



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
NORTHEAST REGION
One Blackburn Drive
Gloucester, MA 01930-2298

April 21, 2004

SMALL ENTITY COMPLIANCE GUIDE

Dear Northeast (NE) Multispecies Permit Holder:

This letter is being sent to you to provide further information on several programs contained within or affected by Amendment 13 to the NE Multispecies Fishery Management Plan (FMP). These programs include: The Days-at-Sea (DAS) Transfer Program; the Vessel Monitoring System (VMS) Power Down Exemption; instructions for declaring the area fished and the category DAS to be used when fishing for regulated species within the U.S./Canada Management Area; and the requirement to purchase new gillnet tags for the 2004 fishing year. **For more detailed information on all of the management measures contained within Amendment 13, please refer to the Amendment 13 permit holder letter sent to you recently or to the actual regulations at 50 CFR part 648.**

DAS Transfer Program: Effective May 1, 2004, Amendment 13 allows limited access NE multispecies permit holders to indefinitely transfer (outside of the DAS Leasing Program) their entire NE multispecies DAS allocation to another limited access permit holder, subject to certain restrictions. Refer to the Amendment 13 permit holder letter for more detailed information.

Please note that a DAS Transfer is NOT the same as a DAS Lease.

- **Application:** Vessel owners intending to participate in the DAS Transfer Program must submit a completed application form to the Regional Administrator at least 45 days before the Transferee's vessel intends to fish with the transferred DAS. This application form is included with this letter. Enter the appropriate information and submit the completed form to the National Marine Fisheries Service (NOAA Fisheries) at the address provided. **DAS Transfer applications may be submitted through March 1 of the fishing year in which the Transferee wishes to use its transferred DAS.**
- **Approval:** Upon approval of the transfer application, both the Transferor and the Transferee will receive written confirmation of the approval within 45 days of the receipt of an application. Should a transfer application be denied, written confirmation will also be sent to both parties.

VMS Power Down Exemption: Under Amendment 13, a limited access NE multispecies vessel using a VMS can opt out of the VMS program for a minimum period of 1 calendar month by obtaining a letter of exemption from the Regional Administrator. A form to request a power down exemption is included with this letter. Enter the appropriate information and submit the completed form to NOAA Fisheries at the address provided.

VMS Instructions for U.S./Canada Management Area Requirements: Amendment 13 to the NE Multispecies FMP requires that all groundfish DAS vessels intending to fish within the U.S./Canada Management Area, including the Closed Area II (CA II)



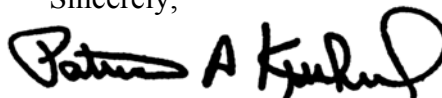
Yellowtail Flounder Special Access Program (SAP), possess and use a certified VMS. In order to participate in these programs, groundfish DAS vessel owners or operators are required to declare the specific area to be fished, the Category DAS to be used, and to report the catch and any discard of Georges Bank (GB) cod, GB haddock, and GB yellowtail flounder as specified in the Amendment 13 permit holder letter. Refer to the Amendment 13 permit holder letter for more detailed information. Included with this letter are instructions to submit the required information using a Boatracs VMS unit.

Should additional VMS units be approved, NOAA Fisheries will publish a notice in the Federal Register and supply additional VMS instructions specific to these units to submit the information described above.

Requirement to Purchase New Gillnet Tags: Because gillnet tags have a life expectancy of approximately 3-4 years, it is necessary to replace gillnet tags periodically. Since the current teal green gillnet tags have been in use since 2000, NOAA Fisheries is requiring that all limited access NE multispecies and monkfish vessels intending to fish with gillnet gear purchase and use new BLUE gillnet tags beginning August 1, 2004. Included with this letter are further details regarding the requirement to purchase new BLUE gillnet tags for the 2004 fishing year.

This letter is only a summary of the NE multispecies regulations implemented under Amendment 13, and should not be considered as a substitute for the actual regulations. To read these regulations in their entirety, you are encouraged to obtain a complete copy by calling (978) 281-9278, or by accessing the Northeast Regional Office's web page at: <http://www.nero.noaa.gov>. You may also receive permit holder letters by e-mail by clicking on "NOAA Fisheries News Releases" on our website at <http://www.nero.noaa.gov>, or via fax by providing a fax number through a written request to the above address, or by faxing your request to 978-281-9135.

