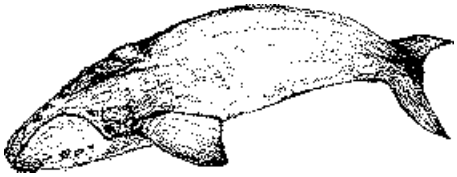
## Guide To

# The Atlantic Large Whale Take Reduction Plan

**An evolving plan to reduce the risk to North Atlantic large whales posed by lobster pot/lobster trap gear and gillnet gear in the U.S. Atlantic Ocean**



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## January 2004

**This summary is intended as a guide to measures required under the Atlantic Large Whale Take Reduction Plan. This document is not the legal document detailing the regulations. Interested and affected parties can find the regulations at 50CFR229.32 or at the whale plan website www.nero.noaa.gov/whaletrp/**

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# Overview of the Take Reduction Plan

The Atlantic Large Whale Take Reduction Plan (ALWTRP) is a program to reduce the risk of serious injury to or mortality of large whales due to incidental entanglement in U.S. commercial fishing gear. The plan is required by the Marine Mammal Protection Act and has been developed by NOAA's National Marine Fisheries Service (NOAA Fisheries).

The ALWTRP focuses on the endangered North Atlantic right whale, which is one of the rarest whales in the world, with approximately 300 animals remaining. The Plan is also intended to reduce entanglements of humpback and fin whales (both also listed as endangered) and to benefit non-endangered minke whales.

Under the protection of the Endangered Species Act (ESA), Federal agencies are required to ensure that permitted activities (such as fishing) do not jeopardize the continued existence of any endangered species. Since the ALWTRP measures are intended to reduce entanglements of right, humpback, and fin whales in fishing gear, these measures also help to avoid the likelihood that Federally permitted fishing activities will cause harm to or jeopardize the continued existence of these whales.

The ALWTRP affects American lobster pot/trap gear and various types of gillnet gear. Specific fisheries, as described in the MMPA 2003 List of Fisheries, currently regulated under the Plan include the following:

**Northeast/Mid-Atlantic American lobster trap/pot;**
**Northeast sink gillnet;**
**Mid-Atlantic coastal gillnet;**
**Southeast US Atlantic shark gillnet; and**
**Southeast Atlantic gillnet**

The plan was developed with the help of the Atlantic Large Whale Take Reduction Team (ALWTRT), which consists of fishing industry representatives, environmentalists, whale experts, state and federal officials, and other interested parties. Information about the process and the ALWTRT is available on the Whale TRP site (http://www.nero.noaa.gov/whaletrp/).

The TRP is an evolving plan that changes as researchers learn more about why whales become entangled and how fishing practices might be modified to reduce the risk of entanglement. The first ALWTRP went into effect in 1997 when it was published in the *Federal Register* as an Interim Final Rule. The regulations contained in that rule were updated in February 1999, and again in December of 2000. In January 2002, NOAA Fisheries published three rules that (1) make further modifications to commercial fishing gear, (2) establish a system for restricting fishing in areas where unexpected aggregations of right whales are observed, and (3) establish restricted areas based on the annual, predictable congregations of right whales.

The ALWTRP consists of restrictions on where and how gear can be set; research into whale populations and whale behavior; fishing gear; outreach to inform fishermen of the problem and to seek their help in understanding and solving the entanglement problem; and a program to disentangle whales that do get caught in gear.

This document is a summary of ALWTRP regulations as they effect where, when and how gear can be set, as of January 2004. For information about other elements of the Plan, see the Whale Plan website. The site also contains information about NOAA Fisheries efforts to reduce the risk of whales being hit by commercial ships (another human-related cause of injury and death to large whales in U.S. waters), as well as links to information about the species themselves.

