



#17

New England Fishery Management Council

50 WATER STREET | NEWBURYPORT, MASSACHUSETTS 01950 | PHONE 978 465 0492 | FAX 978 465 3116
John Pappalardo, *Chairman* | Paul J. Howard, *Executive Director*

Correspondence between NMFC and NMFS/NOAA,
MAFMC & ASMFC



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

DEC 13 2010

John Pappalardo, Chairman
New England Fishery Management Council
50 Water Street
Newburyport, MA 01950

Dear John:

I have spoken with my staff about the ongoing work on Amendment 5 to the Atlantic Herring Fishery Management Plan (Amendment 5). I understand the complexity of the issues being discussed and the challenges involved in fully developing some aspects of new monitoring alternatives. My staff has provided advice at Plan Development Team (PDT) and Committee meetings, and has also discussed these issues in meetings with your staff.

I would like to continue to provide assistance in developing implementation details for each alternative and one approach to help advance these discussions may be to draw on the staff in the Northeast Regional Office and the Northeast Fisheries Science with monitoring expertise developed during their work on the implementation of the NE Multispecies Amendment 16 monitoring programs. I believe that including these staffers in PDT discussions focused on monitoring programs could aid in the full development of the alternatives.

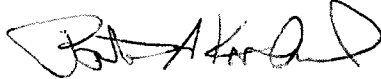
However, it has been difficult for my staff to provide the necessary advice on monitoring programs because the intent of some of the approaches is not entirely clear. In order for additional staff involvement to be productive, I suggest that the Committee should review the current range of alternatives, and develop a more explicit description of the purpose of each data collection. It is necessary to understand the intent of the collections in order to consider which of the new data collections would be absorbed into existing agency programs, and which would require the establishment of new programs, perhaps including programs run by third-party service providers.

For instance, there is currently an alternative under development that would require vessel holds to be certified, so that the total landed catch could be verified by a dockside monitor. It is not clear, however, how that information would be used to improve monitoring. Presumably, herring vessel reports would still be the primary source of herring catch by management area. Is the portside information intended as a tool to enable vessel owners and dealers to improve the accuracy of their herring reports? Or is it intended to provide another cross-check for identification of data anomalies?



I recognize all of the time and effort being put into the development of these alternatives by members of the Committee and PDT, and am making these suggestions in the hope you will find them constructive. If you would like to discuss them further, or have additional ideas about how we can assist, I am happy to discuss them.

Sincerely,

A handwritten signature in black ink, appearing to read 'Patricia A. Kurkul', written in a cursive style.

Patricia A. Kurkul
Regional Administrator

Cc: Nancy Thompson, NEFSC
Frank Almeida, NEFSC
Dan Morris, NERO



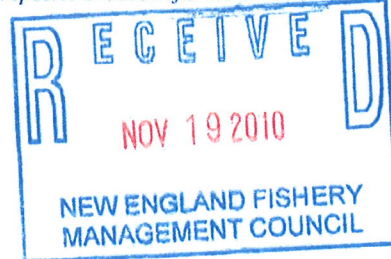
Atlantic States Marine Fisheries Commission

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Robert H. Boyles, Jr. (SC), Chair Paul Diodati, (MA), Vice-Chair John V. O'Shea, Executive Director

Healthy, self-sustaining populations for all Atlantic coast fish species or successful restoration well in progress by the year 2015



November 17, 2010

Captain Paul Howard
Executive Director
New England Fishery Management Council
50 Water Street, Mill 2
Newburyport, Massachusetts 01950

Dear Captain Howard, *Paul*

This responds to your letter of 1 October 2010 regarding the establishment of a comprehensive catch monitoring program for the Atlantic herring fishery. The NEFMC motion included in your letter requested that the states continue and expand portside sampling programs and the ASMFC Atlantic Herring Technical Committee (TC) meet jointly with the Herring Plan Development Team (PDT) to review the existing portside sampling programs. The Atlantic Herring Section (Section) discussed the Council's request at its meeting on 8 November 2010.

The Section members agreed that the continuation and potential expansion of portside monitoring programs is a critical component of a comprehensive herring monitoring program. During the ACCSP Coordinating Council Meeting last week, members of the Section and other ACCSP partners took action to significantly increase the funding to Maine's Atlantic herring portside monitoring program. This program collects data from Maine through New Jersey. There was also general agreement among the states that they would continue to seek additional funds to further increase portside monitoring.

The Section supported a joint meeting between the TC and PDT and has tasked my staff with working with the PDT chair to find an appropriate time for the meeting.

The Section looks forward to continuing to work with the Council on herring management.

Sincerely,
Vince
John V. O'Shea

cc: Atlantic Herring Section

cc: LS, TB (11/22)



New England Fishery Management Council

50 WATER STREET | NEWBURYPORT, MASSACHUSETTS 01950 | PHONE 978 465 0492 | FAX 978 465 3116
John Pappalardo, *Chairman* | Paul J. Howard, *Executive Director*

October 1, 2010

Captain Vince O’Shea, Executive Director
Atlantic States Marine Fisheries Commission
1444 Eye Street, N.W., Sixth Floor
Washington, DC 20005

Dear Vince:

At its September 28-30, 2010 meeting, the New England Fishery Management Council discussed the development of Amendment 5 to the Atlantic Herring Fishery Management Plan (FMP). As you are aware, one of the most significant issues that will be addressed in Amendment 5 is the establishment of a comprehensive catch monitoring program for the Atlantic herring fishery. During the discussion, the Council passed the following motion:

To request that the States continue and expand their portside sampling programs provided funds are found for the program, in support of the Council’s priority for portside sampling coverage and that the herring PDT and Technical Committee jointly meet to review the states shoreside monitoring programs in order to address the goals and objectives of Amendment 5.

Portside sampling is a critical component of any comprehensive monitoring program, as reflected in the goals and objectives of the Amendment 5 catch monitoring program. Collaboration with the States and ASMFC will be important to ensure the long-term success of the program. The Council looks forward to working with the ASMFC to coordinate portside sampling in the Atlantic herring fishery. If you have any questions, please don’t hesitate to contact me or Lori Steele.

Sincerely,

Paul Howard
Executive Director

cc: Council members



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
NORTHEAST REGION
55 Great Republic Drive
Gloucester, MA 01930-2270

AUG 31 2010



John Pappalardo, Chairman
New England Fishery Management Council
50 Water Street
Newburyport, MA 01950

Dear John:


I am writing to bring to your attention the August 26, 2010, report compiled by the Northeast Region's Fisheries Statistics Office relating to haddock catch in the Atlantic herring fishery. The current haddock incidental catch cap for the Atlantic herring fishery is 189,597 lb, and the preliminary data reported through August 21, 2010, indicate that catch is 88,236 lb or 46.5 % of the cap. The report may be viewed under the quotas tab of our website: www.nero.noaa.gov.

As is noted on the catch report itself, these data are preliminary. The sources of information are (1) dealers via Dealer Electronic Reporting to either the Standard Atlantic Fisheries Information System (SAFIS) or the Federally Licensed Seafood Dealers Trip Ticket System; (2) NOAA Fisheries Service Observer Program, through audited observer reports submitted by the Northeast Fisheries Science Center; and (3) from the NOAA Fisheries Office of Law Enforcement via reports resulting from actual dockside inspections of catch.

As you know, if the cap is attained, vessels issued All Areas or Areas 2/3 herring permits may not possess more than 2,000 lb of herring from the Gulf of Maine (GOM)/Georges Bank (GB) Herring Exemption Area or any haddock. The GOM/GB Herring Exemption Area encompasses herring Management Areas 1A and 1B, and parts of Area 3.

We will continue to monitor haddock catch in the herring fishery and keep the Council informed of its status.

Sincerely,


for Patricia A. Kurkul
Regional Administrator

Cc: Vince O'Shea, ASMFC





UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
NORTHEAST REGION
55 Great Republic Drive
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AUG 25 2010

John Pappalardo, Chairman
New England Fishery Management Council
50 Water Street
Newburyport, MA 01950

Dear John:

I am writing in regard to the Council's ongoing work to develop Amendment 5 to the Atlantic Herring Fishery Management Plan (Amendment 5). I recognize the complexity and controversial nature of the issues being addressed in this amendment, including catch monitoring, river herring bycatch, midwater trawl access to groundfish closed areas, interactions with the Atlantic mackerel fishery, and protection of spawning Atlantic herring. Because of the importance of these issues to future Atlantic herring management, and the wide range of opinions on how to address them, I urge the Council to include a broad range of alternatives to address these issues in the Amendment 5 draft documents that will be distributed for public hearing purposes.

I appreciate the amount of work involved in developing Amendment 5, and assure you that my staff will continue to work closely with yours to complete this project.

Sincerely,

Patricia A. Kurkul
Regional Administrator

Cc: Paul Howard





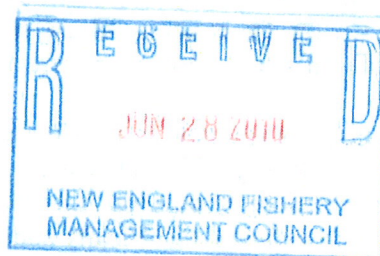
UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
1315 East-West Highway
Silver Spring, Maryland 20910

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THE DIRECTOR

JUN 23 2010

Mr. Paul J. Howard
Executive Director
New England Fishery Management Council
50 Water Street
Newburyport, MA 01950



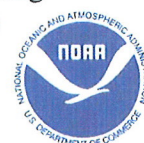
Dear Mr. Howard:

Thank you for your letter dated June 26, 2009, requesting that the Secretary of Commerce implement an information program under the authority of Section 402(a)(1) of the Magnuson-Stevens Fishery Conservation and Management Act to assess bycatch of shad and river herring in small-mesh fisheries. Under §402(a)(1), the Secretary has the authority to implement, by regulation, an information collection or observer program at the request of a Council if the Secretary determines that the need is justified. If the Secretary finds the action is justified the information program shall be implemented within 60 days. I apologize that I am just now responding to this letter, but your original letter did not reach my office until recently.