Sincerely,



Patricia A. Kurkul
Regional Administrator

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

6 attachments



**APPLICATION TO
INDEFINITELY TRANSFER
NORTHEAST (NE) MULTISPECIES DAYS-AT-SEA (DAS)***

**SUBMIT TO
NE MULTISPECIES DAS TRANSFER PROGRAM
US DEPARTMENT OF COMMERCE, NOAA
NATIONAL MARINE FISHERIES SERVICE
ONE BLACKBURN DRIVE, GLOUCESTER, MA 01930**

Amendment 13 to the NE Multispecies Fishery Management Plan allows vessel owners to indefinitely transfer DAS to another vessel provided the Transferor vessel transfers all of its DAS, the Transferee vessel meets certain size restrictions, and the Transferor vessel forfeits all of its state and Federal fishing permits. NE multispecies Category A and B DAS will be reduced by 40 percent and Category C DAS will be reduced by 90 percent upon said transfer (see the back of this form for the actual regulations). To transfer DAS, fill out the information below and submit to the above address.

Transferor (Person transferring DAS) Information:

Owner Name: _____ Permit #: _____

Vessel Name: _____ Official #: _____
(or state registration #)

Transferee (Person receiving DAS) Information:

Owner Name: _____ Permit #: _____

Vessel Name: _____ Official #: _____
(or state registration #)

Total Price Paid for Transferred DAS: _____

Signed: _____
(Transferor)

Signed: _____
(Transferee)

Dated: _____

Dated: _____

NOTE: The application must be accompanied by verification in writing that the Transferor has requested cancellation of all state and Federal fishing permits from the appropriate agency.

***This form is NOT to be used for leasing DAS.**

This form is required to obtain approval for the indefinite transfer of DAS under 50 CFR 648.82(l) and to monitor DAS allocation and usage for limited access NE multispecies permit holders. Signature of this form certifies that permit holders comply with limited access permit requirements specified in 50 CFR 648.4, and that the information provided on this form is true, complete and correct to the best of their knowledge, and made in good faith (18 U.S.C. 1001). Making a false statement on this form is punishable by law.

Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number.

Public reporting burden for this collection of information is estimated to average 5 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the information. Send comments regarding this burden estimate or suggestions for reducing this burden estimate or any other aspect of this collection of information to NMFS, One Blackburn Drive, Gloucester MA 01930.

OMB Approval No. 0648-0489
OMB Expiration Date 04/30/2007

§ 648.82(I): DAS Transfer Program. Except for vessels fishing under a Sector allocation, as specified in § 648.87, a vessel issued a valid limited access NE multispecies permit may transfer all of its NE multispecies DAS for an indefinite time to another vessel with a valid NE multispecies permit, in accordance with the conditions and restrictions described under this section. The Regional Administrator has final approval authority for all NE multispecies DAS transfer requests.

(1) DAS transfer conditions and restrictions

(i) The transferor vessel must transfer all of its DAS.

(ii) NE multispecies DAS may be transferred only to a vessel with a baseline main engine horsepower rating that is no greater than 20 percent of the baseline engine horsepower of the transferor vessel. NE multispecies DAS may be transferred only to a vessel with a baseline length overall that is no greater than 10 percent of the baseline length overall of the transferor vessel. For the purposes of this program, the baseline horsepower and length overall specifications are those associated with the permit as of January 29, 2004.

(iii) The transferor vessel must forfeit all of its state and Federal fishing permits, and may not fish in any state or Federal commercial fishery.

(iv) NE multispecies Category A and Category B DAS will be reduced by 40 percent upon transfer.

(v) Category C DAS will be reduced by 90 percent upon transfer.

(vi) NE multispecies DAS associated with a Confirmation of Permit History may not be transferred.

(vii) Transfer by vessels fishing under a Sector allocation. A vessel fishing under the restrictions and conditions of an approved Sector allocation as specified under § 648.87(b), may not transfer DAS to another vessel that is not participating in such Sector during the fishing year in which the vessel is a member of that Sector.

(2) Application to transfer DAS. Owners of the vessels applying to transfer and receive DAS must submit a completed application form. The application must be signed by both seller/transferor and buyer/transferee of the DAS, and submitted to the Regional Office at least 45 days before the date on which the applicant desires to have the DAS effective on the buying vessel. The Regional Administrator will notify the applicants of any deficiency in the application pursuant to this section. Applications may be submitted at any time during the fishing year, up until March 1.

