

# AMENDMENT 1 TO THE NORTHEAST FISHERY SECTOR XII OPERATIONS PLAN

APPROVED BY NOAA'S NATIONAL MARINE FISHERIES SERVICE AUGUST 17, 2017

EFFECTIVE AUGUST 17, 2017, THROUGH APRIL 30, 2019

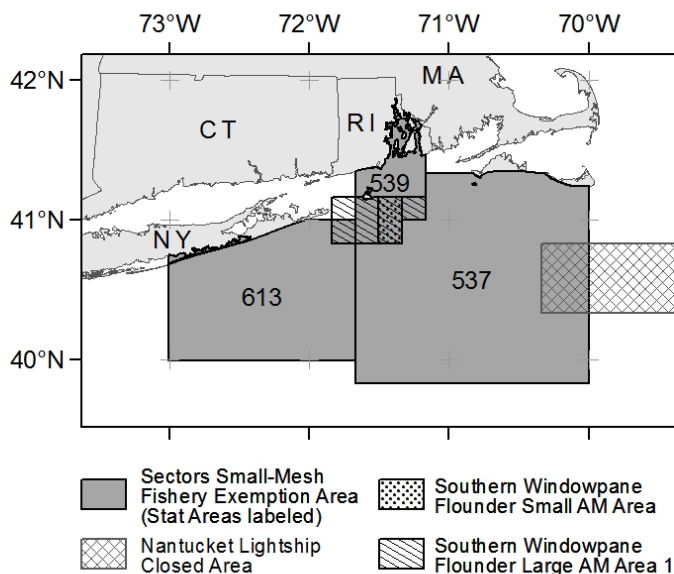
This amendment overwrites the section in this operations plan describing a sector-specific exemption, entitled "Prohibition on combining small-mesh exempted fishery and sector trips." Specifically, the language is modified to read as follows:

## Prohibition on combining small-mesh exempted fishery and sector trips

The exemption applies to sector trips only and is intended to allow a vessel to catch small-mesh species after targeting groundfish. Under this exemption, a sector vessel must fish with trawl nets that meet current regulatory requirements and sector exemptions during the first part of the trip, but may switch to modified small-mesh gear for the second portion of the trip. The small-mesh portion of the trip must be fished in the Sector Small-Mesh Fishery Exemption Area, described below, and must use the modified small-mesh gear described below. A vessel may land whiting, longfin squid, mackerel, herring and other species permitted for retention in small-mesh exempted fisheries, provided the vessel still meets the requirements of those fisheries. For more information on small-mesh fishery exemptions and permitted species see:

[https://www.greateratlantic.fisheries.noaa.gov/regs/infodocs/small\\_mesh\\_exemption.pdf](https://www.greateratlantic.fisheries.noaa.gov/regs/infodocs/small_mesh_exemption.pdf).

Vessels may not fish the small-mesh portion of their trip using this exemption in the Nantucket Lightship Closed Area, or the Southern Windowpane Accountability Measure Areas, where they overlap with the exemption area.



As shown above, the Sector Small-Mesh Fishery Exemption Area is comprised of Statistical Areas 537, 539, and 613, and is defined as the waters bounded by the following points, connected in the order listed by rhumb lines, except where otherwise noted:

<b>Point</b>	<b>W Longitude</b>	<b>N Latitude</b>	<b>Note</b>
<b>A</b>	70° 00'	41° 14.45'	(1)
<b>B</b>	70° 00'	39° 50'	
<b>C</b>	71° 40'	39° 50'	
<b>D</b>	71° 40'	40° 00'	
<b>E</b>	73° 00'	40° 00'	
<b>F</b>	73° 00'	40° 44.9'	(2)(3)
<b>G</b>	72° 1.8'	41° 00'	(3)(4)
<b>H</b>	71° 40'	41° 00'	
<b>I</b>	71° 40'	41° 21'	(5)(6)
<b>J</b>	71° 10'	41° 28.3'	(6)(7)
<b>K</b>	71° 10'	41° 20'	
<b>L</b>	70° 49.5'	41° 20'	(8)(9)
<b>M</b>	70° 26.96'	41° 21.05'	(9)(10)
<b>N</b>	70° 18.82'	41° 20.14'	(11)(12)
<b>O</b>	70° 18.30'	41° 19.76'	(12)(13)
<b>P</b>	70° 16.65'	41° 18.73'	(14)(15)
<b>Q</b>	70° 15.31'	41° 17.32'	(15)(16)
<b>R</b>	70° 14'	41° 17'	(17)(18)
<b>A</b>	70° 00'	41° 14.45'	(18)(1)