As you are aware, in December 2009 NOAA's National Marine Fisheries Service (NMFS) denied a similar request under sections §305 (c) and §402(a)(1) of the Magnuson-Stevens Act. These petitions were in response to the Atlantic States Marine Fisheries Commission (ASMFC) request that the Secretary take emergency action to effectively monitor bycatch of river herring in small-mesh fisheries, and to provide additional resources to support the cooperative efforts between the ASMFC and the New England and Mid-Atlantic Fishery Management Councils (NEFMC and MAFMC) to better manage anadromous fisheries. The ASMFC stated that, while the status of the river herring stock is unknown, low commercial landings have caused four states to implement a total moratorium on river herring harvest. The ASMFC believes that river herring bycatch in the Atlantic herring fishery could exceed the directed river herring commercial landings in state waters and requested that sea sampling be increased to identify the magnitude of river herring bycatch and the location of high bycatch areas.

Under its current legal authority, NMFS may increase observer coverage in any fishery without promulgating additional regulations. Currently, the Northeast Standardized Bycatch Reporting Methodology (SBRM) aims to achieve a precision goal of 30% coefficient of variance (CV) for estimates of total discards (aggregated over all species) for a fishery. In order to obtain better bycatch data, the NEFMC, as part of the development of Amendment 5 to the Atlantic Herring FMP, is evaluating a proposed program for sampling/observer coverage that is intended to achieve a 20% CV on river herring catch that would include a dockside monitoring program. NMFS has increased observer coverage in the herring fishery, and when able to redirect funds for sea-days, small-mesh fisheries receive priority. NMFS has also formally expanded sampling protocols to systematically characterize the unique fishing practices of high-volume fisheries

THE ASSISTANT ADMINISTRATOR
FOR FISHERIES



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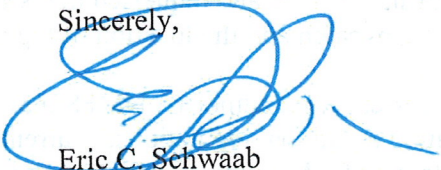
cc - US, Council (7/15)

(e.g., the Atlantic herring fishery, mackerel fishery, and Loligo squid fishery). Beginning in 2010, information on and associated with fish pumping, use of sorting grates at the pump entrance and on deck, and net release will be collected. These data may be useful in the quantification of river herring discards. In a recent analysis by the NMFS Northeast Fisheries Science Center, the existing SBRM recommended coverage, if fully funded, would be sufficient to provide sufficient observer coverage for those fleets that discard river herring.

Additionally, as you note in your letter, the NEFMC is developing Amendment 5 to the Herring FMP to specifically address bycatch issues in the Atlantic herring fishery. The MAFMC voted at its August meeting to develop Amendment 14 to the Atlantic Mackerel, Squid, and Butterfish FMP, which will also specifically address river herring bycatch mortality in small-mesh fisheries. The ASMFC is also managing river herring in State waters through Amendment 2 to the Interstate Fisheries Management Plan for River Herring. This Amendment will require States to implement needed fisheries-dependent and fisheries-independent monitoring programs to support sustainable management plans. This is important as there are small-mesh fisheries, such as the menhaden fishery, that are prosecuted almost exclusively in State waters, and may also have bycatch of river herring. The monitoring programs specified in Amendment 2 are expected to consider the need for better bycatch information from such fisheries, which could then be used to develop appropriate management measures. Such fisheries, particularly if conducted near major rivers during spawning runs, may have substantial impacts on river herring returns. Amendment 2 also contains recommendations on conservation, restoration, and protection of important river herring habitat. Additionally, since the key to successful reproduction of these anadromous species is access to the spawning areas within the river systems, NMFS encourages the States with river herring runs to assess the accessibility of these fish to spawning areas, and has supported river restoration projects under the NMFS Habitat Restoration Program and as part of the American Recovery and Reinvestment Act of 2009.

Based on the information and reasons discussed above, including the ongoing efforts and proposals by the NEFMC and the MAFMC, I have determined that Secretarial rulemaking under section 402(a)(1) of the Magnuson-Stevens Act to increase monitoring or observer coverage of river herring bycatch in small-mesh fisheries in New England and the Mid-Atlantic is not warranted or justified at this time. I look forward to our continued communication regarding our efforts to rebuild and restore our Nation's marine living resources.

Sincerely,



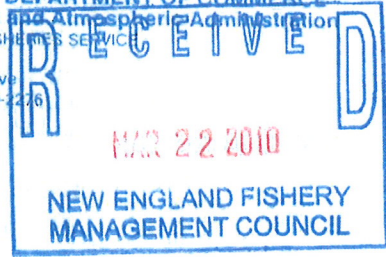
Eric C. Schwaab
Assistant Administrator
for Fisheries

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

MAR 22 2010



Mr. John Pappalardo, Chairman
New England Fishery Management Council
50 Water Street
Newburyport, MA 01950

Dear John:

I am writing to comment on the development of catch reporting and monitoring alternatives for Amendment 5 to the Atlantic Herring (Herring) Fishery Management Plan (Amendment 5).

Amendment 5 considers both minor and major changes to improve catch reporting and monitoring. At the August 24, 2009, Herring Oversight Committee (Committee) meeting, my staff expressed concern with Amendment 5 establishing new monitoring programs, without identifying funding sources for these programs. I reiterate that concern. Minor changes to catch reporting (e.g., increasing the frequency of catch reporting, expanding the use of vessel monitoring systems, expanding notification requirements) can likely be administered with existing National Marine Fisheries Service (NMFS) resources. However, the development of new monitoring programs (e.g., at-sea or dockside monitoring, video-based electronic monitoring, catch monitoring and control plans) or specific requirements for existing monitoring programs (e.g., 100% NMFS observer coverage) would require new funding sources. Objectives can be specified in the amendment, but observer coverage needs will continue to be assessed through the Standardized Bycatch Reporting Methodology process. The draft Amendment 5 document does not currently identify new funding sources for these programs, and relying on redirected NMFS resources to build and administer these programs is not feasible. I urge the Committee to continue to develop Amendment 5, and in doing so, identify funding sources for alternatives establishing new or significantly expanding existing monitoring program. Without additional funding, these alternatives are not viable.

At the August 2009 Committee meeting, my staff also discussed with the Committee that certain fishery practices (e.g., transferring catch at sea, transporting catch aboard carrier vessels, buying and selling catch at sea) make it difficult for NMFS to track herring catch, and asked the Committee to consider alternatives to modify complicated fishery practices to improve monitoring. Alternatives that limit transfers between vessels with possession limits, structure the activities of herring carrier vessels, and modify reporting requirements to provide for the buying/selling of catch at sea could greatly improve the efficiency of catch monitoring.

My staff outlined minor notification and reporting changes that we think will improve both the accuracy and efficiency of herring monitoring. These recommendations were shared with New England Fishery Management Council staff and are enclosed with this letter. Improving catch reporting and monitoring in the herring fishery are important aspects of Amendment 5, and I encourage the Committee to develop alternatives that effectively achieve these goals.

Sincerely,

Patricia A. Kurkul
Regional Administrator



cc: Council, CS(3/25)

Catch Reporting Recommendations for Herring Amendment 5

	Current	NERO Recommended
VMS Declaration	Limited access vessels (Category A, B and C vessels) declare "HER" prior to leaving port, or "DOF" if targeting a non-VMS species.	Same as current requirements, plus gear declaration to facilitate enforcement of midwater and purse seine LOAs.
	Herring vessels may turn off VMS units while in port.	Herring vessels must request a power down exemption (consistent with other FMPs).
Limited Access Notification Requirements	For Category A and B midwater and purse seine trips: <ul style="list-style-type: none"> • Notify NMFS OLE via VMS 6 hrs prior to landing; • Obtain an LOA; • Notify observer program 72 hrs before departure; • Carry observer if requested. 	Extend both observer and OLE notification requirement to all limited access vessels.
Limited Access Catch Reporting	IVR: Limited access vessels must submit a catch report via IVR each week by midnight on Tuesday (for the preceding week).	VMS: Herring landings and discards reported through VMS either <i>daily or at each offloading</i> , including: <ul style="list-style-type: none"> • Herring lbs kept and discarded; • Date and stat area where fish were caught; and • Trip identifier number.
	VTR: Monthly.	VTR: Weekly (vessels that also have groundfish permits will begin this in May 2010).
Open Access Catch Reporting	IVR: Vessels that land more than 2,000 lbs of herring on any trip in a week must report via IVR each week by midnight on Tuesday (for the preceding week).	Eliminate IVR reporting requirement.
	VTR: Monthly.	VTR: Weekly.
Carrier Reporting Requirements***	<ul style="list-style-type: none"> • LOA • Monthly VTR; • Carry an observer if requested; 	<ul style="list-style-type: none"> • LOA or at-sea dealer permit • Carrier declaration through VMS • No VTR reporting • Observer and OLE notification requirements

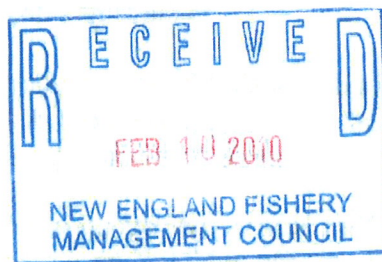
***Carriers are also subject to their vessel permit notification/reporting requirements.

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UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
1315 East-West Highway
Silver Spring, MD 20910
THE DIRECTOR

DEC 15 2009



Richard B. Robins, Jr., Chairman
Mid-Atlantic Fishery Management Council
Room 2115 Federal Building
300 South New Street
Dover, DE 19904-6790

Dear Mr. Robins,

Thank you for your letter requesting emergency action to implement monitoring measures to assess bycatch of blueback herring and alewife in small-mesh fisheries.

In June 2009, NOAA's National Marine Fisheries Service (NMFS) received several petitions, in addition to yours, to initiate emergency rulemaking to increase fishery monitoring programs and reduce river herring bycatch in small-mesh fisheries in the Northeast. This letter is intended to address all of these petitions requesting action regarding river herring bycatch.

These requests for rulemaking largely followed that of the Atlantic States Marine Fisheries Commission (ASMFC), which requested that the Secretary of Commerce (Secretary) take emergency action to effectively monitor bycatch of river herring in small-mesh fisheries, and to provide additional resources to support the cooperative efforts between the ASMFC and the New England and Mid-Atlantic Fishery Management Councils (NEFMC and MAFMC) to better manage anadromous fisheries. The ASMFC stated that, while the status of the river herring stock is unknown, low commercial landings have caused four states to implement a total moratorium on river herring harvest. The ASMFC believes that river herring bycatch in the Atlantic herring fishery could exceed the directed river herring commercial landings in state waters and requested that sea sampling be increased to identify the magnitude of river herring bycatch and the location of high bycatch areas.