(i) Application information requirements. An application to transfer NE multispecies DAS must contain the following information: Seller's/transferor's name, vessel name, permit number and official number or state registration number; buyer's/transferee's name, vessel name, permit number and official number or state registration number; total price paid for purchased DAS; signatures of seller and buyer; and date the form was completed. Information obtained from the transfer application will be held confidential, and will be used only in summarized form for management of the fishery. The application must be accompanied by verification, in writing, that the seller/transferor has requested cancellation of all state and Federal fishing permits from the appropriate agency or agencies.

(ii) Approval of transfer application. Unless an application to transfer NE multispecies DAS is denied according to paragraph (I)(2)(iii) of this section, the Regional Administrator shall issue confirmation of application approval to both seller/transferor and buyer/transferee within 45 days of receipt of an application.

(iii) Denial of transfer application. The Regional Administrator may reject an application to transfer NE multispecies DAS for the following reasons: The application is incomplete or submitted past the March 1 deadline; the seller/transferor or buyer/transferee does not possess a valid limited access NE multispecies permit; the seller's/transferor's or buyer's/transferee's DAS is sanctioned, pursuant to an enforcement proceeding; the seller's/transferor's or buyer's/transferee's vessel is prohibited from fishing; the seller's/transferor's or buyer's/transferee's limited access NE multispecies permit is sanctioned pursuant to enforcement proceedings; or the seller/transferor has a DAS baseline of zero. Upon denial of an application to transfer NE multispecies DAS, the Regional Administrator shall send a letter to the applicants describing the reason(s) for application rejection. The decision by the Regional Administrator is the final agency decision and there is no opportunity to appeal the Regional Administrator's decision.

Vessel Monitoring System Power Down Exemption Request

Regulations implementing the requirements for the vessel monitoring system (VMS) within the Northeast Multispecies Fishery Management Plan (FMP) allow for vessel operators to discontinue the use of VMS units for a minimum period of 1 calendar month for specific periods of time, provided they obtain a VMS power down exemption letter from the Regional Administrator. To obtain this exemption letter, fill out the appropriate information below and submit this form to the **National Marine Fisheries Service, Office of Law Enforcement, 1 Blackburn Drive, Gloucester, MA 01930.**

Vessel Information:

Vessel Name: _____ Permit #: _____

Official #: _____
(or state registration #)

Vessel Port Location: _____

Participation Period:

Date VMS to be Turned Off: _____ Time VMS to be Turned Off: _____

Date VMS to be Turned On: _____ Time VMS to be Turned On: _____

Reason for VMS Power Down (optional): _____

NOTE: VMS units must remain operational until a Letter of Exemption from the Regional Administrator is received confirming this request to turn off a vessel's VMS. Upon receipt of the letter of exemption, the vessel operator may discontinue VMS operation for the period requested above. Vessel operators may request changes to the time period for this exemption through a written request to the Regional Administrator.

This form is required to obtain approval for a vessel to turn off their VMS unit consistent with the regulations at 50 CFR 648.9(c) and to restart VMS operation for limited access NE multispecies permit holders. Making a false statement on this form is punishable by law.

Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number.

Public reporting burden for this collection of information is estimated to average 5 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the information. Send comments regarding this burden estimate or suggestions for reducing this burden estimate or any other aspect of this collection of information to NMFS, One Blackburn Drive, Gloucester MA 01930.

OMB Control Number 0648-0489
OMB Expiration Date 04/30/2007

BOATRACS VMS INSTRUCTIONS FOR AREA DECLARATION AND CATCH/DISCARD REPORTING IN THE U.S./CANADA MANAGEMENT AREA

Amendment 13 to the Northeast (NE) Multispecies Fishery Management Plan requires that all groundfish days-at-sea (DAS) vessels intending to fish within the U.S./Canada Management Area, including the Closed Area II (CA II) Yellowtail Flounder Special Access Program (SAP), possess and use a certified vessel monitoring system (VMS). In order to participate in these programs, groundfish DAS vessel owners or operators are required to submit specific information electronically via VMS.

This letter is intended to provide instructions on how to enter information required to participate within the U.S./Canada Management Area using a Boatracs VMS unit. For more detailed information on all of the management measures contained within Amendment 13, please refer to the Amendment 13 permit holder letter sent to you recently.