- (1) Point A represents the intersection of 70°00'W longitude and the south coast of Nantucket, MA
- (2) Point F represents the intersection of 73°00'W longitude and the south coast of mainland Long Island, NY
- (3) From Point F to Point G along the south coast of mainland Long Island, New York (inclusive of bays)
- (4) Point G represents the intersection of 41°00'N latitude and the southeast coast of Long Island, NY
- (5) Point I represents the intersection of 71°40'W longitude and the coast of Rhode Island
- (6) From Point I to J along the coast of Rhode Island, inclusive of Narraganset Bay
- (7) Point J represents the intersection of 71°10'W longitude and the coast of Rhode Island
- (8) Point L represents the intersection of 41°20'N latitude and the west coast of Martha's Vineyard, MA
- (9) From Point L to Point M along the south coast of Martha's Vineyard
- (10) Point M represents Wasque Point, Martha's Vineyard, MA
- (11) Point N represents the west coast of Muskeget Island, Nantucket, MA
- (12) From Point N to Point O along the southwest coast of Muskeget Island, Nantucket, MA
- (13) Point O represents the south coast of Muskeget Island, Nantucket, MA
- (14) Point P represents the northwest coast of Tuckernuck Island, Nantucket, MA
- (15) From Point P to Point Q along the southwest coast of Tuckernuck Island, Nantucket, MA

(16) Point Q represents Smith Point on the southwest coast of Tuckernuck Island, Nantucket, MA

(17) Point R represents Esther Island, Nantucket, MA

(18) From Point R back to Point A along the south coast of Nantucket, MA

**The modified small mesh gear must contain either:**

- A drop chain sweep with a minimum drop of 12 inches (30.48 cm) in length, with a 24-inch headrope setback; or
- a large mesh belly panel with a minimum mesh size of 32 inches (81.28 cm), with the meshes hung on the half (a hanging ratio of 2:1); or
- an excluder grate secured forward of the codend with an outlet hole forward of the grate with bar spacing of no more than 1.97 inches (5.00 cm) wide.

**In order to use this exemption, the following additional conditions and restrictions apply:**

1. Prior to leaving the dock, the vessel must declare a small-mesh trip through the VMS trip start hail by checking the box next to “Other Exemption (when directed by NMFS)” under sector exemptions.
2. A vessel declaring this exemption must render its small-mesh gear not available for immediate use, as defined by 50 C.F.R. § 648.2, when using large-mesh gear during the first portion of the trip.
3. Upon completing the large-mesh portion of the trip, the vessel must submit a Multispecies Catch Report via VMS with a good faith estimate of all catch on board and indicate that it intends to fish with smaller mesh (i.e. with Step 5 completed).
4. The date-time stamp of the Multispecies Catch Report indicates to Enforcement that the vessel is now in the second portion of the trip and is prohibited from redeploying its large-mesh gear.
5. Following submission of the Multispecies Catch Report, the vessel may deploy its modified small mesh gear in the areas described above and is prohibited from fishing outside of the small mesh exemption area. All other applicable regulations apply to this portion of the trip.
6. No fishing may occur under this exemption in areas overlapping the Nantucket Lightship Closed Area or the Southern Windowpane Flounder Accountability Measure Areas, regardless of whether or not accountability measures have been triggered.
7. The vessel must comply with the remaining requirements of a sector trip, including the submission of VTRs, a trip end hail, and a final Multispecies Catch Report.
8. A vessel fishing with this exemption must retain and land all legal-sized groundfish on both the regulated mesh and small-mesh portions of the trip.