These requests are considered requests for rulemaking under the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) §§ 305(c) and 402(a)(2). Under §305(c) of the Magnuson-Stevens Act states that, "If the Secretary finds that an emergency or overfishing exists or that interim measures are needed to reduce overfishing, he may promulgate emergency regulations or interim measures necessary to address the emergency or overfishing, without regard to whether a fishery management plan exists for such a fishery." National Marine



cc. US Council (2/10)

Fisheries Service (NMFS) Policy Guidelines for the Use of Emergency Rules state that emergency action is warranted if the situation:

1. Results from recent, unforeseen events or recently discovered circumstances; and
2. Presents serious conservation or management problems in the fishery; and
3. If the emergency justifies going straight to final rule without the opportunity for prior public comment, the immediate benefits outweigh the value of advance notice, public comment, and deliberative consideration of impacts on participants to the same extent as would be expected under the normal rulemaking process.

Under § 402(a)(2), the Secretary has the authority to implement, by regulation, an information collection or observer program if additional information is necessary for developing, implementing, or monitoring a fishery management plan.

River herring populations, which are managed by the Atlantic States through the ASMFC with the support of NMFS, have been declining since colonial times due to fishing (commercial and recreational) and both habitat loss and degradation (e.g., dam construction, siltation, pollution). In more recent times, commercial landings dropped from almost 60 million pounds in 1970 to 13.7 million pounds in 1985, and were under a million pounds in 2007. There has not been an ocean intercept fishery for some time and several States (Massachusetts, Rhode Island, Connecticut, Virginia and North Carolina) have imposed moratoria on their respective riverine fisheries. The decline of river herring is not a recent, unforeseen event, thus NMFS does not believe emergency action is warranted.

It is recognized that threats to river herring populations such as habitat loss, and near-shore and off-shore fishing is a conservation and management problem, and NMFS is working to improve monitoring of Northeast small-mesh fisheries through the Council process and support to the ASMFC. Additionally, development of regulations by the NEFMC and the MAFMC will allow full public participation in the management process, including public vetting of several new approaches to bycatch reduction that may not be available to the Secretary under emergency authority.

The NEFMC is developing Amendment 5 to the Herring FMP to specifically address bycatch issues in the Atlantic herring fishery. The MAFMC voted at its August meeting to develop Amendment 14 to the Atlantic Mackerel, Squid, and Butterfish FMP, which will also specifically address river herring bycatch mortality in the small-mesh fisheries. The ASMFC is also managing river herring in state waters through Amendment 2 to the Interstate Fisheries Management Plan for River Herring. This Amendment will require states to implement needed fisheries dependent and independent monitoring programs to support sustainable management plans. This is important as there are small-mesh fisheries, such as the menhaden fishery, that are prosecuted almost exclusively in state waters, and may also have bycatch of river herring. The monitoring programs specified in Amendment 2 are expected to consider the need for better bycatch information from such fisheries, which could then be used to develop appropriate management measures. Such fisheries, particularly if conducted near major rivers during spawning runs, may have substantial impacts on river herring returns. It is significant that the ASMFC Amendment also contains recommendations on conservation, restoration, and

protection of important river herring habitat. The key to successful reproduction of these anadromous species is access to the spawning areas within the river systems. NMFS encourages the states with river herring runs to assess the accessibility of these fish to spawning areas, and has supported river restoration projects as part of the American Recovery and Reinvestment Act of 2009.

Much of the concern regarding the possible need for increased monitoring and other measures to address bycatch of river herring in these fisheries stems from a preliminary white paper¹ on bycatch levels in the directed Atlantic herring fishery. This report concluded that, through the expansion of data from observed trips to all trips, river herring discards could be high. However, the expanded estimates contain high coefficients of variation, and thus were identified as preliminary. A concern with this analysis is the use of a ratio to estimate bycatch in Atlantic herring fishing operations that is implicitly based on a normal distribution, when 70% of the observed trips had no river herring bycatch. This uncertainty and the preliminary nature of the report does not support a finding that there are recent, unforeseen events, or recently discovered circumstances justifying emergency rulemaking for river herring.

Even if such justification were present, NMFS does not believe that there is a need for rulemaking: under its current legal authority, NMFS may increase observer coverage in any fishery without promulgating additional regulations. Currently, the Northeast Standardized Bycatch Reporting Methodology (SBRM) aims to achieve a precision goal of 30% coefficient of variance (CV) for estimates of total discards (aggregated over all species) for a fishery. In order to obtain better bycatch data, the NEFMC, as part of the development of Amendment 5 to the Atlantic Herring FMP, is evaluating a proposed program for sampling/observer coverage that is intended to achieve a 20% CV on river herring catch that would include a dockside monitoring program. In the Atlantic squid and mackerel fisheries where bycatch of river herring has also been identified, the MAFMC is developing Amendment 14 to the Squid, Mackerel, and Butterfish Fishery Management Plan that will examine bycatch in these fisheries more closely. In the meantime, NMFS has increased observer coverage in the herring fishery, and when able to redirect funds for seadays, small mesh fisheries receive priority. NMFS has also formally expanded sampling protocols to systematically characterize the unique fishing practices of high-volume fisheries (e.g. the Atlantic herring fishery, mackerel fishery, and *Loligo* squid fishery). Beginning in 2010, information on, and associated with, fish pumping, use of sorting grates at the pump entrance and on deck, and net release will be collected. These data may be useful in the quantification of river herring discards. In a recent analysis by the NMFS Northeast Fisheries Science Center, the existing SBRM recommended coverage, if fully funded, would be sufficient to provide sufficient observer coverage for those fleets that discard river herring.

Regarding recommendations to increase cooperation with State-run dockside monitoring programs, NMFS does work closely with the dockside sampling program managed by Maine and Massachusetts. NMFS maintains regular contact with the dockside samplers and continues to share and compare data sources. The combined sampling platforms (at-sea and dockside) may be used complementarily to characterize the catch to a fine level. Furthermore, NMFS observers

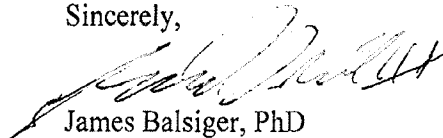
¹ Cieri, Matthew, Gary Nelson, and Michael Armstrong. 2008. Estimates of river herring bycatch in the directed Atlantic herring fisheries. 17 pages.

record all alosines/clupeids that they can adequately see to the species level. Observers take a species verification program, and refresher trainings on herring species identification are often provided.

In addition to the increase in bycatch monitoring, several petitioners recommended the implementation of bycatch reduction measures. Specifically, it was recommended that NMFS develop real-time river herring bycatch reporting and establish temporal and spatial gear restrictions and closures of river herring hot spots if and when bycatch levels exceed acceptable limits. I have found that these requests, particularly in light of ongoing efforts by the Councils and ASMFC, do not present sufficiently serious conservation concerns to justify Secretarial emergency action. Moreover, increased discard monitoring must be coupled with a monitoring program of adult returns to individual river systems. Otherwise the relationship between discard losses and stock size cannot be ascertained.

Based on the information and reasons discussed above, including the ongoing efforts and proposals by the NEFMC and the MAFMC, I have determined that emergency rulemaking under section 305(c) or general rulemaking under section 402(a)(2) of the Magnuson-Stevens Act to increase monitoring or observer coverage of river herring bycatch in small-mesh fisheries in New England and the Mid-Atlantic is not warranted or justified at this time. Based on these same reasons, I have also determined that emergency or other Secretarial rulemaking is not warranted or justified to address bycatch in these fisheries. I look forward to our continued communication regarding our efforts to rebuild and restore our Nation's marine living resources.

Sincerely,



James Balsiger, PhD
Assistant Administrator for the National Marine
Fisheries Service

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New England Fishery Management Council

50 WATER STREET | NEWBURYPORT, MASSACHUSETTS 01960 | PHONE 978 466 0492 | FAX 978 466 3116
John Pappalardo, *Chairman* | Paul J. Howard, *Executive Director*

June 26, 2009

The Honorable Gary Locke
U.S. Secretary of Commerce
United States Department of Commerce
1401 Constitution Ave., NW
Washington, DC 20230

Dear Mr. Secretary,

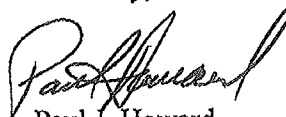
In accordance with Section 402(a)(1) of the Magnuson-Stevens Reauthorization Act (MSRA), the New England Fishery Management Council requests that an information collection program be implemented to acquire additional information about bycatch in small mesh fisheries throughout the range of river herring and shad. Section 402(a)(1) of the MSRA states that:

“If a Council determines that additional information would be beneficial for developing, implementing, or revising a fishery management plan or for determining whether a fishery is in need of management, the Council may request that the Secretary implement an information collection program for the fishery which would provide the types of information specified by the Council...”

The New England Council is currently preparing an amendment to the Atlantic Herring Fishery Management Plan, in which specific management measures to address river herring bycatch are being developed. An information collection program to acquire additional data about bycatch in the herring and other small mesh fisheries would greatly benefit the Council as it moves forward to address improvements in monitoring our fisheries.

The Council believes that recent and significant concern about the status of river herring and speculation about river herring bycatch in many fisheries warrants the establishment of an information collection program to determine the nature and extent of bycatch occurring in all small mesh fisheries throughout the range of river herring and shad. I look forward to your response. Please contact me if you have any additional questions.

