

SMALL ENTITY COMPLIANCE GUIDE

Dear Monkfish Permit Holder:

This letter is to inform you of new regulations implementing Framework Adjustment 2 to the Monkfish Fishery Management Plan (FMP). The management measures contained in Framework 2 are **effective May 1, 2003**. These measures include:

- Establishment of target total allowable catch (TAC) levels of 10,211 mt for the Southern Fishery Management Area (SFMA) and 17,708 mt for the Northern Fishery Management Area (NFMA) for the 2003 fishing year (May 1, 2003 - April 30, 2004);
- Allocation of 40 days-at-sea (DAS) to limited access monkfish vessels for the 2003 fishing year;
- Revision to the trip limits for limited access monkfish vessels when fishing under a monkfish DAS in the SFMA;
- Revision to the incidental trip limit for open access category E monkfish vessels when fishing under a Northeast (NE) multispecies DAS in the NFMA;
- Revision to the monkfish overfishing definition in the FMP;
- Implementation of an expedited process for setting annual target TACs; and
- Establishment of a method for adjusting monkfish trip limits and DAS allocations to achieve the annual target TACs.

A summary of the monkfish trip limits, including the trip limits implemented in Framework 2, are provided in the following table:

Monkfish Trip Limits - Effective May 1, 2003

Permit Category	DAS Program	Area	Gear¹	Trip Limit ² (tail weight per DAS)
A, B, C, or D	Monkfish	NFMA	All Gear	No trip limit
A or C	Monkfish	SFMA	All Gear	1,250 lb
B or D	Monkfish	SFMA	All Gear	1,000 lb
C or D	Multispecies	NFMA	All Gear	No trip limit
C or D	Multispecies	SFMA	Trawl	300 lb
C or D	Multispecies	SFMA	Non-trawl	50 lb
C or D	Scallop	NFMA & SFMA	Dredge or net exemption	300 lb

E (incidental)	Multispecies	NFMA	All Gear	400 lb, or 50% of total weight of fish on board, whichever is less
E (incidental)	Multispecies	SFMA	All Gear	50 lb
E (incidental)	Scallop	NFMA & SFMA	Dredge	300 lb
A, B, C, D, or E	No DAS	NFMA & SFMA	Large Mesh ³	Up to 5% of total weight of fish on board per trip ⁴
A, B, C, D, or E	No DAS	NFMA & SFMA	Small Mesh ⁵ or Handgear	50 lb of tail weight per trip
C, D, or E vessels that are <30 feet with a multispecies limited access permit	No DAS	NFMA & SFMA	All Gear	50 lb of tail weight per trip

¹Dredge gear is prohibited unless fishing under a Scallop DAS

² Or the whole-weight equivalent (tail weight x 3.32)

³ Greater than or equal to the minimum NE multispecies mesh size for the Gulf of Maine, Georges Bank and Southern New England Regulated Mesh Areas, and minimum summer flounder mesh size for the Mid-Atlantic Regulated Mesh Area

⁴ Can land whole monkfish or monkfish tails, but the weight of all monkfish on board is converted to tail weight.

⁵ Less than the regulated mesh size as specified under footnote 3.

REMINDERS:

Monkfish Minimum Fish Sizes

For vessels **declared into the NFMA**, the minimum fish size is 17 inches total length, or 11 inches tail length. Such vessels must have available for inspection a valid monkfish exemption certificate (see below), which exempts the vessel from the minimum fish size of the SFMA. This size limit applies to vessels holding a limited access monkfish permit, and to vessels holding an incidental monkfish permit that want to fish under the less restrictive size limit of the NFMA.

For vessels **fishing in the SFMA, or for vessels not declared into the NFMA**, the minimum fish size is 21 inches total length, or 14 inches tail length.

Declaration into the NFMA

All federally permitted monkfish vessels intending to fish for or catch monkfish exclusively in the NFMA under the less restrictive measures of that area must obtain a monkfish exemption certificate from the National Marine Fisheries Service (NOAA Fisheries). This certificate may be obtained by calling (978) 281-9370. This certificate serves as the vessel's declaration into the NFMA, and is issued for a minimum of 30 days. **A vessel that does not have a current monkfish exemption certificate on board is presumed to have fished in the SFMA, and is therefore subject to the more restrictive requirements of that area, regardless of where the fish are caught or landed.**

A vessel that has declared its intent to fish in the NFMA may transit the SFMA, provided the vessel

does not harvest or possess monkfish, or any other fish, from the SFMA and the vessel's fishing gear is properly stowed and not available for immediate use, in accordance with the regulations.

This letter is only a summary of the monkfish regulations that have been implemented. 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.nmfs.gov>.

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.