Groundfish DAS vessels fishing within the U.S./Canada Management Area are required to submit the following information via VMS:

- Declaration of the intent to fish within the U.S./Canada Management Area;
- Declaration of the area intended to be fished within the U.S./Canada Management Area, including the CA II Yellowtail Flounder SAP;
- Declaration of the category of DAS that will be used within the U.S./Canada Management Area or any associated SAPs within this area; and
- Daily electronic reporting of the amount of catch and any discard of cod, haddock, and yellowtail flounder while fishing within the U.S./Canada Management Areas.

Declaration of Intent to Fish Within the U.S./Canada Management Area: Prior to leaving the dock on a fishing trip into the U.S./Canada Management Area and any associated SAP contained within this area, vessel operators are required to indicate their intent to fish within the U.S./Canada Management Area by selecting the U.S./Canada activity code from the VMS main menu.

The activity code to participate in the U.S./Canada Management Area is NMS-USC, code 7.

Declaration of Area Intended to be Fished Within the U.S./Canada Management Area:

Vessels must specify which particular area they intend to fish in and what category of DAS they intend to use during their trip. For VMS declaration purposes only, the following areas within the U.S./Canada Management Area may be selected (see attached chart):

<u>Area</u>	<u>Description</u>
--------------------	---------------------------

- | | |
|---|--|
| 1 | <u>CA II Yellowtail Flounder SAP:</u> Category A, B Regular, or B Reserve DAS may be used. |
| 2 | <u>Eastern U.S./Canada Area Outside of CAII:</u> Only Category A DAS may be used. |
| 3 | <u>Both the Eastern U.S./Canada and the CAII Yellowtail Flounder SAP:</u> Only Category A DAS may be used. |
| 4 | <u>Western U.S./Canada Area Only:</u> Only Category A DAS may be used. |

To declare into the U.S./Canada Management Area using VMS, follow these steps:

- To select activity code 7 (NMS-USC), vessel operators must create a new message in their Boatracs unit by hitting the “+” key until macro message #18 appears. Press the down arrow until code 7 (NMS-USC) is visible. Type in an “x” in the space provided;
- To select the specific area to be fished (see above for descriptions), type an “x” beside the desired area;

- To select the Category DAS to be used type an “x” beside the appropriate DAS category. Category A DAS must be used in all areas with the exception of the CA II Yellowtail Flounder SAP (VMS Area 1), where B DAS (Regular or Reserve) may be used instead; and
- To transmit the message, press the “send” button.

Within 10 minutes, an advisory message from Boatracs will confirm the selection that has been made. If this confirmation is not received, vessel operators must contact Boatracs Network Center at 1-800-336-8722 to correct the situation prior to sailing.

Daily Catch Reporting:

Amendment 13 requires all vessels fishing within the U.S./Canada Management Area to report their catches of Georges Bank (GB) cod, GB haddock, and GB yellowtail flounder (including discards) through their VMS on a daily basis, depending on which area the vessel is fishing. These reports must be submitted in 24-hr intervals for each day beginning at 0000 hours and ending at 2400 hours. **The reports must be submitted by 0900 hours of the following day.**

- For vessels declaring into the Eastern U.S./Canada Area, the reports must include at least the following information: Total pounds of cod, haddock, and yellowtail flounder caught and total pounds of cod, haddock, and yellowtail flounder discarded.
- For vessels declaring into the Western U.S./Canada Area, the reports must include at least the following information: Total pounds of yellowtail flounder kept and total pounds of yellowtail flounder discarded.