Sincerely,

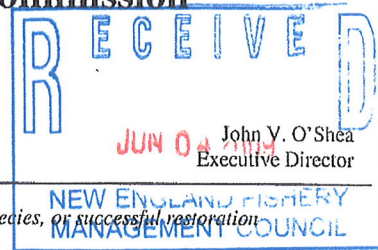

Paul J. Howard
Executive Director

cc: Council members
Vincé O'Shea, Executive Director, ASMFC
Dan Furlong, Executive Director, MAFMC
Patricia Kurkul, Regional Administrator, NMFS Northeast Region

Atlantic States Marine Fisheries Commission

1444 Eye Street, N.W., Sixth Floor
Washington, D.C. 20005
(202) 289-6400
(202) 289-6051 (fax)
www.asmfc.org

George D. Lapointe (ME), Chair
Robert H. Boyles, Jr. (SC), Vice-Chair



Working towards healthy, self-sustaining populations for all Atlantic coast fish species, or successful restoration well in progress, by the year 2015

May 27, 2009

The Honorable Gary Locke
U.S. Secretary of Commerce
United States Department of Commerce
1401 Constitution Ave., NW
Washington, DC 20230

Dear Mr. Secretary,

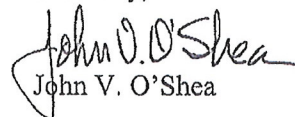
The Atlantic States Marine Fisheries Commission (ASMFC) requests emergency action to implement monitoring measures to determine bycatch of blueback herring and alewife (river herring) in small mesh fisheries. We also request your support of efforts by the New England and Mid-Atlantic Fishery Management Councils (Councils) to address river herring bycatch. Additional financial resources are needed to support meetings between the Councils and ASMFC and technical analysis of bycatch data.

The ASMFC is concerned with the coastwide depletion of river herring stocks; with few exceptions, most rivers have experienced significant declines. Nearly 500,000 blueback herring were passed annually at the fish lift on the Connecticut River prior to 1986... last year 84 fish were observed. Since 1985, commercial landings have decreased by 97 percent. In response to this precipitous decline, four of our states have implemented complete moratoria on river herring harvest. Most recently, the ASMFC has required states to close their fisheries unless they can prove they are sustainable.

The bycatch of river herring in federal fisheries has become a significant concern, as it may be having considerable impact on stock status. Preliminary analyses indicate, in some years, the total bycatch of river herring by the Atlantic herring fleet alone could be equal to the total landings from the entire in-river directed fishery on the East Coast. Increased at-sea sampling would have an immediate benefit of identifying the magnitude and location of high bycatch events.

We urgently need monitoring and management programs to minimize the impacts of bycatch on river herring. Thank you in advance for giving our request your direct attention.

Sincerely,


John V. O'Shea

cc: Dr. Jane Lubchenco, NOAA
Dr. James W. Balsinger, NMFS
Paul Diodati, Chair, Shad and River Herring Management Board
Shad and River Herring Management Board

CONNECTICUT, DELAWARE, FLORIDA, GEORGIA, MAINE, MARYLAND, MASSACHUSETTS, NEW HAMPSHIRE,
NEW JERSEY, NEW YORK, NORTH CAROLINA, PENNSYLVANIA, RHODE ISLAND, SOUTH CAROLINA, VIRGINIA

rec'd 6/15/09 - Ch. Htg.

5



New England Fishery Management Council

50 WATER STREET | NEWBURYPORT, MASSACHUSETTS 01950 | PHONE 978 465 0492 | FAX 978 465 3116
John Pappalardo, *Chairman* | Paul J. Howard, *Executive Director*

May 11, 2009

Captain Vince O'Shea, Executive Director
Atlantic States Marine Fisheries Commission
1444 Eye Street, N.W., Sixth Floor
Washington, D.C. 20005

Dear Vince:

Thank you for your April 14, 2009 letter requesting that the New England Fishery Management Council consider the bycatch of river herring in all small mesh fisheries. As you are aware, the Council is currently developing Amendment 4 to the Atlantic Herring Fishery Management Plan (FMP) and has identified the bycatch of river herring as an important issue to consider in the amendment. In addition, National Standard 9 of the Magnuson-Stevens Reauthorization Act (MSRA) requires the Council to minimize bycatch/bycatch mortality to the extent practicable in all FMPs.

Aside from establishing annual catch limits (ACLs) and accountability measures (AMs) consistent with the provisions of the MSRA, the top priority in Amendment 4 is to develop a comprehensive catch monitoring program for the Atlantic herring fishery. The catch monitoring program will enhance information collection and improve our ability to accurately identify and quantify landings and bycatch of all species in the Atlantic herring fishery. The Council has focused special attention on the bycatch of river herring throughout the development of the catch monitoring alternatives in Amendment 4 and will continue to do so. If alternatives for a catch monitoring program can be completed in a timely manner, the Council intends to consider specific management measures to minimize river herring bycatch to the extent possible in Amendment 4.

The Council intends to continue to address river herring bycatch in Amendment 4 and other management actions for small mesh fisheries in the Northeast Region as better information becomes available. We look forward to working with the Commission to promote the rebuilding and long-term sustainable management of the river herring resource. If you have any questions, please feel free to contact me.

Sincerely,

Paul Howard
Executive Director

cc: Council members

Atlantic States Marine Fisheries Commission

1444 Eye Street, N.W., Sixth Floor
Washington, D.C. 20005
(202) 289-6400
(202) 289-6051 (fax)
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George D. Lapointe (ME), Chair
Robert H. Boyles, Jr. (SC), Vice-Chair

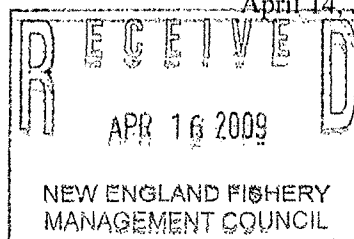
John V. O'Shea
Executive Director

Working towards healthy, self-sustaining populations for all Atlantic coast fish species, or successful restoration well in progress, by the year 2015

Captain Paul Howard, Executive Director
New England Fishery Management Council
The Tannery – Mill 2
50 Water Street
Newburyport, Massachusetts 01950

Dear Captain Howard,

Paul



The Atlantic States Marine Fisheries Commission's Shad and River Herring Management Board (Board) requests that the New England Fishery Management Council (Council) consider the bycatch of river herring (alewife and blueback herring) in all small mesh fisheries. The Board recognizes and appreciates the Council for its efforts, through the development of Amendment 4, to monitor and address bycatch in the Atlantic herring fishery, and requests that similar action be taken for other small mesh fisheries under the jurisdiction of the Council.

The Board is concerned that many populations of river herring are in decline, or remain at depressed but stable levels, along the Atlantic coast. Given the river herring's diadromous life cycle, it is susceptible to varied threats throughout different life stages. These threats include bycatch, predation by other species, direct harvest, habitat degradation, and barriers to upstream and downstream migration. The Board is working to address all these threats, as possible, within their authority or through coordinated efforts with the appropriate agencies. Of particular concern is the bycatch of river herring in the small mesh fleets occurring in federal waters.

The Board and the Shad and River Herring Technical Committee want to work with the Council and staff in analyzing the available data and developing monitoring programs and management options to minimize the impacts of small mesh fisheries on river herring. We look forward to working cooperatively with the Council to address this difficult and important issue.

Sincerely,

John V. O'Shea
John V. O'Shea

cc: Paul Diodati, Chair, Shad and River Herring Management Board
Shad and River Herring Management Board

cc: Council, LS, CSB (4/20)

Other Management Options

- Consideration should be given to other management options including bycatch limits by gear type and/or fishery.
- Increase observer coverage in all small mesh fisheries
- Mandatory reporting of bycatch and discards.
- Gear restrictions to reduce bycatch.

Funding

- The top priority for research set aside projects should be catch monitoring
- Existing portside sampling surveys are cost effective and should be a priority for future funding.
- Available at-sea observer trips, when possible, should be expanded.
- Funding short-term, high-coverage projects may be an effective way to gain a better understanding



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

#5

DEC 30 2008

JAN 05 2009

Paul J. Howard, Executive Director
New England Fishery Management Council
50 Water Street
Newburyport, MA 01950

Re: Review of Midwater Trawl Access to Closed Areas

Dear Paul:

Thank you for your letter of December 4, 2008, reiterating concerns that were raised at the November Council meeting about haddock bycatch in the midwater trawl herring fishery. As I mentioned at the Council meeting, I have directed my staff to review information from NMFS's Northeast Fisheries Observer Program (NEFOP), as well as from other sources, to determine if the threshold of 1% bycatch of regulated multispecies by midwater trawl vessels in the groundfish closed areas has been exceeded. The reports of bycatch discussed at the November meeting were based upon preliminary unaudited data collected by the NEFOP. The current review will use the audited NEFOP reports as well as data from other sources. This work will analyze recent bycatch in Closed Area I, as well as examine groundfish bycatch in the other closed areas, and any seasonal or spatial patterns of regulated multispecies bycatch observed in these closed areas over the past few years.

As you point out in your letter, if I determine that the threshold has been or is likely to be exceeded, I have regulatory authority to place restrictions or conditions on the letters that authorize vessels to fish with midwater trawl gear in the Gulf of Maine/Georges Bank Regulated Mesh Area. Upon conclusion on this review, I will notify the Council of NMFS's findings, including any determination that modification to the letter of authorization for one or more vessels is appropriate to address bycatch of regulated groundfish in the closed areas.

Sincerely,

Patricia A. Kurkul
Regional Administrator



cc US Council (1/5), TN

Atlantic States Marine Fisheries Commission

1444 Eye Street, N.W., Sixth Floor
Washington, D.C. 20005
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Robert H. Boyles, Jr. (SC), Vice-Chair

John V. O'Shea
Executive Director

Working towards healthy, self-sustaining populations for all Atlantic coast fish species, or successful restoration well in progress, by the year 2015

December 5, 2008

Lori Steele
New England Fishery Management Council
50 Water Street, Mill #2
Newburyport, Massachusetts 01950
Re: Herring Amendment 4 Catch Monitoring Program

Dear Lori,

The Atlantic States Marine Fisheries Commission (Commission) supports the development of a comprehensive catch monitoring program for the Atlantic herring fishery. Accurate catch monitoring will improve the interstate management of Atlantic herring as well as increase the understanding of the bycatch impacts on other Commission-managed species. The Commission's efforts to rebuild the river herring stocks are dependent on statistically valid characterization of bycatch in the Atlantic herring and other fisheries.

Attached please find the Commission's suggested goals, objectives, and details for a catch monitoring program specific to the Atlantic herring fishery.