# Regulated and Exempted Waters

Atlantic Large Whale Take Reduction Plan regulations apply to all U.S. waters in the Atlantic except for those designated as Exempted Waters. Exempted Waters are those waters landward of the first bridge over any embayment, harbor, or inlet and waters landward of the following areas:

Rhode Island
Sakonnet River
Narragansett Bay
Pt. Judith Pond Inlet
Ninigret Pond Inlet
Quonochontaug Pond Inlet
Weekapaug Pond Inlet

New York
West of the line from the Northern Fork of the eastern end of Long Island, NY (Orient Point) to Plum Island to Fisher's Island to Watch Hill, RI (Long Island Sound)
Gardiners Bay (west of the line from Montauk Point to Plum Island)
Shinnecock Bay Inlet
Moriches Bay Inlet
Fire Island Inlet
Jones Inlet

New Jersey
Barnegat Inlet
Beach Haven to Brigantine Inlet (includes Little Egg Inlet)
Cape May Inlet
Delaware Bay (i.e. from the southern point of Nantuxent Cove, NJ to the southern end of Kelly Island, Port Mahon, DE)

Maryland/Virginia
Ocean City Inlet
Chincoteague to Ship Shoal Inlet (includes Wachapreague and Quinby Inlets)
Little Inlet
Smith Island Inlet

North Carolina to Florida
All marine and tidal waters landward of the 72 COLREGS demarcation line, as depicted or noted on nautical charts published by NOAA and described in 33 CFR 80

NOTE: for exact coordinates of the above mentioned exempted waters see 50 CFR part 229.32

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## Regulations that Apply To

# Lobster Pot/Trap Fisheries and Anchored Gillnet Fisheries (Both)

The following "universal requirements" apply to all lobster pot/trap fisheries and anchored gillnet fisheries conducted in the areas and during the times discussed in the rest of this guide (except for the Mid-Atlantic drift gillnet, Southeast Atlantic gillnet, and Southeastern U.S. Atlantic Shark gillnet fisheries, which have different regulations that can be found on page 29, 30, & 31).

## Universal Requirements

- No buoy line floating at the surface
- No wet storage of gear (all gear must be hauled out of the water at least once every thirty days)
- Fishermen are encouraged, but not required, to maintain knot-free buoy lines

For the purposes of the Atlantic Large Whale Take Reduction Plan, the following definitions apply:

Buoy Line means a line connecting fishing gear in the water to a buoy at the surface of the water.

Groundline, with reference to lobster trap/pot gear, means a line connecting lobster traps/pots in a lobster trap/pot trawl; and with reference to gillnet gear, means a line connecting a gillnet or gillnet bridle to an anchor or buoy line.

## Lobster Pot/Trap Fisheries and Anchored Gillnet Fisheries (Both) . . . Continued

# Seasonal Area Management

Seasonal Area Management (SAM) affects anyone who fishes with lobster traps/pots or anchored gillnets off Cape Cod and points north and out to the Exclusive Economic Zone line. There are two SAM areas: SAM West, which is in effect from March 1 through April 30, and SAM East, which is in effect from May 1 through July 31 (see Figure 1 ).

More detailed information on the SAM program can be found in the SAM interim final rule and a "Permit Holder Letter," both of which can be found on the ALWTRP web site (http://www.nero.noaa.gov/whaletrp).

Gear set in the SAM areas during the designated times must be Level II or Low Risk Gear, which is defined as gear where death or serious injury resulting from entanglement would be highly unlikely. The following gear is considered Level II or Low Risk Gear:

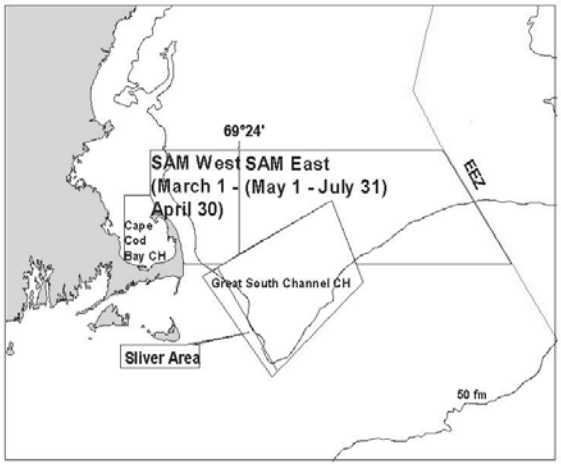



Figure 1

## SAM and Lobster Trap/Pot Gear

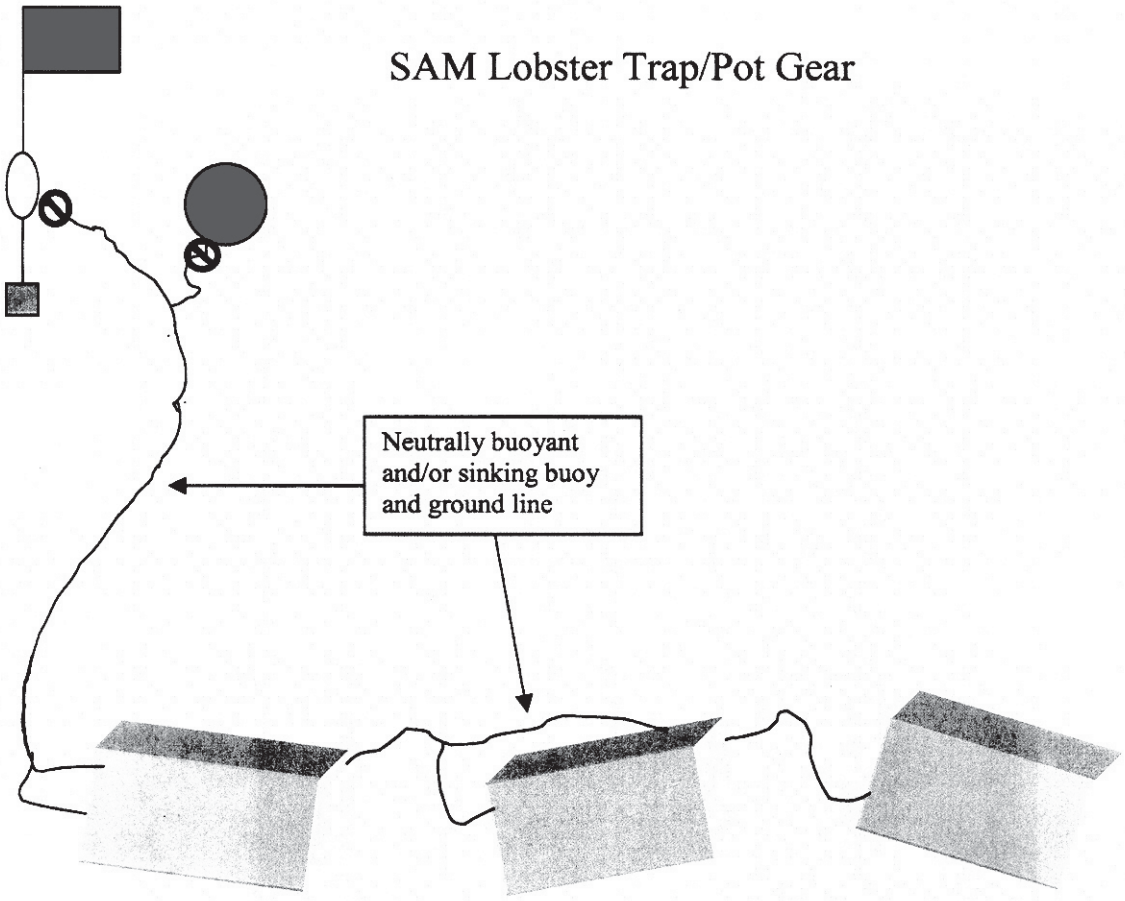
### Northern Inshore State Lobster Waters, Stellwagen Bank/Jeffreys Ledge, and Northern Nearshore Lobster Waters

Lobster trap/pot gear within the portions of the Northern Inshore State Lobster Waters, Stellwagen Bank/Jeffreys Ledge, and Northern Nearshore Lobster Waters that overlap with a SAM area must comply with all the following (in addition to the relevant regulations summarized on pages 18, 20 and 21):

* Ground lines and buoy lines must be made entirely of either sinking or neutrally buoyant line. Floating ground lines and buoy lines are prohibited.

* A weak link must be placed at all buoys with a maximum breaking strength of 600 lb (272.2 kg). Each weak link must be installed as close to each individual buoy as operationally feasible.

* No more than one buoy line per trawl may be used. This buoy line must be at the northern or western end of the trawl string depending on the direction of the set.