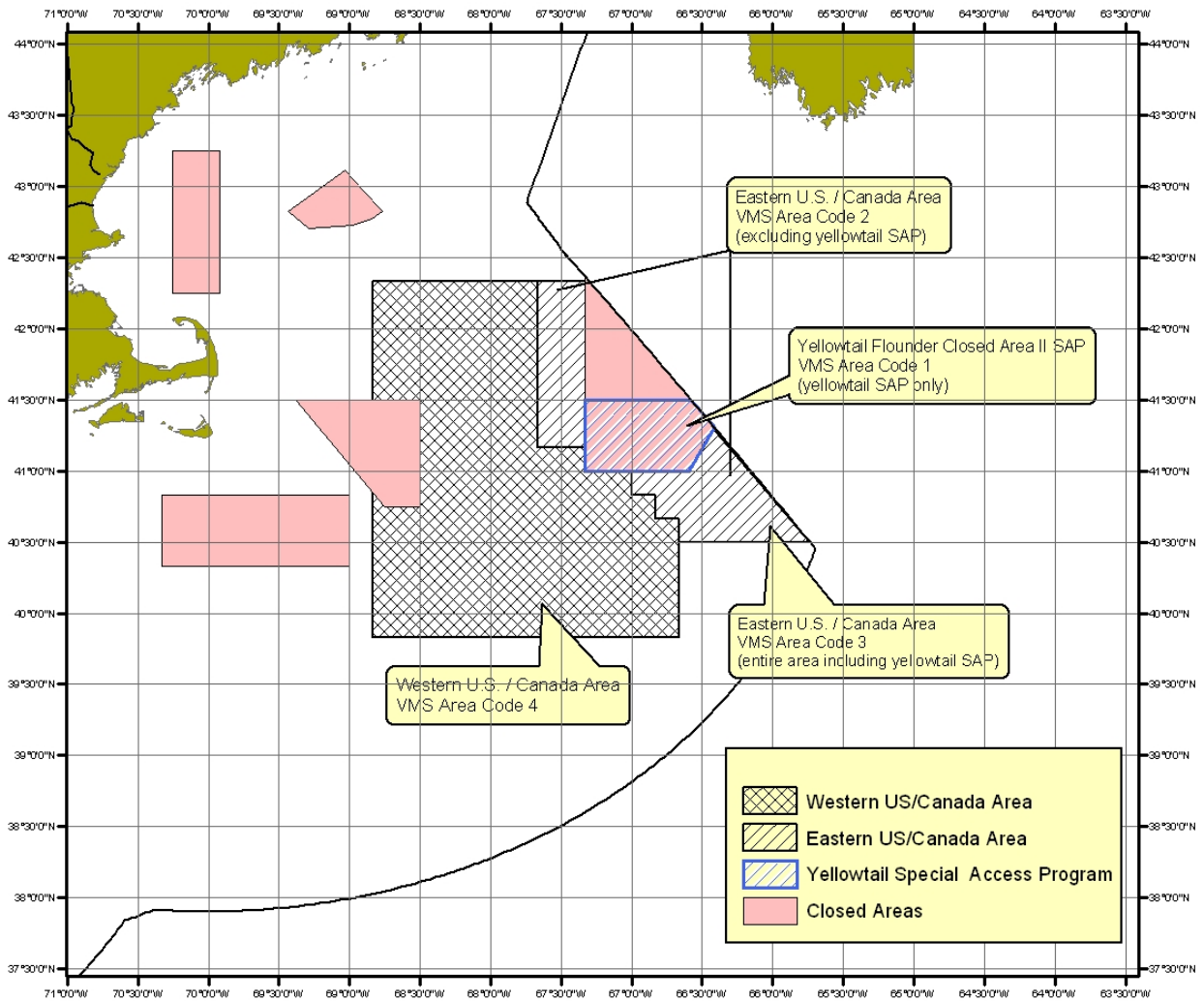
To submit daily catch reports, follow these steps:

- Create a new message using the Boatracs VMS unit;
- Hit the “+” key until macro message #21 appears;
- Enter the pounds caught/discarded in the appropriate fields;
- Press “enter” to move to other fields; and
- When finished, press the “send” button.

It is estimated that declaring into the U.S./Canada Management Area and selecting the appropriate DAS category will take approximately five minutes to complete, including the time to read the instructions and menu options, for each submission. Daily reporting of catch and discards is estimated to take approximately 15 minutes, including the time to read the instructions and menu options.

This information is required to track and monitor DAS usage, participation in SAPs, enforce possession and landings regulations, and to monitor the catch and discard rates for cod, haddock, and yellowtail flounder within the U.S./Canada Management Area. It is anticipated that the information collected will be disseminated to the public or used to support publicly disseminated information. NOAA Fisheries will retain control over the information and safeguard it from improper access, modification, and destruction, consistent with NOAA standards for confidentiality, privacy, and electronic information.

