



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
NORTHEAST REGION
55 Great Republic Drive
Gloucester, MA 01930-2276

JUN - 2 2010

Dear Permit Holder,

NOAA's National Marine Fisheries Service (NMFS) recently published the 2010 Annual Determination for the Sea Turtle Observer Requirement in the *Federal Register* (75 FR 27649, May 18, 2010). You are receiving this letter because you are permitted in one or more of the fisheries included in the 2010 Annual Determination. A complete list of all fisheries included on the 2010 Annual Determination is available below. The *Federal Register* notice, which includes the list of fisheries and additional information on the Annual Determination, can be found at http://www.nero.noaa.gov/prot_res/seaturtles/regs.html.

Through the 2010 Annual Determination, NMFS identified commercial fisheries operating in state and Federal waters in the Atlantic Ocean, Gulf of Mexico, and Pacific Ocean that will be required to take observers upon NMFS' request. The purpose of observing identified fisheries is to learn more about sea turtle interactions in a given fishery, evaluate existing measures to reduce or prevent prohibited sea turtle interactions, and to determine whether additional measures to protect sea turtles may be necessary. The 2010 Annual Determination is based on the extent to which: (1) a fishery operates in the same waters and at the same times as sea turtles are present; (2) a fishery operates at the same time or prior to elevated sea turtle strandings; (3) a fishery uses a gear or technique that is known or likely to result in incidental take of sea turtles based on documented or reported takes in the same or similar fisheries; and (4) NMFS intends to monitor a fishery and anticipates that it will have the funds to do so.

Participants in fisheries included on the 2010 Annual Determination are required to carry observers if requested by NMFS during a period of five years beginning June 17, 2010 to enable the design of an appropriate sampling program and to ensure collection of sufficient scientific data for analysis. If NMFS determines that observing a fishery after the 5-year period expires is necessary, we would propose to include the fishery in a subsequent Annual Determination. The design of any new observer programs for fisheries identified on the 2010 Annual Determination, including how observers will be allocated to individual vessels, will vary among fisheries, fishing sectors, gear types, and geographic regions and would ultimately be determined by the appropriate NMFS' regional observer program. During the program design, NMFS will be guided by the following standards for distributing and placing observers among fisheries identified in the Annual Determination and vessels in those particular fisheries: (1) The requirements to obtain the best available scientific information; (2) The requirement that observers be assigned fairly and equitably among fisheries and among vessels in a fishery; (3) The requirement that no individual person or vessel, or group of persons or vessels, be subject to inappropriate, excessive observer coverage; and (4) The need to minimize costs and avoid duplication, where practicable.



If you are selected to carry an observer, the observer provider will contact you by email, phone, or letter. If you have questions or would like more information on the 2010 Annual Determination, please contact Ellen Keane at ellen.keane@noaa.gov or 978-282-8476.

Sincerely,

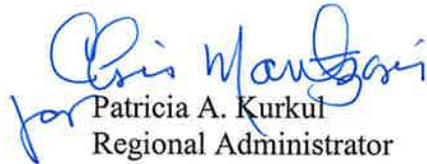

 Patricia A. Kurkul
 Regional Administrator

Table 1 – State and Federal Commercial Fisheries Included on the 2010 Annual Determination

Fishery	Years Eligible to Carry Observers
<u>Trawl Fisheries</u>	
Atlantic shellfish bottom trawl	2010-2014
Mid-Atlantic bottom trawl	2010-2014
Mid-Atlantic mid-water trawl (including pair trawl)	2010-2014
Southeastern U.S. Atlantic, Gulf of Mexico shrimp trawl	2010-2014
<u>Gillnet Fisheries</u>	
CA halibut, white seabass and other species set gillnet (>3.5 in mesh)	2010-2014
CA yellowtail, barracuda, and white seabass drift gillnet (mesh size >3.5 in. and <14 in.)	2010-2014
Chesapeake Bay inshore gillnet	2010-2014
Long Island inshore gillnet	2010-2014
Mid-Atlantic gillnet	2010-2014
North Carolina inshore gillnet	2010-2014
Northeast sink gillnet	2010-2014
Southeast Atlantic gillnet	2010-2014
<u>Trap/pot Fisheries</u>	
Atlantic blue crab trap/pot	2010-2014
Atlantic mixed species trap/pot	2010-2014
Northeast/mid-Atlantic American lobster trap/pot	2010-2014
<u>Pound Net/Weir/Seine Fisheries</u>	
Mid-Atlantic haul/beach seine	2010-2014
Mid-Atlantic menhaden purse seine	2010-2014
U.S. mid-Atlantic mixed species stop seine/weir/pound net (except the NC roe mullet stop net)	2010-2014
Virginia pound net	2010-2014