Sincerely,



Robert Beal

cc: ASMFC Atlantic Herring Section

Atlantic States Marine Fisheries Commission

Atlantic Herring Catch Monitoring Program Recommendations

Goal:

- Develop a cost effective, comprehensive, timely, and efficient catch monitoring program for the Atlantic herring fishery.

Objectives:

- Implement an accurate and efficient Atlantic herring catch monitoring program to support the management of area quotas in a timely manner.
- Implement a bycatch monitoring program to develop a spatially and temporally valid estimate of species (including Atlantic herring) retained and discarded in the Atlantic herring fishery.

“Real-Time” Quota Monitoring:

- The IVR system provides the basic infrastructure necessary to achieve near real-time quota monitoring.
- Fishermen should be required to complete an IVR report after every trip including zero and negative reports. A system should be developed to allow fishermen to notify the NMFS and the states of extended periods when a vessel will not be fishing.
- Reporting on a more timely basis will allow for improved accounting of landings by area to refine effort control programs.
- The Commission is considering subdividing the annual area quotas which would require timely catch reporting necessary to prevent overages.
- The VMS system may also be efficiently used as a catch reporting tool.

Bycatch Monitoring:

- The Amendment 4 bycatch monitoring program should focus on estimating catch of small-bodied pelagic fish species such as river herring, haddock, and silver hake. Co-occurring small-bodied pelagic species frequently inhabit the water column where fishermen set on Atlantic herring. A statistically valid monitoring program for these species will likely be able to characterize the catch of the many other species that are encountered in the Atlantic herring fishery.
- Sampling programs should achieve a minimum 30% coefficient of variation for these small-bodied species.
- Identifying where the incidental catch occurs and in what amount is critical information to have when establishing annual catch limits (ACLs) for other species and considering measures that will reduce bycatch.

- Bycatch monitoring should consist of a combination of sea-sampling, portside monitoring, and possibly electronic monitoring.
- While electronic monitoring has possible drawbacks, it may be an efficient method to estimate the number of trawls that are released prior to being pumped onto the fishing or transport vessel.
- As funds become available, the level of sea-sampling should be increased to fully cover the gear types, range, and seasonality of this fishery.
- Portside sampling is a cost effective method to estimate bycatch of small-bodied pelagic species in the Atlantic herring fishery.
- A program that pairs sea sampling and portside sampling should be developed to compare the bycatch estimates of the two methods.

Funding

- The top priority for research set aside projects should be catch monitoring.
- Existing portside sampling surveys are cost effective and should be a priority for future funding.
- Available at-sea observer trips should focus on bycatch of small-bodied pelagic species such as river herring, haddock, and silver hake.
- Funding short-term, high-coverage projects may be an effective way to characterize bycatch and allow a reduced level of coverage in the future.
- When possible, expand on existing observer programs.



New England Fishery Management Council

50 WATER STREET | NEWBURYPORT, MASSACHUSETTS 01950 | PHONE 978 465 0492 | FAX 978 465 3116
John Pappalardo, *Chairman* | Paul J. Howard, *Executive Director*

December 4, 2008

Patricia Kurkul, Regional Administrator
NOAA/NMFS Northeast Region
55 Great Republic Drive
Gloucester, MA 01930

RE: Review of Herring Midwater Trawl Access to Closed Area I

Dear Pat:

Regulations specified in CFR Section 648.81(a)(2)(iii) authorizes access to Multispecies Closed Area I for vessels fishing with midwater trawl gear consistent with the provisions outlined in §648.80(d). The regulations specify that:

“...the Regional Administrator shall review information pertaining to the bycatch of regulated NE multispecies and, if the Regional Administrator determines, on the basis of sea sampling data or other credible information for this fishery, that the bycatch of regulated multispecies exceeds, or is likely to exceed, 1 percent of herring and mackerel harvested, by weight, in the fishery or by any individual fishing operation, the Regional Administrator may place restrictions and conditions in the letter of authorization for any or all individual fishing operations or, after consulting with the Council, suspend or prohibit any or all midwater trawl activities in the closed areas” (§648.81(a)(2)(iii)).

At the November 18-20, 2008 New England Fishery Management Council meeting, concern was expressed about recent bycatch events in Closed Area I involving midwater trawl vessels and, in particular, bycatch of haddock. As a result, the Council approved the following motion:

“That the Council request NMFS review recent herring midwater trawling observer data from groundfish Closed Area I to determine if Council requirements for continued access have been met. If criteria have not been met, access should be prohibited.”

The Council passed a subsequent motion to establish criteria for midwater trawl access to groundfish closed areas in Amendment 4 to the Atlantic Herring Fishery Management Plan (FMP). However, as you are aware, the timeline for completing and implementing management measures in Amendment 4 extends through 2009 and 2010. The Council has determined that immediate concerns about groundfish bycatch in Closed Area I should be addressed by NMFS in a more timely manner consistent with the existing regulations pertaining to midwater trawl vessel access to the groundfish closed areas.

Please consider this request and contact me if you have any further questions. The Council awaits your Agency's review and response as it continues to develop management alternatives for Amendment 4 to the Herring FMP.

Sincerely,

A handwritten signature in cursive script that reads "Paul".

Paul J. Howard
Executive Director

cc: Council members



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

JUL 29 2008

Dear Atlantic herring vessel owner or dealer:

This letter is being sent to clarify the notification and reporting requirements for the Atlantic herring (herring) fishery. As you know, some vessel owners and operators failed to comply with reporting requirements during 2007. These violations undermined the monitoring program established to assure that catch in the fishery does not exceed specified levels. This letter clarifies notification and reporting requirements for the fishery to avoid the problems that occurred last year. Please share this information with all of your vessel operators.

The notification and reporting requirements are outlined below:

1. If a vessel has been issued a limited access herring permit (i.e., All Areas Limited Access Permit, Areas 2 and 3 Limited Access Permit, Incidental Catch Limited Access Permit) the vessel operator must activate the vessel monitoring system (VMS) unit and enter the appropriate activity code prior to leaving port. If the operator believes the vessel may encounter and land herring during the trip, the appropriate activity code would be "HER." Vessel operators that normally declare out of the fishery (DOF) prior to leaving port to target a non-VMS required species, such as mackerel, should declare a herring trip if they may encounter and land herring.
2. If a vessel has been issued an All Areas Limited Access Herring Permit or an Areas 2 and 3 Limited Access Herring Permit and is fishing in the Gulf of Maine/Georges Bank Exemption Area (GOM/GB EA) on a declared herring trip with either midwater trawl or purse seine gear, then the vessel operator must:
 - Obtain the appropriate letter of authorization (LOA) for the gear fished before commencing any fishing trip;
 - Provide notice and contact information (e.g., contact name and phone number; vessel name; date, time, and port of departure) to the Observer provider (508-990-9057) at least 72 hours prior to beginning any trip into the GOM/GB EA; and
 - Notify the National Marine Fisheries Service Office of Law Enforcement (via VMS) of the time and place of offloading at least 6 hours prior to crossing the VMS demarcation line on their return trip to port, or, for vessels that have not fished seaward of the VMS demarcation line, at least 6 hours prior to landing.
3. The owner or operator of any vessel issued a limited access herring permit must submit a herring catch report via the Interactive Voice Response (IVR) system each week (by midnight on Tuesday for the preceding week), even if there is no fishing activity. Vessel owners are asked to consider voluntarily making the IVR report at the end of every trip, to enable the Northeast Regional Office to improve monitoring. If you submit an IVR report at the end of every trip, the weekly herring IVR catch report is still due by midnight on Tuesday, even if there is no fishing activity.



4. The owner or operator of any vessel issued an open access permit for herring that catches 2,000 pounds or more of herring on any trip in a week must submit a herring catch report via the IVR system for that week (by midnight on Tuesday for the preceding week).

5. The owner or operator of any vessel issued a herring permit (i.e., limited access or open access) must maintain on board the vessel, and submit monthly, an accurate fishing vessel trip report (VTR) for each fishing trip (by the 15th of each month for the preceding month).

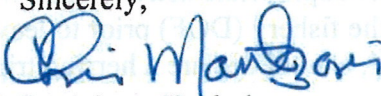
6. Herring catch may only be sold to federally permitted dealers or at-sea processors, unless it is being sold at-sea to a vessel that is purchasing the herring for its own use as bait.

We have received several requests asking for clarification of the reporting requirements for both vessels and dealers, especially those involved in pair trawling and the transfer of herring at sea. These activities have specific reporting requirements, and may also require an LOA to be issued by the Northeast Region Permit Office. Additional guidance on reporting requirements in specific situations is provided in an attachment.

If you have reporting or regulatory questions, please phone the numbers provided:

- Dealer reporting - 978-281-9212;
- IVR reporting - 978-281-9209;
- VTR reporting - 978-281-9246; and
- Regulations - 978-281-9315.

Sincerely,


for Patricia A. Kukul
Regional Administrator

Attachement

BASIC HERRING REPORTING REQUIREMENTS

Dealers and At-Sea Processors

Dealers and vessels issued at-sea processing permits, must:

- Submit, for each transaction, an electronic dealer report each week. Reports are due by midnight (Eastern Time) each Tuesday for the week that ended the previous Saturday at midnight;
- Report all fish purchased or received for commercial purposes, other than solely for transport on land;
- Report the vessel name and Federal permit number of each vessel that harvested any fish received;
- Report the serial number from the VTR form used by each vessel that harvested fish and all other information required by the Regional Administrator (RA);
- Submit a report even if there is no activity during a week;
- Vessels issued an At-Sea-Processing permit when receiving or purchasing fish from catcher vessels are to report the port of landing as “Domestic Joint Venture, JD”.

Requirements for handling haddock for dealers and vessels issued at-sea processing permits

- Dealers, including at-sea processors, that cull or separate all other fish from the herring catch must separate and retain all haddock offloaded from vessels that have an All Areas Limited Access Herring Permit or an Areas 2 and 3 Limited Access Herring Permit.
- Such haddock may not be sold, purchased, received, traded, bartered, or transferred, and must be retained, after it has been separated from the herring, for at least 12 hours for dealers and processors on land, and for 12 hours after landing on shore by at-sea processors.
- The dealer or at-sea processor must report all such haddock on the weekly electronic dealer report and must use the appropriate disposition code for the haddock. The weekly dealer report must clearly indicate the vessel name and permit number, along with any other information required by the RA, of vessels that landed the retained haddock.
- Law enforcement officials must be given access to inspect the haddock.