Eastern and Western U.S./Canada Areas, Including Fishing Areas Within the U.S./Canada Management Area for VMS Declaration Purposes Only



Macro # 18

CURRENT NE VMS ACTIVITY CODES

May 1, 2004

MARCH 1, 2004

VESSEL ACTIVITY REPORT

PLACE AN 'X' NEXT TO THE CATEGORY THAT YOU WISH TO BE IN:

1: DOF-DOF: DECLARE OUT OF FISHERY. APPLIES TO SCALLOP, MULTISPECIES, MONKFISH, HERRING VESSELS.

2: SES-SCA: DECLARE INTO SCALLOP FISHERY.

3: SES-SAA: DECLARE SCALLOP AREA ACCESS TRIP (FORMERLY SES-CLA). 12 DAYS CHARGED AGAINST SAA ALLOCATION.

4: NMS-MUL: DECLARE INTO MULTISPECIES FISHERY.

5: NMS-DAY: DECLARE INTO MULTISPECIES FISHERY AS DAY GILLNET VESSEL. DAYS AT SEA WILL ACCRUE USING THE 3/15 RULE.

6: NMS-TRP: DECLARE INTO MULTISPECIES FISHERY AS TRIP GILLNET VESSEL.

7: NMS-USC: DECLARE US/CA AREA TRIP. DAYS AT SEA WILL ONLY ACCRUE WHILE INSIDE SELECTED AREA. CHECK ONE AREA AND ONE DAS TYPE. AREA: 1 2 3 4. DAS TYPE: A B REG B RES. MACRO MESSAGE #21, CATCH REPORT, MUST BE SENT DAILY AT 0900.

8: MNK-MNK: DECLARE INTO MONKFISH FISHERY. DAYS AT SEA WILL ACCRUE AGAINST MONKFISH ALLOCATION. VALID FOR CATEGORY A & B MONKFISH PERMITS ONLY.

9: MNK-MUL: DECLARE INTO MONKFISH FISHERY. DAYS AT SEA WILL ACCRUE AGAINST BOTH MONKFISH AND MULTISPECIES ALLOCATIONS.

10: MNK-SCA: DECLARE INTO MONKFISH FISHERY. DAYS AT SEA WILL ACCRUE AGAINST BOTH MONKFISH AND SCALLOP ALLOCATIONS.

11: MNK-GIL: DECLARE INTO MONKFISH FISHERY AS GILLNET VESSEL.

12: HER-HER: DECLARE INTO HERRING FISHERY.

NEW GILLNET TAG SERIES FOR FISHING YEAR 2004

This letter is being sent to give you notice that you will need to order new gillnet tags for the 2004 fishing year using the enclosed revised gillnet tag order form. Because gillnet tags have a life expectancy of approximately 3-4 years, it is necessary to replace gillnet tags periodically. NOAA Fisheries has decided to remain with the current gillnet tag vendor, the National Band and Tag Company, to provide gillnet tags for the next three years (through the 2007 fishing year). These new tags will not be available until after May 1, 2004.

Effective August 1, 2004, a new gillnet tag series (BLUE in color) will be required for gillnets in place of the current valid teal-green gillnet tag series that have been in use since 2000. For the 2004 fishing year, the new BLUE gillnet tags must be used by all limited access Northeast (NE) multispecies and monkfish vessels fishing with gillnet gear under the Days-at-Sea (DAS) program.

Until new tags become available, the following rules will apply:

- **The current teal-green teardrop-shaped gillnet tags will remain valid through July 31, 2004.**
- **Limited access NE multispecies and monkfish vessels that have been issued the current teal-green teardrop-shaped gillnet tags must continue to tag their gillnet gear, consistent with the regulations, until the new BLUE gillnet tags become available. Once available, vessels may begin fishing with the BLUE gillnet tags.**
- **Vessels issued a NE multispecies permit and intending to fish under a NE multispecies DAS with gillnet gear must still obtain an annual designation as either a Day or Trip gillnet vessel prior to fishing with gillnet gear in the 2004 fishing year.**

Gillnet Tag Certificate and Annual Category Designations: Day or Trip gillnet category declarations are to be made on the enclosed form and signed by the vessel owner or authorized representative. A vessel must remain in that category for the entire fishing year. Once a declaration form has been received, NOAA Fisheries will send a gillnet tag certificate and category designation form (one form) to the vessel owner that serves as written confirmation from the Regional Administrator that the vessel is a Day or Trip gillnet vessel. This confirmation must be retained on board the vessel when fishing under a NE multispecies DAS with gillnet gear.

