



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

November 14, 2002

### **SMALL ENTITY COMPLIANCE GUIDE**

Dear Permit Holder:

Framework Adjustment 35 to the Northeast Multispecies Fishery Management Plan established an exempted whiting raised footrope trawl fishery in upper Cape Cod Bay, near Provincetown, MA, on September 1, 2000. The fishery occurs from September 1 through November 20 each year. Effective November 14, 2002, pursuant to a request by the New England Fishery Management Council, the boundaries of the current exemption area are modified as follows and the newly added area to the east will remain open through December 31 of each year.

### **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°01.9'	70°14.75'
RF 12	41°59.45'	70°23.65'
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'

Vessel owners wanting to participate in this fishery may request a letter of authorization from the Permits Office by calling (978) 281-9370. A vessels must also carry on board a valid Northeast Multispecies limited access permit (Category A through G) or “Open Access Permit” (Category K). A participating vessel must configure its trawl gear such that, when towed, the footrope and net are not in contact with the ocean bottom. A vessel is presumed to be fishing in such a manner if its trawl gear is configured as described in the attachment, “Raised Footrope Trawl Gear Specifications.”

All nets on board and all nets in use must have mesh no smaller than the minimum mesh size of 2.5 inches diamond or square as applied to the following portion of the net:

For vessels 60 feet or less in length: Counting from the terminus of the net, the first 50 meshes (the first 100 bars in the case of square mesh); or

For vessels greater than 60 feet in length: Counting from the terminus of the net, the first 100 meshes (the first 200 bars in the case of square mesh).

A vessel must comply with possession and landing restrictions for whiting, offshore hake, Atlantic herring, Loligo and Illex squid, butterfish, Atlantic mackerel, dogfish, and red hake in accordance with applicable Federal fishery regulations. Nets must be stowed and unavailable for immediate use when the vessel is transiting the Gulf of Maine/Georges Bank Regulated Mesh Area and/or the Gulf of Maine rolling closure areas. When participating in this fishery, a vessel may fish in other fisheries, including other small mesh exempted fisheries, during the same trip. However, a vessel is automatically subject to the most restrictive measures of the fisheries in which it is participating, regardless of where it fishes.

A vessel may fish in the overlapping portion of the Gulf of Maine Rolling Closure Area V during October and November while participating in the Raised Footrope Trawl Exempted Whiting Fishery. A vessel may not fish in or enter any other closed areas, except for purposes of transiting as permitted by other applicable Federal fishery regulations.

This letter is only a summary of the Federal regulations and is not considered a substitute for the actual regulations. To read the requirements in their entirety, you should request a complete copy of the regulations by calling the Sustainable Fisheries Division at 978-281-9344, or by

accessing the Federal Register Online through our Internet home page at <http://www.nero.nmfs.gov/ro/doc/nero.html>.

**Permit holders currently authorized to participate in the raised footrope trawl exempted whiting fishery will automatically receive a new letter of authorization that will allow them to continue fishing in the newly added eastern portion of the Raised Footrope Trawl Whiting Fishery Exemption Area through December 31, 2002.** Vessel owners not currently authorized to participate in this fishery and wanting to participate may request a letter of authorization from the Permits Office by calling (978) 281-9370.

*You may also receive permit holder letters, including closure notices, by e-mail by clicking on "What's New" on our website at <http://www.nero.nmfs.gov/ro/doc/nero.html>; 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,



*for* 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.*

**RAISED FOOTROPE TRAWL GEAR SPECIFICATIONS**

(A) Eight-inch (20.3-cm) diameter floats must be attached to the entire length of the headrope with a maximum spacing of 4 ft (122.0 cm) between floats.

(B) The ground gear must all be bare wire not larger than ½ inch (1.2 cm) for the top leg, not larger than 5/8 inch (1.6 cm) for the bottom leg, and not larger than ¾ inch (1.9 cm) for the ground cables. The top and bottom legs must be equal in length, with no extensions. The total length of ground cables and legs must not be greater than 40 fathoms (73 m) from the doors to wing ends.

(C) The footrope must be longer than the length of the headrope, but not more than 20 ft (6.1 m) longer than the length of the headrope. The footrope must be rigged so that it does not contact the ocean bottom while fishing.

(D) The raised footrope trawl may be used with or without a chain sweep. If used without a chain sweep, the drop chains must be a maximum of 3/8-inch (0.95-cm) diameter bare chain and must be hung from the center of the footrope and each corner (the quarter, or the junction of the bottom wing to the belly at the footrope). Drop chains must be hung at intervals of 8 ft (2.4 m) along the footrope from the corners to the wing ends. If used with a chain sweep, the sweep must be rigged so it is behind and below the footrope, and the footrope is off the bottom. This is accomplished by having the sweep longer than the footrope and having long drop chains attaching the sweep to the footrope at regular intervals. The forward end of the sweep and footrope must be connected to the bottom leg at the same point. This attachment, in conjunction with the headrope flotation, keeps the footrope off the bottom. The sweep and its rigging, including drop chains, must be made entirely of bare chain with a maximum diameter of 5/16 inches (0.8 cm). No wrapping or cookies are allowed on the drop chains or sweep. The total length of the sweep must be at least 7 ft (2.1 m) longer than the total length of the footrope, or 3.5 ft (1.1 m) longer on each side. Drop chains must connect the footrope to the sweep chain, and the length of each drop chain must be at least 42 inches (106.7 cm). One drop chain must be hung from the center of the footrope to the center of the sweep, and one drop chain must be hung from each corner. The attachment points of each drop chain on the sweep and the footrope must be the same distance from the center drop chain attachments. Drop chains must be hung at intervals of 8 ft (2.4 m) from the corners toward the wing ends. The distance of the drop chain that is nearest the wing end to the end of the footrope may differ from net to net. However, the sweep must be at least 3.5 ft (1.1 m) longer than the footrope between the drop chain closest to the wing ends and the end of the sweep that attaches to the wing end.