

**ATTACHMENT C**  
**Implications of FW 42 Court Decision (fall-back measures)**

Measure		Pre-FW 42 (FW 40-A and B)	FW 42
<b>Target TACs</b>		Target TACs set through 2006	Target TACs set through 2009
<b>VMS Usage</b>		Voluntary, except in Spec. Man. Progs.	Mandatory for using DAS
<b>DAS Allocation</b>		A:B Split = 55:45 (A13 default)	A:B Split = 55:45 (A13 default)
<b>DAS Counting</b>		1:1, save for default 1.5:1 in SNE/MA	2:1 in GOM DA and SNE DA
<b>Trip Limits</b>	<b>CC/GOM YT</b>	250 lb/trip April/May, October/November; 750 lb/DAS, up to 3,000 lb/trip June-September and December-March; LOA requirements	250 lb/DAS, up to 1,000 lb/trip
	<b>E GB Cod</b>	500 lb/DAS, up to 5,000 lb/trip, not to exceed 5% of total catch	500 lb/DAS, up to 5,000 lb/trip
	<b>GB Winter</b>	Unlimited	5,000 lb/trip
	<b>GB YT</b>	30,000 lb/trip, unless modified	10,000 lb/trip, unless modified
	<b>SNE/MA YT</b>	250 lb/trip March-June; 750 lb/DAS, up to 3,000 lb/trip July-February; LOA requirements	250 lb/DAS, up to 1,000 lb/trip
	<b>White Hake</b>	Unlimited	1,000 lb/DAS, up to 10,000 lb/trip
<b>U.S./Canada Management Area</b>		RA can only adjust measures within season and at trigger point	Authority to adjust measures within or before fishing year
		Different reporting requirements for SAPs and U.S./Canada Areas	Universal reporting requirements
		No flexing	Flex Out and Flex West allowed
		Area 4 + Open trips need to submit YT catch every time vessel enters/exits area	No special catch report required when fishing Area 4 + Open
<b>Eastern Haddock SAP</b>		Expired in November 2006; start date is May 1; no incidental TACs for cod, winter, or YT;	Renewed through April 2009; start date revised until Aug. 1; incidental TACs for cod, winter, and YT with revised trip limits
<b>Regular B DAS Program</b>		Program expired in Oct. 2005	Program renewed
		Monkfish vessels can participate	Monkfish vessels can't participate
		1,000 B DAS in all quarters	500 B DAS in 1 <sup>st</sup> quarter
		Incidental TACs distributed evenly throughout the year	Changes to incidental TAC distribution
		No haddock separator trawl req.	Haddock separator trawl required
<b>DAS Leasing Prog.</b>		Program expired in April 2006	Program renewed
<b>DAS Transfer Program</b>		Transferor vessel required to exit all state and federal fisheries and forfeit all non-groundfish permits	Non-groundfish permits can be transferred, transferor vessel can participate in other fisheries; option to select resulting baseline; vessel owner can specify which vessel is subject to tax
<b>Sectors</b>		Hook Sector only	Approved Fixed Gear Sector
<b>Gear Regulations</b>		No separator trawl performance standards	Separator trawl performance standards (trip limits)
		SNE/MA vessels are required to use 6.5" square or 7" diamond mesh	SNE/MA vessels allowed to use 6.5" square or diamond mesh
		No new gear authority for SMPs	New gear authority for SMPs
<b>Recreational Measures</b>		GOM cod size limit of 22", no seasonal GOM cod prohibition	GOM cod size limit of 24" and seasonal GOM cod prohibition of November - March