Once a vessel owner orders new BLUE gillnet tags, a revised gillnet tag certificate and category designation form will be issued. This certificate supercedes all previously issued gillnet tag certificates.

Vessels Currently Not Possessing Valid (Teal-green) Gillnet Tags:

Vessels that do not currently possess valid gillnet tags and that intend on fishing with gillnet gear under a DAS prior to August 1, 2004, may receive a Letter of Authorization (LOA) exempting these vessels from the gillnet tag requirements until such time as the new BLUE gillnet tags become available, but no later than July 31, 2004. These vessels may fish for groundfish or monkfish without the use of gillnet tags, provided the vessel complies with the conditions specified in the LOA. This LOA must be retained on board the vessel during the period of exemption. These vessels are still required to purchase new BLUE gillnet tags using the enclosed order form.

Ordering New BLUE Gillnet Tags:

Vessel owners required to use gillnet tags must indicate the number of gillnet tags that are being requested on the revised tag order form included with this package. **The new BLUE gillnet tags cost \$1.20 per tag and will remain valid for at least 3 fishing years (i.e., through April 30, 2007). These tags must be used beginning August 1, 2004.**

Amendment 13 Gillnet Regulations:

Amendment 13 to the NE Multispecies Fishery Management Plan (FMP) was approved in large part on March 18, 2004, and will become effective on May 1, 2004. In addition to implementing new comprehensive management measures, Amendment 13 revises some of the existing gillnet regulations. A separate letter describing modifications to the gillnet regulations under Amendment 13 was previously sent to you. Please refer to this letter for further information. This letter is also available on our website at <http://www.nero.noaa.gov>. A summary of the gillnet gear requirements is contained in the table below.

Gear Restrictions for Amendment 13 to the NE Multispecies FMP by Regulated Mesh Areas.

	Gulf of Maine	Georges Bank	Southern New England	Mid-Atlantic
NE Multispecies Day Gillnet Category*	<u>Roundfish nets</u> 6.5" (16.5 cm) mesh; 50-net allowance; 2 tags/net	<u>All nets</u> 6.5" (16.5 cm) mesh; 50-net allowance; 2 tags/net	<u>All nets</u> 6.5" (16.5 cm) mesh; 75-net allowance; 2 tags/net	<u>Roundfish nets</u> 6.5" (16.5 cm) mesh; 75-net allowance; 2 tags/net
	<u>Flatfish nets</u> 6.5" (16.5 cm) mesh; 100-net allowance; 1 tag/net			<u>Flatfish nets</u> 6.5" (16.5 cm) mesh; 75-net allowance; 2 tags/net
NE Multispecies Trip Gillnet Category*	<u>All nets</u> 6.5" (16.5 cm) mesh; 150-net allowance; 1 tag/net	<u>All nets</u> 6.5" (16.5 cm) mesh; 150-net allowance; 1 tag/net***	<u>All nets</u> 6.5" (16.5 cm) mesh; 75-net allowance; 2 tags/net	<u>All gillnet gear</u> 6.5" (16.5 cm) mesh; 75-net allowance 2 tags/net;
Monkfish Vessels**	10" (25.4 cm) mesh/150-net allowance			
	1 tag/net			

* When fishing under a NE multispecies DAS

** Monkfish Category C and D vessels, when fishing under a monkfish DAS

***Although the final rule indicates 2 tags/per net, NOAA Fisheries intends to correct this to 1 tag/net to more accurately reflect the intent of Amendment 13.

Gillnet Tag form must be completed if your vessel will be fishing with Gillnets under a Northeast (NE) Multispecies Days at Sea (DAS) or Monkfish DAS during the 2004 fishing year (May 1, 2004-April 30, 2005).

- If you have a limited access NE multispecies permit or a limited access NE multispecies permit **and** a limited access monkfish permit, you must fill out Section 1, Section 2, and Section 3.
- If you have a limited access monkfish permit only (and **no** limited access multispecies permit), you must fill out Section 2 and Section 3.

Section 1- Limited access NE multispecies permit holders who intend to use gillnet gear under a multispecies day-at-sea must declare into **one of the following** gillnet category designations by selecting one of the following two categories with a check mark: (please read the "Special Instructions to Gillnet Vessel Owners" if you do not know which category you should choose)

Trip Gillnet Category _____ **or** Day Gillnet Category _____

NOTE: Both Day and Trip Category vessels are restricted to 150 tags.

