



Greater Atlantic Region Bulletin

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ATLANTIC HERRING FISHERY

Notification, Reporting, and Monitoring Requirements for the Atlantic Herring Fishery
Effective Date: April 1, 2020

This bulletin summarizes new and existing notification, reporting, and monitoring requirements for vessels participating in the Atlantic herring fishery.

GENERAL REQUIREMENTS

Limited Access

If you are an owner/operator of a vessel issued a Category A, B, or C herring permit, you must:

- *New* – Notify the National Marine Fisheries Service (NMFS) via the pre-trip notification system (PTNS) at <https://fish.nefsc.noaa.gov/PTNS>, at least 48 hours prior to beginning any trip, to be considered for monitoring coverage.
 - Enter trips up to, but no more than, 10 days in advance.
 - Login with your vessel permit number and Fish Online personal identification number (PIN).
 - Call the Fish Online Help Desk at 978-281-9188 if you need a PIN.
 - Enter your fishery, trip type, sail date, port of departure, trip length, and gear type.
 - Call the PTNS Help Desk at 1-855-FISHES-1 if you need assistance or have questions.
- Carry a NMFS-certified observer to satisfy Standardized Bycatch Reporting Methodology (SBRM) coverage requirements if selected for coverage by NMFS.
- Declare via the vessel monitoring system (VMS) prior to leaving port if the vessel is participating in the herring fishery.
 - A vessel declares into the herring fishery with the HER or HMS codes or by indicating that it is retaining herring when participating in the Atlantic mackerel (e.g., MAH, MHS) or squid fisheries (e.g., SLH, LHM, SIH, IHM).
 - If a vessel is declared out of the herring fishery (DOF) prior to leaving port, that vessel may not harvest, possess, or land herring on that trip.
- Submit a VMS catch report for each day (0000–2400 hours) of a trip by 9 a.m. of the following day for all herring caught.
 - If no herring are caught during that day, you should report zero catch.
 - If the vessel is not on a declared herring trip, then a VMS catch report is not required for that day.

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

- Report all fish kept by statistical area on the VMS catch report for each day (0000-2400 hours) by 9 a.m. of the following day if your vessel is fishing with midwater or bottom trawl gear.
 - If no fish are kept during that day, you should report zero kept catch.
- Submit a vessel trip report (VTR) for each fishing trip taken during the prior week (Sunday–Saturday) by midnight on Tuesday of the following week.
 - If no fish are caught on a fishing trip, you should report no catch.
- Notify NMFS Office of Law Enforcement (OLE) via VMS of the time and place of offloading at least 6 hours prior to landing or, if fishing ends less than 6 hours before landing, as soon as the vessel stops catching fish.

If you are an owner/operator of a vessel issued a Category A or B herring permit and on a declared herring trip, you must also:

- Obtain the appropriate letter of authorization (LOA) before beginning any fishing trip if you fish with midwater trawl or purse seine gear. You can obtain an LOA by calling the Permit Office at 978-281-9370.
- *New* - Carry and pay the sampling costs associated with a NMFS-certified at-sea monitor (ASM) on declared herring trips to satisfy IFM coverage requirements if selected by NMFS for coverage.
 - NMFS-approved providers for ASM coverage are listed at <https://www.nefsc.noaa.gov/femad/fsb/>.
- *New* - Request a waiver from IFM coverage requirements, if appropriate, when you notify for monitoring coverage in PTNS.
 - Waivers may be requested for:
 - Trips that will land less than 50 mt of herring; or
 - Wing vessel trips, provided the vessel carries no fish.

Open Access

If you are the owner/operator of a vessel issued a Category D herring permit, you must:

- Declare your trip via VMS prior to leaving port consistent with any permit (e.g., multispecies, monkfish, scallop) that requires your vessel to operate a VMS.
 - If you do not have another permit that requires your vessel to operate a VMS, no declaration is necessary.
- Submit an interactive voice response (IVR) catch report for each week (Sunday-Saturday) by midnight on Tuesday of the following week for all herring caught (kept and discarded).
 - If no herring are caught during that week, then you do not need to submit an IVR catch report.
- Submit a VTR for each fishing trip taken during the prior week (Sunday–Saturday) by midnight on Tuesday of the following week.
 - If no fish are caught on a fishing trip, you should report no catch.