Key:

Northern Inshore and Northern Nearshore State Lobster Waters, and Stellwagen Bank/ Jeffreys Ledge= 600 lb required buoy weak link

Offshore Lobster Waters = 1500 lb required buoy weak link

Buoy

High Flyer or Buoy

**Note: Graphic depicts Buoy, Line, and Weak Link Configuration** – See full requirements for individual ALWTRP Management Areas for information regarding Gear Marking, Number of Traps allowed per Trawl, and/or any other additional ALWTRP requirements

## Lobster Pot/Trap Fisheries and Anchored Gillnet Fisheries (Both) . . Continued

### Offshore Lobster Waters

Lobster traps/pots within the portion of the Offshore Lobster Waters Area that overlaps with a SAM area must comply with all the following (in addition to regulations summarized on page 23):

* Ground lines and buoy lines must be made entirely of either sinking or neutrally buoyant line. Floating ground lines and buoy lines are prohibited.

*A weak link must be placed at all buoys with a maximum breaking strength of 1,500 lbs (680.4 kg). Each weak link must be installed as close to each individual buoy as operationally feasible.

* No more than one buoy line per trawl may be used. This buoy line must be at the northern or western end of the trawl string depending on the direction of the set.

## SAM and Anchored Gillnet Gear

### Stellwagen Bank/Jeffreys Ledge and Other Northeast Waters Area

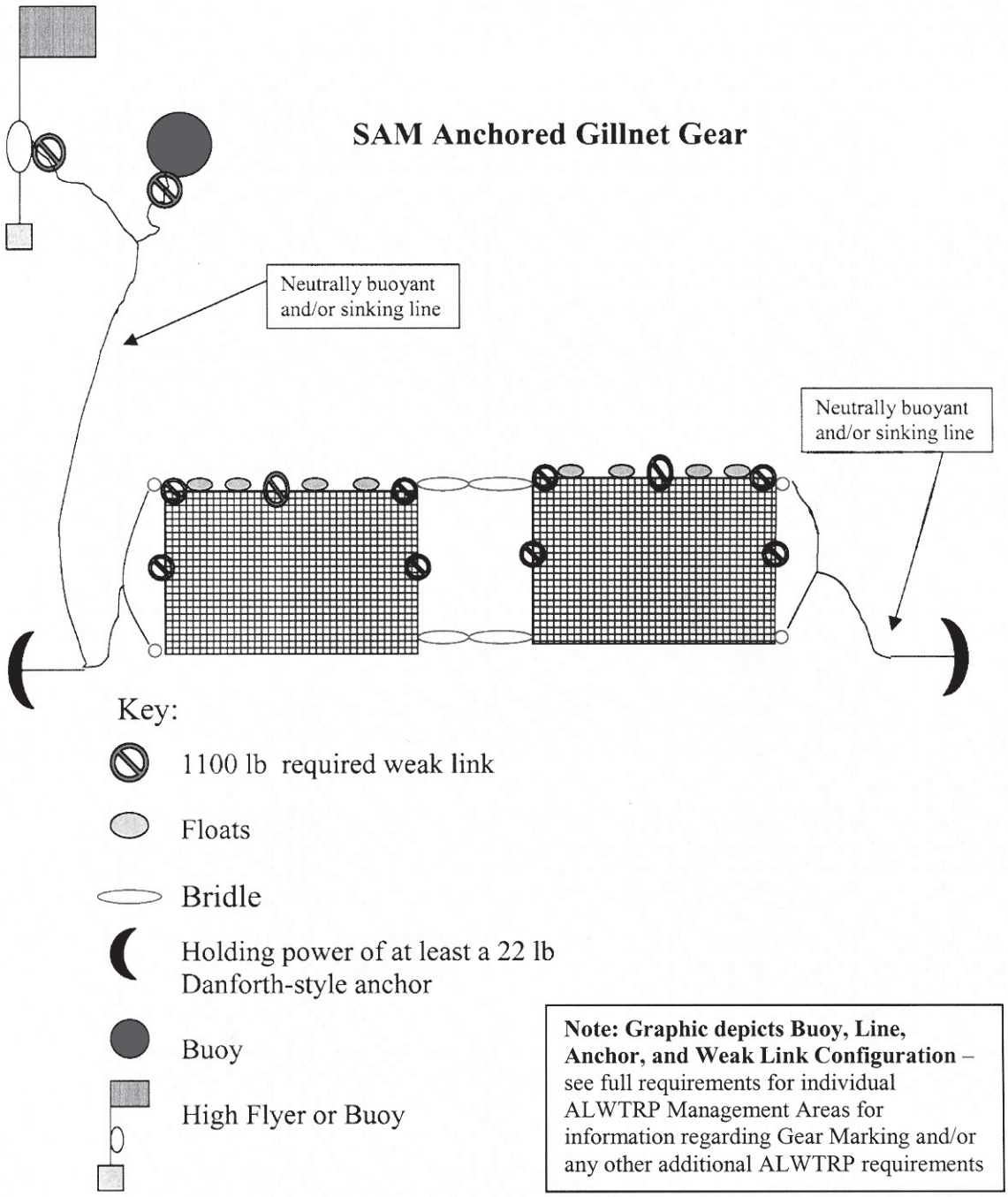
Anchored gillnet gear within the portion of Stellwagen Bank/Jeffreys Ledge and the Other Northeast Waters Area that overlap with a SAM area must comply with all the following (in addition to regulations summarized on page 27):

