measures is available at NOAA Fisheries Service's Northeast Regional Office Web Site: <http://www.nero.noaa.gov>. If you have any questions, please contact the Sustainable Fisheries Division at (978) 281-9315.

Sincerely,

A handwritten signature in black ink, appearing to read 'Patricia A. Kurkul', written in a cursive style.

Patricia A. Kurkul  
Regional Administrator

*This small entity compliance guide complies with section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996.*