Section 2

All gillnet vessel owners must purchase new BLUE gillnet tags. NOTE: Current teal green gillnet tags are valid through July 31, 2004. The new BLUE gillnet tags are required beginning August 1, 2004.

Please indicate how many tags that you wish to purchase by filling out the following information.

Number of tags requested _____. (Multispecies tags are limited to 150, Monkfish tags are limited to 150. **The new BLUE gillnet tags cost \$1.20 each.** (NOTE: An additional shipping and handling charge of \$5.00 must be included for orders of 20 or less tags.) (NOTE: The total cost for 150 tags is \$180.00.)

Total amount enclosed \$ _____

Name and Address _____

Phone Number _____

Please make checks payable to **National Band and Tag Company** and complete Section 3 below.

Initial Tags will be shipped to you directly from the tag manufacturer

Section 3

Vessel Name _____

Federal Permit # _____

Documentation # _____
or State Registration # _____

Signature _____

Date _____

Gillnet tags will be used to fish for:

Multispecies (circle) Yes No

Monkfish (circle) Yes No

Please call the NMFS Northeast Regional Office information line at (978) 281-9278 if you have any questions.

Return this form and payment to:
NMFS Permits Office, Gillnet Program
One Blackburn Drive
Gloucester, MA 01930-2298

OMB Control # 0648-0202
OMB Expiration Date 3/31/2004

The information will be used in the management of the NE multispecies and monkfish fisheries. One of the regulatory steps taken by NOAA Fisheries to carry out the conservation and management objectives of these fishery management plans is limiting fishing vessel effort. The application to designate a gillnet category and order gillnet tags is meant to allow industry members to designate their appropriate gillnet category and order the appropriate number of gillnet tags in accordance with 50 CFR 648.4(c)(2)(iii) and 648.80(a)(3)(iv), 648.80(a)(4)(iv), 648.80(b)(2)(iv), and 648.80(b)(2)(v). Since this requirement has been adopted as part of the effort reduction programs under the NE Multispecies and Monkfish Fishery Management Plans (FMPs) it is viewed as consistent with the conservation goals of these FMPs.

BURDEN STATEMENT: Public reporting burden for this collection of information is estimated to average 5 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or suggestions for reducing this burden to: Patricia A. Kurkul, Regional Administrator, Northeast Region, NMFS, 1 Blackburn Drive, Gloucester, MA 01930-2298; and to Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503.

The information collected on this form is not confidential and can be made available to the general public.

Notwithstanding any other provision of law, no person is required to respond to nor shall a person be subject to penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a current valid OMB Control Number.

SPECIAL INSTRUCTIONS TO GILLNET VESSEL OWNERS

General gillnet vessel designation and tagging requirements:

A vessel owner electing a Day or Trip gillnet declaration must indicate the number of gillnet tags that are being requested on the above mentioned form provided by NOAA Fisheries, and provide a check for the cost of the tags. Both Day and Trip gillnet vessels will be authorized to obtain up to 150 gillnet tags. A vessel may have tags on board the vessel that are in excess of the number of tags corresponding to the allowable number of nets for a given Regulated Mesh Area (RMA), provided such tags are onboard the vessel and can be made available for immediate inspection.

A gillnet vessel may stow additional nets on board that are in excess of the allowable nets for a given RMA, up to 150 nets for Day gillnet vessels, counting the number of deployed nets. Trip gillnet vessels are not restricted to the number of nets that can be stowed on board the vessel. All nets in excess of the allowable number of nets for a given RMA must be stowed according to the regulations.

General gillnet gear requirements: For purposes of gillnet gear requirements, gillnets are defined as follows:

- **Roundfish gillnet:** A gillnet constructed with floats on the float line and no tie-down twine between the float line and the lead line.
- **Flatfish gillnet:** A gillnet constructed with no floats on the float line, or with floats on the float line and that has tie-down twine between the float line and the lead line not more than 48 inches in length and spaced not more than 15 feet apart.

Vessels fishing under the Large Mesh DAS program using gillnets:

Vessels that hold a valid limited access Northeast multispecies Large Mesh Individual Days-at-Sea category (Category F) permit will be required to fish with nets having a mesh size that is 2.0 inches larger than the current regulated mesh size when fishing under the NE multispecies DAS program.