

SMALL ENTITY COMPLIANCE GUIDE

Dear Monkfish Permit Holder:

This letter is to inform you of the extension of the monkfish emergency rule, implemented on May 17, 2002, that temporarily amended the overfishing criteria in the Monkfish Fishery Management Plan (FMP), suspended the Year-4 default management measures in the FMP, and implemented revised management measures for the monkfish fishery. This action extends the emergency measures implemented in the emergency rule for the remainder of the 2002 fishing year, through April 30, 2003. The emergency measures extended by this action include:

- A target total allowable catch (TAC) of 19,595 metric tons (mt) for the 2002 fishing year (May 1, 2002 - April 30, 2003), with area-specific TACs of 11,674 mt and 7,921 mt for the Northern Fishery Management Area (NFMA) and the Southern Fishery Management Area (SFMA), respectively;
- Allocation of 40 days-at-sea (DAS) to limited access monkfish vessels for the 2002 fishing year (May 1, 2002 - April 30, 2003);
- A revision to the monkfish trip limits in the SFMA to 550 lb (tail weight per DAS) for vessel permit categories A and C, and 450 lb (tail weight per DAS) for vessel permit categories B and D while fishing on a monkfish DAS in the SFMA; and
- Maintenance of all other measures as established for the 2001 fishing year (May 1, 2001 - April 30, 2003).

A summary of the trip limits implemented in the emergency rule and extended by this action are provided in the following table.

Monkfish Trip Limits Effective Through April 30, 2003

Permit Category	DAS Program	Area	Gear ¹	Trip Limit ²
A&B and C&D with LA ³ scallop permit	Monkfish	NFMA	All Gear	No trip limit
A or C	Monkfish	SFMA	All Gear	550 lb of tail-weight per DAS
B or D	Monkfish	SFMA	All Gear	450 lb of tail-weight per DAS
C or D	Multispecies	NFMA	All Gear	No trip limit
C or D	Multispecies	SFMA	Trawl	300 lb of tail-weight per DAS
C or D	Multispecies	SFMA	Non-trawl	50 lb of tail-weight per DAS
C or D	Scallop	NFMA & SFMA	Dredge or net exemption	300 lb of tail weight per DAS

E (incidental)	Multispecies	NFMA	All Gear	300 lb of tail weight per DAS, or 25% of total weight of fish on board, whichever is less
E (incidental)	Multispecies	SFMA	All Gear	50 lb of tail-weight per DAS
E (incidental)	Scallop	NFMA & SFMA	Dredge	300 lb of tail-weight per DAS
A, B, C, D, or E	No DAS	NFMA & SFMA	Large Mesh	Up to 5% (whole or tail weight) of total weight of fish on board per trip
A, B, C, D, or E	No DAS	NFMA & SFMA	Small Mesh or Handgear	50 lb of tail weight per trip
C, D, or E vessels that are <30 feet with a multi-species LA permit	No DAS	NFMA & SFMA	All Gear	50 lb of tail weight per trip

¹Dredge gear is prohibited unless fishing under a Scallop DAS

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

³LA = Limited access

⁴Minimum regulated multispecies mesh size

⁵Less than regulated multispecies mesh size

REMINDER: A vessel 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. 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 period not less than 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 emergency 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.