Fishing Vessels

IVR reports must be:

- Submitted weekly if the vessel is issued a limited access herring permit, even if there is no fishing activity during a week;
- Submitted weekly if the vessel is issued an open access herring permit for any week the vessel catches 2,000 pounds or more of herring;
- Completed such that they include all herring caught (discards and landings); and
- Submitted by midnight (Eastern Time) each Tuesday, for the previous week that ended Saturday at midnight.

VTRs must be:

- Submitted for each trip that occurs by any vessel issued a Federal herring permit;
- Submitted by the 15th of each month to report fishing activity for the previous month;
- Submitted even if there is no fishing activity during a month; and
- Completed such that they include all species caught (discards and landings).

REPORTING INSTRUCTIONS FOR PAIR TRAWL VESSELS

Dealers: When a dealer purchases fish from pair trawl vessels, the dealer must report the poundage received from each individual vessel. The fact that the vessels pair trawled does not affect the information required in the electronic dealer report.

Vessels: Each vessel involved in pair trawling must submit IVR reports and VTRs. The vessel possessing the permit with the most restrictive possession limit determines the limit on the amount of herring that may be fished for or possessed by any pair. For example, if a vessel issued the All Areas Limited Access Permit pair trawls with a vessel issued a Limited Access Incidental Catch Permit, the pair may not fish for, possess or land more than 55,000 pounds of herring. Vessels should report the actual amount of catch landed by that vessel, regardless of the number of vessels involved in the pair trawling venture. The examples below explain how to complete these reports accurately.

Example 1: Vessel A and Vessel B catch 700,000 pounds of herring using midwater pair trawl gear. Vessel A accepted and landed the catch from 2 hauls totaling 200,000 pounds. Vessel B accepted and landed the catch from 3 hauls totaling 500,000 pounds. Vessels should report the catch as follows:

VTR Vessel A: gear code: PTM
hauls: 2
species: HERR
kept: 200,000 pounds
discard: pounds, by species, from 2 hauls
notation: Include a notation on the VTR form indicating
“Pair trawling with F/V (insert name of the vessel
and permit number)”

VTR Vessel B: gear code: PTM
hauls: 3
species: HERR
kept: 500,000 pounds
discard: pounds, by species, from 3 hauls
notation: Include a notation on the VTR form indicating
“Pair trawling with F/V (insert name of the vessel
and permit number)”

IVR Vessel A: kept: 200,000 pounds
discard: pounds of herring from 2 hauls

IVR Vessel B: kept: 500,000 pounds
discard: pounds of herring from 3 hauls

FISHING VESSEL TRIP REPORT

11274718

DID NOT FISH DURING MONTH/YEAR ____/____

1. VESSEL NAME Vessel A		2. USCG. DOC. or STATE REG. NO. ABCDEF		3. VESSEL PERMIT NUMBER 123456	
4. DATE/TIME SAILED DATE (mm/dd/yy) <u>MM DD YY</u> TIME (24 hrs.) <u>HH:MM</u>		5. TRIP TYPE (CHECK ONE) <input checked="" type="checkbox"/> COMMERCIAL <input type="checkbox"/> PARTY <input type="checkbox"/> CHARTER		6. NO. of CREW 4	7. NO. of ANGLERS

FILL OUT A NEW PAGE FOR EACH CHART AREA OR GEAR OR MESH/RING SIZE FISHED

8. GEAR FISHED PTM		9. MESH/RING SIZE 1		10. QUANTITY OF GEAR 1		11. SIZE OF GEAR 400			
12. CHART AREA 514		14. LATITUDE/LONGITUDE or LORAN				15. NO. of HAULS 2		16. AVERAGE TOW/SOAK TIME 2 30 hrs mins	
		LATITUDE 42 30		LONGITUDE 70 30					
13. AVG. DEPTH IN FATHOMS 40		STATION-BEARING #1		STATION-BEARING #2					
17. SPECIES CODE NAME	18. KEPT POUNDS (Comm)	COUNT (Rec)	19. DISCARDED POUNDS (Comm)	COUNT (Rec)	20. DEALER PERMIT NO.	21. DEALER NAME		22. DATE SOLD (mm/dd/yy)	
HERR	200,000				1234	SEAFOOD DEALER, INC.		MM/DD/YY	
Pair Trawling with vessel B, permit 234567									

23. PORT and STATE LANDED OFFLOADING PORT, STATE		24. DATE LANDED (mm/dd/yy) MM, DD, YY		TIME LANDED HH:MM	
---	--	--	--	----------------------	--

I certify that the information provided on this form is true, complete and correct to the best of my knowledge, and made in good faith. Making a false statement on this form is punishable by law (18 U.S.C. 1001).

25. OPERATOR'S NAME (printed) and PERMIT NUMBER (if required) John Doe, 123456789		26. OPERATOR'S SIGNATURE John Doe		DATE MM DD YY	
--	--	--------------------------------------	--	------------------	--

NMES COPY

FISHING VESSEL TRIP REPORT

11274718

DID NOT FISH DURING MONTH/YEAR ____/____

1. VESSEL NAME Vessel B		2. USCG. DOC. or STATE REG. NO. UVWXYZ		3. VESSEL PERMIT NUMBER 234567	
4. DATE/TIME SAILED DATE (mm/dd/yy) MM DD YY HH:MM TIME (24 hrs.)		5. TRIP TYPE (CHECK ONE) <input checked="" type="checkbox"/> COMMERCIAL <input type="checkbox"/> PARTY <input type="checkbox"/> CHARTER		6. NO. of CREW 3	7. NO. of ANGLERS

FILL OUT A NEW PAGE FOR EACH CHART AREA OR GEAR OR MESH/RING SIZE FISHED

8. GEAR FISHED PTM		9. MESH/RING SIZE 1		10. QUANTITY OF GEAR 1		11. SIZE OF GEAR 400			
12. CHART AREA 514		14. LATITUDE/LONGITUDE or LORAN				15. NO. of HAULS 3		16. AVERAGE TOW/SOAK TIME 1 30 hrs mins	
		LATITUDE 42 30		LONGITUDE 70 30					
13. AVG. DEPTH IN FATHOMS 40		STATION-BEARING #1		STATION-BEARING #2					
17. SPECIES CODE NAME HERR	18. KEPT POUNDS (Comm) 500,000	COUNT (Rec)	19. DISCARDED POUNDS (Comm)	COUNT (Rec)	20. DEALER PERMIT NO. 1234	21. DEALER NAME SEAFOOD DEALER, INC.		22. DATE SOLD (mm/dd/yy) MM/DD/YY	
<p><i>Pair Trawling with Vessel A, permit 123456</i></p>									

23. PORT and STATE LANDED OFFLOADING PORT, STATE		24. DATE LANDED (mm/dd/yy) MM, DD, YY		TIME LANDED HH:MM	
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I certify that the information provided on this form is true, complete and correct to the best of my knowledge, and made in good faith. Making a false statement on this form is punishable by law (18 U.S.C. 1001).

25. OPERATOR'S NAME (printed) and PERMIT NUMBER (if required) John Q Public, 987654321		26. OPERATOR'S SIGNATURE <i>John Q Public</i>		DATE MM DD YY	
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Example 2: Vessel A and Vessel B catch 400,000 pounds of herring in 3 hauls using midwater pair trawl gear. The entire catch of 400,000 pounds is retained by Vessel A. Vessels should report the catch as follows:

VTR Vessel A: **gear code:** PTM
 hauls: 3
 species: HERR
 kept: 400,000 pounds
 discard: pounds, by species, from 3 hauls
 notation: Include a notation on the VTR form indicating
 “Pair trawling with F/V (insert name of the vessel
 and permit number)”

VTR Vessel B: **gear code:** PTM
 hauls: leave blank
 species: NO CATCH
 kept: leave blank
 discard: leave blank
 notation: Include a notation on the VTR form indicating
 “Pair trawling with F/V (insert name of the vessel
 and permit number)”

IVR Vessel A: **kept:** 400,000 pounds
 discard: pounds of herring from 3 hauls

IVR Vessel B: **kept:** no catch
 discard: no catch

FISHING VESSEL TRIP REPORT

11274718

DID NOT FISH DURING MONTH/YEAR ____/____

1. VESSEL NAME Vessel A		2. USCG. DOC. or STATE REG. NO. ABCDEF		3. VESSEL PERMIT NUMBER 123456	
4. DATE/TIME SAILED DATE (mm/dd/yy) <u>MM DD YY</u> TIME (24 hrs.) <u>HH MM</u>		5. TRIP TYPE (CHECK ONE) <input checked="" type="checkbox"/> COMMERCIAL <input type="checkbox"/> PARTY <input type="checkbox"/> CHARTER		6. NO. of CREW 4	7. NO. of ANGLERS

FILL OUT A NEW PAGE FOR EACH CHART AREA OR GEAR OR MESH/RING SIZE FISHED

8. GEAR FISHED PTM		9. MESH/RING SIZE 1		10. QUANTITY OF GEAR 1		11. SIZE OF GEAR 400			
12. CHART AREA 514		14. LATITUDE/LONGITUDE or LORAN				16. NO. of HAULS 3		16. AVERAGE TOW/SOAK TIME <u>2</u> <u>30</u> hrs mins	
		LATITUDE 42 30		LONGITUDE 70 30					
13. AVG. DEPTH IN FATHOMS 40 f		STATION-BEARING #1		STATION-BEARING #2					
17. SPECIES CODE NAME	18. KEPT POUNDS COUNT (Comm) (Rec)		19. DISCARDED POUNDS COUNT (Comm) (Rec)		20. DEALER PERMIT NO.	21. DEALER NAME		22. DATE SOLD (mm/dd/yy)	
HERR	400,000				1234	SEAFOOD DEALER, INC.		MM/DD/YY	
Pair Trawling with Vessel B, permit 234567									

23. PORT and STATE LANDED OFFLOADING PORT, STATE		24. DATE LANDED (mm/dd/yy) <u>MM, DD, YY</u>		TIME LANDED <u>HH:MM</u>	

I certify that the information provided on this form is true, complete and correct to the best of my knowledge, and made in good faith.
Making a false statement on this form is punishable by law (18 U.S.C. 1001).