If you are an owner/operator of a vessel issued a Category D herring permit using midwater trawl gear in Herring Areas 1A, 1B, or 3, you must also:

- *New* – Notify NMFS via PTNS at <https://fish.nefsc.noaa.gov/PTNS>, at least 48 hours prior to beginning any trip, to be considered for monitoring coverage.
 - Enter trips up to, but no more than, 10 days in advance.
 - Login with your vessel permit number and Fish Online PIN.
 - Call the Fish Online Help Desk at 978-281-9188 if you need a PIN.
 - Enter your fishery, trip type, sail date, port of departure, trip length, and gear type.
 - Call the PTNS Help Desk at 1-855-FISHES-1 if you need assistance or have questions.

If you are an owner/operator of a vessel issued a Category E herring permit, you must:

- *New* – Notify NMFS via PTNS at <https://fish.nefsc.noaa.gov/PTNS>, at least 48 hours prior to beginning any trip, to be considered for monitoring coverage.
 - Enter trips up to, but no more than, 10 days in advance.
 - Login with your vessel permit number and Fish Online PIN.
 - Call the Fish Online Help Desk at 978-281-9188 if you need a PIN.
 - Enter your fishery, trip type, sail date, port of departure, trip length, and gear type.
 - Call the PTNS Help Desk at 1-855-FISHES-1 if you need assistance or have questions.
- Carry a NMFS-certified observer to satisfy SBRM coverage requirements if selected for coverage by NMFS.
- Declare via the VMS prior to leaving port if the vessel is participating in the herring fishery.
 - A vessel declares into the herring fishery with the codes HER or HMS or by indicating that it is retaining herring when participating in the Atlantic mackerel (e.g., MAH, MHS) or squid fisheries (e.g., SLH, LHM, SIH, IHM).
 - If a vessel is declared out of the herring fishery (DOF) prior to leaving port, that vessel may not harvest, possess, or land herring on that trip.
- Submit a VMS catch report for each day (0000–2400 hours) of a trip by 9 a.m. of the following day for all herring caught.
 - If no herring are caught during that day, you should report zero catch.
 - If the vessel is not on a declared herring trip, then a VMS catch report is not required for that day.
- Report all fish kept by statistical area on the VMS catch report for each day (0000-2400 hours) by 9 a.m. of the following day if your vessel is fishing with midwater or bottom trawl gear.
 - If no fish are kept during that day, you should report zero kept catch.
- Submit a VTR for each fishing trip taken during the prior week (Sunday–Saturday) by midnight on Tuesday of the following week.
 - If no fish are caught on a fishing trip, you should report no catch.
- Notify NMFS OLE via VMS of the time and place of offloading at least 6 hours prior to landing or, if fishing ends less than 6 hours before landing, as soon as the vessel stops catching fish.

SLIPPAGE REQUIREMENTS

New - If you are an owner/operator of a vessel issued a limited access herring permit carrying an observer or ASM, you must bring all catch aboard the vessel and make it available to the observer or ASM for sampling.

- *New* - If catch is discarded before it has been made available to the observer or ASM, that catch is defined as slippage.
- Slippage due to safety, mechanical failure (including gear damage), and excess catch of spiny dogfish preventing catch from being pumped aboard the vessel is an allowable slippage event.
- Slippage for any other reason is a non-allowable slippage event and is prohibited.
- Operational discards (small amounts of fish left in the net after pumping) are not considered slippage.
- Catch not brought on board because fish fell out of and off the gear and discards that occur after catch is sorted and made available to the observer or ASM is not slippage.
- Vessels may make test tows without pumping catch on board, provided that all catch from test tows is available to the observer or ASM when the next tow is brought aboard.

If you are an owner/operator of a vessel issued a limited access herring permit that has a slippage event (either allowable or non-allowable), you must:

- Report that catch was slipped and the reason for slippage on the VMS catch report for each day (0000-2400 hr) by 9 a.m. of the following day.
- Complete a released catch affidavit form. The released catch affidavit form is available on the Greater Atlantic Region website at <https://www.fisheries.noaa.gov/new-england-mid-atlantic/resources-fishing/greater-atlantic-region-forms-and-applications-summary>. The completed form must be mailed to the Sustainable Fisheries Division at the Greater Atlantic Regional Fisheries Office within 48 hours of the end of the fishing trip.
- The released catch affidavit must detail:
 - o Why catch was slipped;
 - o An estimate of the quantity and species composition of the slipped catch; and
 - o The time and location of the slipped catch.

