



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

April 25, 2003

SMALL ENTITY COMPLIANCE GUIDE

Dear Permit Holder:

Effective May 1, 2003, Framework Adjustment (Framework) 37 to the Northeast (NE) Multispecies Fishery Management Plan eliminates the Year 4 default measure that was to have taken effect for small mesh multispecies (silver hake (whiting), offshore hake, and red hake) in both the northern and southern stock areas and adjusts measures to increase opportunities to fish for small mesh multispecies in the northern area. This adjustment is necessary because current regulations specify that the Year 4 default measure would become effective in both stock areas on May 1, 2003, unless modified or eliminated by a New England Fishery Management Council action. Measures taking effect under Framework 37 include the following:

Elimination of the Year 4 Default Measure in Both Stock Areas

The Year 4 default measure for small mesh multispecies, which includes a prohibition on fishing with mesh smaller than 3 inches (square or diamond) in most New England and Mid-Atlantic fisheries, and implementation of a 10,000-lb possession limit for whiting and offshore hake, combined, will **NOT** go into effect. All current regulations for small mesh multispecies (mesh sizes, possession limits, etc.) remain in effect, except for the following modifications in this framework adjustment.

Cultivator Shoal Whiting Fishery (CSWF) Season

The CSWF season is extended through October 31 of each year, allowing the season to occur from June 15-October 31 annually.

Red Hake Incidental Catch Allowance in the CSWF

The 10 percent restriction on red hake incidental catch in the CSWF is eliminated, allowing for unlimited incidental catch of red hake in the CSWF.

Incidental Catch Allowances for Small Mesh Areas 1 and 2

Fishing for, possessing on board, or landing monkfish, lobster, ocean pout, and sculpin are now prohibited in Small Mesh Areas 1 and 2. This is a modification to the incidental catch allowances for Small Mesh Areas 1 and 2 so that they are consistent



with the allowances for the Cape Cod Bay raised footrope trawl whiting fishery. The following species are the only species allowed to be caught, in accordance with other applicable regulations, in Small Mesh Areas 1 and 2:

- < Silver hake;
- < offshore hake;
- < red hake;
- < squid;
- < butterfish;
- < mackerel;
- < dogfish;
- < herring; and
- < scup.

Transfer at Sea Provisions for Small Mesh Multispecies

Vessels with a Letter of Authorization (LOA) may transfer up to 500 pounds of whiting and unlimited amounts of red hake at sea for use as bait, provided:

- < The transferring vessel possesses a NE multispecies permit;
- < the transferring vessel has an authorizing LOA issued by the Regional Administrator on board; and
- < the receiving vessel possesses a written receipt for any small mesh multispecies purchased at sea.

In addition, the transferring vessel will continue to automatically receive a 500-pound deduction from its combined silver hake and offshore hake possession limit for every trip during the participation period specified in the LOA, regardless of whether a transfer of small mesh multispecies at sea occurred or whether the actual amount transferred was less than 500 pounds. This deduction will be noted on the transferring vessel's LOA.

Minor Modification to the Cape Cod Bay Raised Footrope Trawl (RFT) Fishery Area

The southern boundary of the Cape Cod Bay RFT area will move from the Loran 44100 line to the 42° N. lat. line, creating a "lee" by opening a triangle-shaped area totaling 5.5 square miles. The slight area modification to the Cape Cod Bay RFT fishery will provide fishermen with improved access to this fishery in times of inclement and unpredictable weather.

RAISED FOOTROPE TRAWL WHITING FISHERY EXEMPTION AREA

(September 1 through November 20)

Point	N. Lat.	W. Long.
RF 1	42°14.05'	70°08.8'
RF 2	42°09.2'	69°47.8'
RF 3	41°54.85'	69°35.2'
RF 4	41°41.5'	69°32.85'
RF 5	41°39'	69°44.3'
RF 6	41°45.6'	69°51.8'
RF 7	41°52.3'	69°52.55'
RF 8	41°55.5'	69°53.45'
RF 9	42°08.35'	70°04.05'
RF 10	42°04.75'	70°16.95'
RF 11	42°00'	70°13.2'
RF 12	42°00'	70°24.1'
RF 13	42°07.85'	70°30.1'
RF 1	42°14.05'	70°08.8'

RAISED FOOTROPE TRAWL WHITING FISHERY EXEMPTION AREA

(November 21 through December 31)

Point	N. Lat.	W. Long.
RF 1	42°14.05'	70°08.8'
RF 2	42°09.2'	69°47.8'
RF 3	41°54.85'	69°35.2'
RF 4	41°41.5'	69°32.85'
RF 5	41°39'	69°44.3'
RF 6	41°45.6'	69°51.8'
RF 7	41°52.3'	69°52.55'
RF 8	41°55.5'	69°53.45'
RF 9	42°08.35'	70°04.05'
RF 1	42°14.05'	70°08.8'

This letter is only a summary of the Federal regulations and is not considered a substitute for the actual regulations. A copy of the regulations may be obtained through a link to the Office of the Federal Register at NERO's website: <http://www.nero.nmfs.gov>. This small entity compliance guide complies with Section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996.

Sincerely,

A handwritten signature in black ink, appearing to read "Patricia A. Kurkul". The signature is stylized with a large initial "P" and a prominent "K".

Patricia A. Kurkul
Regional Administrator