25. OPERATOR'S NAME (printed) and PERMIT NUMBER (if required) John Doe, 123456798		26. OPERATOR'S SIGNATURE <i>John Doe</i>		DATE MM DD YY	
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NMFS COPY

FISHING VESSEL TRIP REPORT

11274718

DID NOT FISH DURING MONTH/YEAR ____/____

1. VESSEL NAME <i>f/v Catcher</i>		2. USCG. DOC. or STATE REG. NO. <i>ABCDEF</i>		3. VESSEL PERMIT NUMBER <i>123456</i>	
4. DATE/TIME SAILED DATE (mm/dd/yy) <i>MM DD YY</i> TIME (24 hrs.) <i>HH:MM</i>		5. TRIP TYPE (CHECK ONE) <input checked="" type="checkbox"/> COMMERCIAL <input type="checkbox"/> PARTY <input type="checkbox"/> CHARTER		6. NO. of CREW <i>4</i>	
				7. NO. of ANGLERS	

FILL OUT A NEW PAGE FOR EACH CHART AREA OR GEAR OR MESH/RING SIZE FISHED

8. GEAR FISHED <i>OTM</i>		9. MESH/RING SIZE <i>1</i>		10. QUANTITY OF GEAR <i>1</i>		11. SIZE OF GEAR <i>400</i>					
12. CHART AREA <i>514</i>		14. LATITUDE/LONGITUDE or LORAN				15. NO. of HAULS <i>2</i>		16. AVERAGE TOW/SOAK TIME <i>2 30</i> hrs mins			
		LATITUDE <i>42 30</i>		LONGITUDE <i>70 30</i>							
13. AVG. DEPTH IN FATHOMS <i>40</i> f ₃		STATION-BEARING #1		STATION-BEARING #2							
17. SPECIES CODE NAME		18. KEPT POUNDS (Comm) COUNT (Rec)		19. DISCARDED POUNDS (Comm) COUNT (Rec)		20. DEALER PERMIT NO.		21. DEALER NAME		22. DATE SOLD (mm/dd/yy)	
<i>HERR</i>		<i>200,000</i>				<i>1234</i>		<i>SEAFOOD DEALER, INC.</i>		<i>MM/DD/YY</i>	
		<i>Offloaded to carrier vessels;</i>									
		<i>F/V Carrier ABC, permit 345678 and</i>									
		<i>F/V Carrier DEF, permit 567890</i>									

23. PORT and STATE LANDED <i>OFFLOADING PORT, STATE</i>		24. DATE LANDED (mm/dd/yy) <i>MM, DD, YY</i>		TIME LANDED <i>HH:MM</i>	
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I certify that the information provided on this form is true, complete and correct to the best of my knowledge, and made in good faith. Making a false statement on this form is punishable by law (18 U.S.C. 1001).

25. OPERATOR'S NAME (printed) and PERMIT NUMBER (if required) <i>John Doe, 123456789</i>		26. OPERATOR'S SIGNATURE <i>John Doe</i>		DATE <i>MM DD YY</i>	
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Example 2: F/V Catcher catches 200,000 pounds of herring in 2 hauls using midwater trawl gear and transfers 150,000 pounds to F/V Carrier 1. F/V Carrier 1 offloads the catch to Seafood Dealer, Inc. F/V Catcher also transfers 50,000 pounds to F/V Carrier 2 which offloads the catch to Fish Company, LLC. F/V Catcher should report the catch as follows:

VTR F/V Catcher:

gear code: OTM
hauls: 2
species: HERR
kept: 150,000 pounds
dealer: #1234 Seafood Dealer, Inc.

species: HERR
kept: 50,000 pounds
dealer: #4567 Fish Company, LLC

notation: Include a notation on the VTR form indicating “Offloaded to carriers, F/V (insert name of the carrier vessel and permit number) and F/V (insert name of the carrier vessel and permit number)”

IVR F/V Catcher:

kept: 200,000 pounds
discard: discard of herring from 2 hauls

FISHING VESSEL TRIP REPORT

11274718

DID NOT FISH DURING MONTH/YEAR ____/____/____

1. VESSEL NAME <i>f/v Catcher</i>		2. USCG DOC. or STATE REG. NO. <i>ABCDEF</i>		3. VESSEL PERMIT NUMBER <i>123456</i>	
4. DATE/TIME SAILED DATE (mm/dd/yy) <i>MM DD YY</i> TIME (24 hrs.) <i>HH:MM</i>		5. TRIP TYPE (CHECK ONE) <input checked="" type="checkbox"/> COMMERCIAL <input type="checkbox"/> PARTY <input type="checkbox"/> CHARTER		6. NO. of CREW <i>4</i>	7. NO. of ANGLERS

FILL OUT A NEW PAGE FOR EACH CHART AREA OR GEAR OR MESH/RING SIZE FISHED

8. GEAR FISHED <i>OTM</i>		9. MESH/RING SIZE <i>1</i>		10. QUANTITY OF GEAR <i>1</i>		11. SIZE OF GEAR <i>400</i>			
12. CHART AREA <i>514</i>		14. LATITUDE/LONGITUDE or LORAN				15. NO. of HAULS <i>2</i>		16. AVERAGE TOW/SOAK TIME <i>2 30</i> hrs mins	
		LATITUDE <i>42 30</i>		LONGITUDE <i>70 30</i>					
13. AVG. DEPTH IN FATHOMS <i>40</i> ft		STATION-BEARING #1		STATION-BEARING #2					
17. SPECIES CODE NAME	18. KEPT POUNDS (Comm) COUNT (Rec)		19. DISCARDED POUNDS (Comm) COUNT (Rec)		20. DEALER PERMIT NO.	21. DEALER NAME		22. DATE SOLD (mm/dd/yy)	
<i>HERR</i>	<i>150,000</i>				<i>1234</i>	<i>SEAFOOD DEALER, INC.</i>		<i>MM/DD/YY</i>	
<i>HERR</i>	<i>50,000</i>				<i>4567</i>	<i>FISH COMPANY, LLC</i>		<i>MM/DD/YY</i>	
<i>Offloaded to carriers;</i>									
<i>F/V Carrier 1, permit 123456</i>									
<i>F/V Carrier 2, permit 234567</i>									

23. PORT and STATE LANDED <i>OFFLOADING PORT, STATE</i>		24. DATE LANDED (mm/dd/yy) <i>MM, DD, YY</i>		TIME LANDED <i>HH:MM</i>	
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I certify that the information provided on this form is true, complete and correct to the best of my knowledge, and made in good faith. Making a false statement on this form is punishable by law (18 U.S.C. 1001).

25. OPERATOR'S NAME (printed) and PERMIT NUMBER (if required) <i>John Doe, 123456798</i>		26. OPERATOR'S SIGNATURE <i>John Doe</i>		DATE <i>MM DD YY</i>	
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Transferring Herring to a Vessel to be Used as Bait

A vessel issued a herring permit and a Transfer/Receive LOA may transfer or sell herring to another vessel that is not issued a herring permit, provided it is solely for the receiving vessel's own use as bait. The transferring vessel may not fish for, catch, transfer, or possess more herring than allowed by the vessel's permit category, and no more than 2,000 pounds per day may be transferred if the vessel is in, or the fish were harvested from, a management area closed to directed fishing.

VTR: All transactions to vessels receiving herring to be used as bait must be recorded on the VTR. The receiving vessel's Federal permit number or state registration number and vessel name should be written in the dealer number and name fields of the VTR.

IVR: The vessel must report all herring catch, including catch transferred to other vessels to be used as bait, through the IVR.

Example: F/V Catcher makes 3 hauls and catches 215,000 pounds of herring. The vessel makes two transfers at sea to other vessels that will use the herring as bait. The catcher vessel should record the Federal permit number (or state registration number if the receiving vessel is not a federally permitted vessel) and name of the vessel that received the herring in the dealer number and name fields on the VTR. F/V Catcher should report catch (separate entry on the same VTR should be made to show any landings sold to a dealer) as follows:

VTR F/V Catcher:

- gear code:** OTM
- hauls:** 3
- species:** HERR
- kept:** 200,000 pounds
- dealer:** #1234 Seafood Dealer, Inc.

- species:** HERR
- kept:** 10,000 pounds
- dealer:** vessel name and permit number

- species:** HERR
- kept:** 5,000 pounds
- dealer:** vessel name and permit number

IVR F/V Catcher:

- kept:** 215,000 pounds
- discard:** discard of herring from 3 hauls

FISHING VESSEL TRIP REPORT

11274718

DID NOT FISH DURING MONTH/YEAR ____/____

1. VESSEL NAME <i>f/v Catcher</i>		2. USCG. DOC. or STATE REG NO. <i>ABCDEF</i>		3. VESSEL PERMIT NUMBER <i>123456</i>	
4. DATE/TIME SAILED DATE (mm/dd/yy) <i>MM DD YY</i> TIME (24 hrs.) <i>HH MM</i>		5. TRIP TYPE (CHECK ONE) <input checked="" type="checkbox"/> COMMERCIAL <input type="checkbox"/> PARTY <input type="checkbox"/> CHARTER		6. NO. of CREW <i>4</i>	
7. NO. of ANGLERS					

FILL OUT A NEW PAGE FOR EACH CHART AREA OR GEAR OR MESH/RING SIZE FISHED

8. GEAR FISHED <i>OTM</i>		9. MESH/RING SIZE <i>1</i>		10. QUANTITY OF GEAR <i>1</i>		11. SIZE OF GEAR <i>400</i>			
12. CHART AREA <i>514</i>		14. LATITUDE/LONGITUDE or LORAN				15. NO. of HAULS <i>3</i>		16. AVERAGE TOW/SOAK TIME <i>2 30</i> hrs mins	
		LATITUDE <i>42 30</i>		LONGITUDE <i>70 30</i>					
13. AVG. DEPTH IN FATHOMS <i>40</i> fs		STATION-BEARING #1		STATION-BEARING #2					
17. SPECIES CODE NAME	18. KEPT POUNDS (Comm)	COUNT (Rec)	19. DISCARDED POUNDS (Comm)	COUNT (Rec)	20. DEALER PERMIT NO.	21. DEALER NAME		22. DATE SOLD (mm/dd/yy)	
<i>HERR</i>	<i>200,000</i>				<i>1234</i>	<i>SEAFOOD DEALER, INC.</i>		<i>MM / DD / YY</i>	
<i>HERR</i>	<i>10,000</i>				<i>987654</i>	<i>f/v ABC</i>		<i>MM / DD / YY</i>	
<i>HERR</i>	<i>5,000</i>				<i>456789</i>	<i>f/v XYZ</i>		<i>MM / DD / YY</i>	

23. PORT and STATE LANDED <i>OFFLOADING PORT, STATE</i>		24. DATE LANDED (mm/dd/yy) <i>MM, DD, YY</i>		TIME LANDED <i>HH MM</i>	
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I certify that the information provided on this form is true, complete and correct to the best of my knowledge, and made in good faith. Making a false statement on this form is punishable by law (18 U.S.C. 1001).

