



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

MAR 30 2010

SMALL ENTITY COMPLIANCE GUIDE

Dear Federal Northeast (NE) Seafood Dealer Permit Holder:

This letter is to inform you of regulations affecting dealers that were approved under Amendment 16 and Framework Adjustment 44 to the NE Multispecies Fishery Management Plan that become effective on May 1, 2010. These actions were developed by the New England Fishery Management Council to revise management measures necessary to end overfishing, rebuild overfished stocks, mitigate the adverse economic impacts of increased effort controls, and establish annual catch limits (ACLs) and associated accountability measures to comply with the Magnuson-Stevens Fishery Conservation and Management Act. This letter is only a summary of the actual regulations, which you are encouraged to read, and are not considered a substitute for the regulations. The full regulations are available on the Northeast Regional Office website (www.nero.noaa.gov), or by calling 978-281-9315.

Trip Limits: Dealers remain prohibited from purchasing or receiving fish from a vessel if the amount of such fish exceeds trip/possession limits applicable for each individual fishing trip. Common pool vessels (i.e., those not participating in a sector) are subject to the trip limits listed in Table 1 below. Dealers are encouraged to review and reference the trip limits listed in Table 1 before purchasing fish from common pool vessels. Sector vessels are not limited in the amount of groundfish that can be caught per trip, except that sector vessels are prohibited from possessing ocean pout, windowpane flounder, SNE/MA winter flounder, and Atlantic wolffish, and may only land one Atlantic halibut per trip.

Facilitating Dockside/Roving Monitors: Under Amendment 16, dockside and roving monitors will be used to verify the amount of each species offloaded either directly to a dealer or to a truck for later shipment to a dealer. Beginning in FY 2010, sector vessels will be subject to dockside/roving monitoring requirements, while common pool vessels will be subject to these requirements beginning in FY 2012.

A federally permitted dealer that purchases/receives fish from either a common pool or sector vessel must comply with the following requirements for each offloading event monitored by a dockside/roving monitor:

- Provide a copy of any weigh-out documents or dealer receipts to the vessel operator and dockside/roving monitor; and
- Allow the dockside/roving monitor to sign the official weigh-out document or dealer receipt retained by the dealer; or
- Sign the dockside/roving monitor report that verifies the amount of each species offloaded provided by a dockside/roving monitor.

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



Table 1: 2010 Common Pool Trip Limits under a Category A or B DAS.

Species	Stock Area ¹	A DAS	Handgear A	Handgear B	Eastern US/Canada Haddock SAP ³	Regular B DAS Program	
						Separator or Ruhle Trawl ³	Non-Trawl Gear
Cod	GOM	800 lb/DAS, up to 4,000 lb/trip	300 lb/trip	75 lb/trip	1,000 lb/trip	100 lb/DAS, up to 1,000 lb/trip	
	OFF GB, IN GB, and SNE	2,000 lb/DAS, up to 20,000 lb/trip (outside of the Eastern U.S./Canada Area) ²					
		500 lb/DAS, up to 5,000 lb/trip (E. U.S./Canada Area)					
		1,000 lb/trip Closed Area I Hook Gear Haddock SAP -or- Closed Area II Yellowtail Flounder/Haddock SAP (for targeting haddock)					
Haddock	All Areas	Unlimited					
Pollock	All Areas	1,000 lb/DAS, up to 10,000 lb/trip				100 lb/DAS to 1,000 lb/trip	
Redfish	All Areas	Unlimited					
White hake	All Areas	2,000 lb/DAS, up to 10,000 lb/trip				100 lb/DAS to 1,000 lb/trip	
Atlantic halibut	All Areas	1 fish/trip					
Yellowtail flounder	GOM, IN GB, and SNE	250 lb/DAS, up to 1,500 lb/trip			NA	25 lb/DAS to 250 lb/trip	
	OFF GB	2,500 lb/trip			100 lb/DAS, up to 500 lb/trip of all flatfish combined	100 lb/DAS for each stock, up to 500 lb/trip of all flatfish combined	100 lb/DAS, to 1,000 lb/trip
American plaice (dabs)	All Areas	Unlimited			500 lb/trip of all flatfish combined		100 lb/DAS, to 1,000 lb/trip
Witch flounder (gray sole)	All Areas	Unlimited			100 lb/trip		100 lb/DAS, to 1,000 lb/trip
Winter flounder	OFF GB	5,000 lb/trip			100 lb/trip		100 lb/DAS, to 1,000 lb/trip
	GOM	Unlimited			NA	Unlimited	
	SNE	Zero – possession prohibited⁴					
Windowpane Flounder	All Areas	Zero – possession prohibited					
Ocean Pout							
Atlantic Wolffish							

¹ Broad Stock Areas: Gulf of Maine (GOM), Inshore Georges Bank (IN GB), Offshore Georges Bank (OFF GB), and Southern New England (SNE)

² Vessel must submit GOM Cod Trip Limit Exemption Form via VMS

³ Gear performance trip limits of 500 lb all flatfish combined, 500 lb whole monkfish (unless otherwise restricted by trip limits of the monkfish FMP), 500 lb whole skate, and zero lobsters also apply

⁴ A vessel may transit the InGB and SNE areas with GOM or OffGB winter flounder on board, provided that fishing gear is properly stowed.