



UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
National Marine Fisheries Service  
Northeast Region  
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[www.nero.noaa.gov](http://www.nero.noaa.gov)



**Small Entity Compliance Guide for the 2009 Atlantic Herring Specifications**  
*(This notice corrects the description of the allocation for Area 1B.)*  
**March 10, 2009**

The 2009 Atlantic Herring (herring) specifications are effective from January 1 to December 31, 2009.

<b>2009 Specifications for Atlantic Herring</b>	
<b>Specifications</b>	<b>Allocation (mt)</b>
Allowable Biological Catch	194,000
Optimum Yield	145,000
Domestic Annual Harvest	145,000
Domestic Annual Processing	141,000
At-Sea Processing	20,000 { Areas 2 and 3 Only }
Border Transfer	4,000
Area 1A	45,000 { 43,650 Fishery; 1,350 Research }
Area 1B	10,000 { 9,700 Fishery; 300 Research }
Area 2	30,000
Area 3	60,000
Research Set Aside	3 Percent { Areas 1A and 1B Only }

The National Marine Fisheries Service (NMFS) will summarize herring catch data from the interactive voice response (IVR) system and dealer reports on a weekly basis and post these data on the Northeast Regional Office website (<http://www.nero.noaa.gov>).

NMFS must close the herring fishery in a management area when 95 percent of that area's allocation is projected to be harvested. During a closure of the herring fishery in a management area, vessels may not fish for, possess, catch, transfer, or land more than 2,000 lb of herring per day (defined as the 24-hour period beginning at 0001 hours and ending at 2400 hours) from that management area.

### **Correction to Notification Requirements**

Our July 29, 2008, herring permit holder letter incorrectly summarized notification requirements for contacting the NMFS Observer Program and Office of Law Enforcement (OLE). The July 2008 letter specified that vessels issued an All Areas Limited Access Herring Permit or an Areas 2 and 3 Limited Access Herring Permit, on a declared herring trip in the Gulf of Maine/Georges Bank Exemption Area (GOM/GB EA) with either midwater trawl or purse seine gear, must provide notice to the Observer Program before departing port, and to OLE on the return trip to port. However, these notification requirements do not just apply to trips to the GOM/GB EA, but to all declared herring trips. The correct notification requirements are as follows:

If a vessel has been issued an All Areas Limited Access Herring Permit or an Areas 2 and 3 Limited Access Herring Permit and is fishing on a declared herring trip, with either midwater trawl or purse seine gear, then the vessel operator must:

- Provide notice and contact information (e.g., contact name and phone number, vessel name, and date, time, and port of departure) to the Observer Program (508-990-9057) at least 72 hours prior to beginning any trip; and
- Notify the Office of Law Enforcement (via the vessel monitoring system (VMS)) of the time and place of offloading at least 6 hours prior to crossing the VMS demarcation line on their return trip to port, or, for vessels that have not fished seaward of the VMS demarcation line, at least 6 hours prior to landing.

### **Reporting Dealer Information**

To ensure vessel owner/operators only sell to dealers with a Federal herring permit, and that correct dealer code information is included on all vessel trip reports (VTRs), please visit our website (<http://www.nero.noaa.gov/permits/data/>) to access a list of current federally permitted dealers and verify this information.

### **Additional Information**

This permit holder letter summarizes herring specifications and reporting requirements for the 2009 fishing year, but is not a substitute for the actual regulations. The full text of the regulations is available by visiting our website (address provided above). If you have questions about the 2009 regulations, please phone 978-281-9315.

You may also receive permit holder letters by e-mail, including closure notices, by visiting our website and clicking on "Permit Holder Letters." This small entity compliance guide 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.*