25. OPERATOR'S NAME (printed) and PERMIT NUMBER (if required) <i>John Doe, 123456789</i>		26. OPERATOR'S SIGNATURE <i>John Doe</i>		DATE <i>MM DD YY</i>	
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Transferring Herring to Another Permitted Herring Vessel

A vessel issued a herring permit and the Transfer/Receive LOA may transfer herring to another federally permitted herring vessel that will land and sell it, provided the receiving vessel is also issued a Transfer/Receive LOA. The transferring vessel may not fish for, catch, transfer, or possess more herring than allowed by the vessel permit category, and no more than 2,000 pounds per day may be transferred if the vessel is in, or the fish were harvested from, a management area closed to directed fishing.

Example: Vessel A makes 3 hauls and catches 200,000 pounds of herring. Vessel A then transfers 50,000 pounds to Vessel B. Vessel A should record the Federal permit number and vessel name of the vessel that received herring in the dealer number and name fields of the VTR. Vessel A should report catch as follows (a separate entry should be made showing the dealer name and number for the dealer that receives the portion of catch landed by Vessel A):

VTR Vessel A:	gear code: OTM
	hauls: 3
	species: HERR
	kept: 150,000 pounds
	dealer: #1234 Seafood Dealer, Inc.
	species: HERR
	kept: 50,000 pounds
	dealer: vessel name and permit number
IVR Vessel A:	kept: 150,000 pounds
	discard: discard of herring from 3 hauls

FISHING VESSEL TRIP REPORT

11274718

DID NOT FISH DURING MONTH/YEAR ____/____

1. VESSEL NAME <i>f/v catcher</i>		2. USCG. DOC. or STATE REG. NO. <i>ABCDEF</i>		3. VESSEL PERMIT NUMBER <i>123456</i>	
4. DATE/TIME SAILED DATE (mm/dd/yy) <i>MM DD YY</i> TIME (24 hrs.) <i>HH MM</i>		5. TRIP TYPE (CHECK ONE) <input checked="" type="checkbox"/> COMMERCIAL <input type="checkbox"/> PARTY <input type="checkbox"/> CHARTER		6. NO. of CREW <i>4</i>	7. NO. of ANGLERS

FILL OUT A NEW PAGE FOR EACH CHART AREA OR GEAR OR MESH/RING SIZE FISHED

8. GEAR FISHED <i>OTM</i>		9. MESH/RING SIZE <i>1</i>		10. QUANTITY OF GEAR <i>1</i>		11. SIZE OF GEAR <i>400</i>					
12. CHART AREA <i>514</i>		14. LATITUDE/LONGITUDE or LORAN				15. NO. of HAULS <i>3</i>		16. AVERAGE TOW/SOAK TIME <i>2 30</i> hrs mins			
		LATITUDE <i>42 30</i>		LONGITUDE <i>70 30</i>							
13. AVG. DEPTH IN FATHOMS <i>40</i> f _u		STATION-BEARING #1		STATION-BEARING #2							
17. SPECIES CODE NAME	18. KEPT POUNDS (Comm)		COUNT (Rec)		19. DISCARDED POUNDS (Comm)		COUNT (Rec)		20. DEALER PERMIT NO.	21. DEALER NAME	22. DATE SOLD (mm/dd/yy)
<i>HERR</i>	<i>150,000</i>								<i>1234</i>	<i>SEAFOOD DEALER, INC.</i>	<i>MM/DD/YY</i>
<i>HERR</i>	<i>50,000</i>								<i>234567</i>	<i>f/v vessel B</i>	<i>MM/DD/YY</i>

23. PORT and STATE LANDED <i>OFFLOADING PORT, STATE</i>		24. DATE LANDED (mm/dd/yy) <i>MM, DD, YY</i>		TIME LANDED <i>HH MM</i>	

I certify that the information provided on this form is true, complete and correct to the best of my knowledge, and made in good faith. Making a false statement on this form is punishable by law (18 U.S.C. 1001).

25. OPERATOR'S NAME (printed) and PERMIT NUMBER (if required) <i>John Doe, 123465798</i>		26. OPERATOR'S SIGNATURE <i>John Doe</i>		DATE <i>MM DD YY</i>	
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REPORTING INSTRUCTIONS FOR VESSELS THAT RECEIVE HERRING AT SEA

Receiving as a Carrier Vessel

Dealers: Catch received from a carrier vessel must be reported as if it was landed by the catcher vessel(s). The dealer report must provide each catcher vessel name and Federal permit number, along with each catcher vessel's VTR serial number.

Vessels: Any vessel issued a herring permit may be issued a Carrier LOA. While issued the Carrier LOA, the vessel must operate exclusively as a herring carrier and is prohibited from having any fishing gear on board. Vessels issued a Carrier LOA may not have any species on board other than herring, with the exception of multispecies received from vessels issued an All Areas or Areas 2 and 3 Limited Access Permit. Carrier vessels must provide each catcher vessel's VTR serial number to each dealer purchasing the catch. The Carrier vessel VTR should not be provided to the dealer(s).

VTR Carrier vessel:	gear code:	CAR
	chart area:	leave blank
	lats/lons or lorans:	leave blank
	hauls:	leave blank
	tow time:	leave blank
	species:	HERR
	kept:	0 pounds
	dealer:	dealer that receives fish
	notation:	Include a notation on the VTR form indicating "Carrying for F/V (insert name, permit number, and VTR serial number for each catcher vessel)"

IVR Carrier vessel: There is no IVR requirement for carriers.

Receiving for Personal Use as Bait

A vessel that receives herring at-sea for its own use as bait is not required to be issued a Federal herring permit. The receiving vessel may not have purse seine, midwater trawl, pelagic gillnet, sink gillnet, or bottom trawl gear on board. Vessels issued Federal permits for any species must comply with VTR requirements and any other reporting requirements associated with those permits. Bait received for personal use is not to be recorded on the receiving vessel's VTR.

Receiving a Transfer from Another Vessel

Dealers: Dealers must report the poundage received from the vessel that offloads the catch. The fact that a vessel received transferred fish does not affect nor change the information requirements in the electronic dealer report.

Vessels: A vessel issued a herring permit and the Transfer/Receive LOA may receive a transfer of herring from another federally permitted herring vessel that is also issued the Transfer/Receive LOA. The receiving vessel may not fish for, catch, transfer, or possess more herring than allowed by the vessel permit category, and no more than 2,000 pounds per day may be transferred if the vessel is in, or the fish were harvested from, a management area closed to directed fishing.

VTR: A new VTR must be completed each time the vessel receives herring. If the receiving vessel (Vessel B) has received transfers from other vessels and/or engaged in its own fishing activity, separate VTRs need to be completed for each of these activities.

IVR: IVR reporting is required.

Example: Vessel A makes 3 hauls and catches 200,000 pounds of herring. Vessel A then transfers 50,000 pounds to Vessel B. Vessel B should report catch as follows:

VTR Vessel B:

- species:** HERR
- kept:** 50,000 pounds
- dealer:** #1234 Seafood Dealer, Inc.
- notation:** Include a notation on the VTR form indicating "Received transfer from F/V (insert name of the vessel and permit number)"

IVR Vessel B:

- kept:** 50,000 pounds
- discard:** no catch

FISHING VESSEL TRIP REPORT

11274718

DID NOT FISH DURING MONTH/YEAR ____/____/____

1. VESSEL NAME Vessel B		2. USCG. DOC. or STATE REG. NO. UVWXYZ		3. VESSEL PERMIT NUMBER 234567	
4. DATE/TIME SAILED DATE (mm/dd/yy) MM DD YY TIME (24 hrs.) HH:MM		5. TRIP TYPE (CHECK ONE) <input checked="" type="checkbox"/> COMMERCIAL <input type="checkbox"/> PARTY <input type="checkbox"/> CHARTER		6. NO. of CREW 3	
7. NO. of ANGLERS					

FILL OUT A NEW PAGE FOR EACH CHART AREA OR GEAR OR MESH/RING SIZE FISHED

8. GEAR FISHED OTM		9. MESH/RING SIZE		10. QUANTITY OF GEAR		11. SIZE OF GEAR					
12. CHART AREA		14. LATITUDE/LONGITUDE or LORAN				15. NO. of HAULS		16. AVERAGE TOW/SOAK TIME hrs mins			
		LATITUDE		LONGITUDE							
13. AVG. DEPTH IN FATHOMS f _s		STATION-BEARING #1		STATION-BEARING #2							
17. SPECIES CODE NAME		18. KEPT POUNDS (Comm) COUNT (Rec)		19. DISCARDED POUNDS (Comm) COUNT (Rec)		20. DEALER PERMIT NO.		21. DEALER NAME		22. DATE SOLD (mm/dd/yy)	
HERR		50,000				1234		Seafood Dealer, Inc.		MM/DD/YY	
		Received Transfer from f/v Vessel A,									
		permit 123456									

23. PORT and STATE LANDED OFFLOADING PORT, STATE		24. DATE LANDED (mm/dd/yy) MM, DD, YY		TIME LANDED HH:MM	

I certify that the information provided on this form is true, complete and correct to the best of my knowledge, and made in good faith. Making a false statement on this form is punishable by law (18 U.S.C. 1001).

25. OPERATOR'S NAME (printed) and PERMIT NUMBER (if required) John Q Public, 987654321		26. OPERATOR'S SIGNATURE John Q Public		DATE MM DD YY	
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