



Northeast Region Bulletin

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Small-Mesh Multispecies (Whiting) Fishery

SMALL ENTITY COMPLIANCE GUIDE

Establishment of Annual Catch Limits and Accountability Measures

Effective Date: May 1, 2012

We have implemented a Secretarial Amendment that creates annual catch limits (ACLs) and accountability measures (AMs) for silver hake, red hake, and offshore hake, collectively known as the “small-mesh multispecies.” The New England Fishery Management Council (Council) is developing an amendment for the same purpose, but that amendment has been delayed. We need to issue an amendment outside of the normal Council process to be consistent with the deadline in the law.

NOTE: The exemption areas, fishing seasons, trip limits, minimum mesh sizes, and other reporting requirements, including the requirement for a Letter of Authorization for Cultivator Shoal and the Raised Footrope Trawl Exemption Areas, all remain in effect. The Secretarial Amendment *only* implements the ACL framework and AMs.

Catch Limits

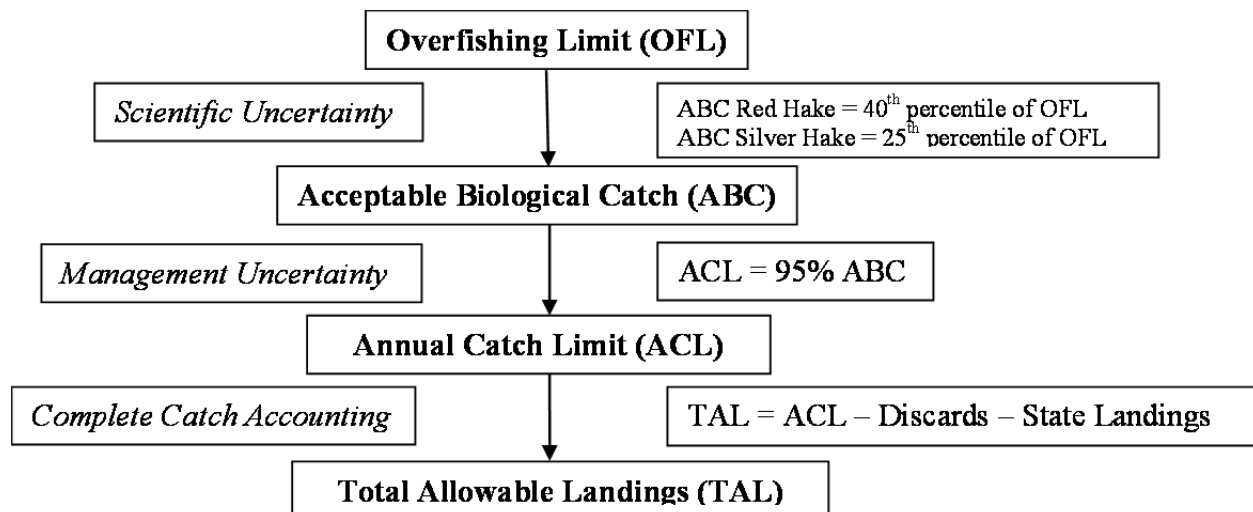
This rule creates catch limits for the five stocks of small-mesh multispecies. The catch limits are based on the most recent stock assessment and have also been adopted by the Council. There is not enough scientific information to an ACL for offshore hake, so we increased the southern stock of silver hake’s catch limits by 4 percent to account for the normal mixed catch of these two species. These combined catch limits are called “southern whiting.”

	Northern Red Hake	Northern Silver Hake	Southern Red Hake	Southern Whiting
Overfishing Limit (OFL)	314 mt	24,840 mt	3,448 mt	62,301 mt
Acceptable Biological Catch (ABC)	280 mt	13,177 mt	3,259 mt	33,940 mt*
Annual Catch Limit (ACL)	266 mt	12,518 mt	3,096 mt	32,295 mt

* Southern Whiting ABC = Silver Hake 25th percentile of OFL (32,635 mt) + 4% (1,305 mt) to account for offshore hake

The framework for ACLs and total allowable landings (TAL) in this amendment is the same structure that the Council is recommending for their small-mesh multispecies amendment (Amendment 19). The Council, the Council’s Plan Development Team, and Council’s Scientific and Statistical Committee developed the framework. The flowchart below shows the framework.

For small entity compliance guides, this bulletin complies with section 212 of the Small Business Regulatory Enforcement and Fairness Act of 1996. This notice is authorized by the Regional Administrator of the National Marine Fisheries Service, Northeast Region.



Landings Limits

To calculate the TALs, first we subtract the average amount of discards from the past 3 years from the ACL. Next we take out the 3 percent of the total landings that are estimated to come from state-waters fishing. The resulting number is the Federal TAL, and the amount of landings that we will be managing during the fishing year.

	Northern Red Hake	Northern Silver Hake	Southern Red Hake	Southern Whiting
ACL	266 mt	12,518 mt	3,096 mt	32,295 mt
Discard Estimate (2008-2010)	65% (173 mt)	26% (3,255 mt)	56% (1,718 mt)	13% (4,198 mt)
State-Waters Landings (3%)	2.8 mt	278 mt	42 mt	842 mt
Federal TAL (mt)	90.3 mt	8,985 mt	1,336 mt	27,255 mt
Federal TAL (lb)	199,077.4 lb	19,809,243 lb	2,945,376 lb	60,086,990 lb

Accountability Measures

During the season, we will monitor the landings as reported by federally permitted dealers and by vessel trip reports. If we estimate that **90 percent** of a TAL has been harvested, we will reduce the possession limit for that stock to an incidental level. Red hake stocks will have an incidental possession limit of **400 lb per trip**, and silver hake/whiting stocks will have a possession limit of **1,000 lb per trip**.

At the end of the year, we will compile a total accounting of landings and discards. If an ACL is exceeded, we will reduce the ACL for that stock on a pound-for-pound basis in a subsequent year. For example, if the northern red hake ACL of 266 mt (586,429 lb) is exceeded by 10,000 lb in fishing year 2012, we would reduce the northern red hake ACL in fishing year 2014 by 10,000 lb to equal 576,429 lb or 261 mt.

Other Changes

The rule also includes a specifications process to effectively manage the ACL framework. It lays out how we will update the specifications, on a 3-year cycle. This rule also clarifies in the regulations that vessels issued open access multispecies permits (category K) may not possess ocean pout.