If you are an owner/operator of a vessel issued a Category A or B herring permit, you must also:

- Move and remain at least 15 nautical miles from the location where catch was slipped following an allowable slippage event.
- Immediately return to port and terminate the fishing trip following a non-allowable slippage event.

NORTHEAST MULTISPECIES CLOSED AREA REQUIREMENTS

If you are the owner/operator of a vessel using midwater trawl gear and want to fish in the Northeast multispecies closed areas, you must carry a NMFS-certified observer and bring all catch aboard the vessel and make it available for sampling by the observer.

The Northeast multispecies closed areas include: Closed Area I North (February 1 – April 15), Closed Area II, Western Gulf of Maine Closure Area, and Cashes Ledge Closure Area.

- You may not fish for, possess, or land fish in or from these closed areas using midwater trawl gear without a NMFS-certified observer aboard.
- If your vessel is selected for IFM coverage and carrying a NMFS-certified ASM, you may not fish for, possess, or land fish in or from these closed areas using midwater trawl gear.

New - If you wish to fish in the Northeast multispecies closed areas in the event your vessel is not selected for monitoring coverage (i.e., SBRM or IFM), you may request and pay the sampling costs associated with carrying a NMFS-certified observer to fish in the Northeast multispecies closed areas.

- *New* - Observers would be requested during the trip notification in PTNS and would only be deployed if available.
- *New* - Requesting an observer does not guarantee coverage and access to the Northeast multispecies closed areas.
- *New* - NMFS-approved providers for IFM observer coverage are listed at <https://www.nefsc.noaa.gov/femad/fsb/>.

When fishing with midwater trawl gear in the Northeast multispecies closed areas, slippage and operational discards are prohibited except when due to safety, mechanical failure (including gear damage), and excess catch of spiny dogfish preventing catch from being pumped aboard the vessel. If your vessel has a slippage event or operational discards, you must immediately exit the Northeast multispecies closed areas for the remainder of that trip. Additionally, if your vessel is issued a limited access herring permit, you must comply with the slippage reporting requirements and consequence measures described above.

You may make test tows in the Northeast multispecies closed areas without pumping catch on board, provided that all catch from test tows is available to the observer when the next tow is brought aboard. You may transit the Northeast multispecies closed areas without an observer, provided that gear is stowed and not available for immediate use.

HERRING CARRIER REQUIREMENTS

Herring vessels may operate as a herring carrier by declaring a herring carrier trip (CAR) via VMS or by obtaining an LOA by phoning the Permit Office at 978-281-9370. Herring carriers may not have fishing gear aboard or engage in any fishing activity and may only transport herring and up to 100 lb of groundfish.

By declaring a herring carrier trip via VMS, you would not be bound by the 7-day enrollment period of the LOA. Once you declare a herring carrier trip via VMS, however, you must continue to declare your herring carrier trips via VMS (rather than obtaining an LOA) and comply with all other VMS operating requirements for the remainder of the fishing year.

Herring carrier vessels are exempt from herring possession limits and catch reporting requirements associated with the vessel's herring permit, including daily VMS or weekly IVR catch reports and weekly VTRs. However, herring carriers must notify NMFS via PTNS at <https://fish.nefsc.noaa.gov/PTNS>, at least 48 hours prior to beginning any trip, to be considered for monitoring coverage. Additionally, herring carriers must notify NMFS OLE via VMS of the time and place of offloading at least 6 hours prior to landing or, if fishing ends less than 6 hours before landing, as soon as the vessel stops catching fish.

GENERAL INFORMATION

Herring 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.

If you are the owner/operator of a vessel offloading herring in multiple ports and required to make trip notifications via PTNS, you must declare a herring trip in VMS and select "transit with product" in PTNS. You may contact the PTNS Help Desk at 1-855-FISHES-1 to request a "transit with product" selection in PTNS if your vessel is leaving port in less than 48 hours.

If you have questions, please call the following numbers:

- PTNS – 1-855-FISHES-1;
- Fish Online – 978-281-9188;
- VMS Reporting – 978-281-9213;
- IVR Reporting – 978-281-9209;
- VTR Reporting – 978-281-9246;
- Regulations – 978-281-9315;
- Permits – 978-281-9370.

For more information, please visit the NOAA Fisheries Greater Atlantic Region herring webpage at: <https://www.fisheries.noaa.gov/species/atlantic-herring> or contact Carrie Nordeen at Carrie.Nordeen@noaa.gov; 978-281-9272.

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