*Ground lines (the lines between the net bridle and the anchors) and buoy lines must be made entirely of sinking or neutrally buoyant line. Floating ground lines and buoy lines are prohibited.

* Each net panel must have a total of 5 weak links with a maximum breaking strength of 1,100 lbs (498.9 kg). Net panels are typically 50 fathoms in length, but the weak link requirements apply to all variations in panel size. These weak links must include 3 floatline weak links. The placement of the weak links on the floatline must be one at the center of the net panel, and one each as close as possible to each of the bridle ends of the net panel. The remaining 2 weak links must be placed in the center of each of the up and down lines at the panel ends.

* No more than one buoy line per net string may be used. This buoy line must be at the northern or western end of the gillnet string depending on the direction of the set.

* All anchored gillnets, regardless of the number of net panels, must be securely anchored with the holding power of at least a 22 lb (10.0 kg) Danforth style anchor at the each end of the net string.


SAM Anchored Gillnet Gear
Neutrally buoyant and/or sinking line
Neutrally buoyant and/or sinking line
Key:
1100 lb required weak link
Floats
Bridle
Holding power of at least a 22 lb Danforth-style anchor
Buoy
High Flyer or Buoy
Note: Graphic depicts Buoy, Line, Anchor, and Weak Link Configuration – see full requirements for individual ALWTRP Management Areas for information regarding Gear Marking and/or any other additional ALWTRP requirements

**Lobster Pot/Trap Fisheries and Anchored Gillnet Fisheries (Both) . . . Continued**

# Dynamic Area Management

Lobster traps/pots and anchored gillnets may be temporarily restricted in areas north of 40° N. latitude when aggregations of right whales are observed.

This program of temporary restrictions, known as Dynamic Area Management (DAM), is described in the Federal Register of January 9, 2002, and August 26, 2003, and is explained in two "Permit Holder Letters" available on the ALWTRP web site which can be viewed at http://www.nero.noaa.gov/whaletrp/. See those documents for an explanation of how DAM zones are triggered, how the size of the restricted zone is established, and how the restrictions are determined.

## DAM Zone Restrictions

When a Dynamic Area Management zone is triggered, fishermen may be required to:

* Remove all lobster trap/pot and anchored gillnet gear and refrain from setting additional gear within the triggered DAM zone; or

* Modify fishing gear in order to continue to fish in the DAM zone

## DAM Zone "Alerts"

In some instances, a right whale sighting may trigger a DAM zone but NOAA Fisheries may decide not to implement restrictions. Instead, NOAA Fisheries may issue an "alert" informing fishermen of the location of the DAM zone, time period of the alert, and the number of right whales within the zone. NOAA Fisheries will encourage fishermen to remove all lobster trap/pot and gillnet gear and ask that no additional gear be set within the DAM zone for a 15 day period.

**Lobster Pot/Trap Fisheries and Anchored Gillnet Fisheries (Both) . . . Continued**

# Dynamic Area Management...(Continued)

## Finding out about DAM Zones

NOAA Fisheries will announce DAM alerts and restrictions through publication in the *Federal Register* and by sending a permit holder letter to affected fishermen. The agency will also use other available media, including postings on the Whale Plan web site and electronic mailing to interested parties.

## Duration of DAM Zones

* A DAM zone "alert" lasts for a minimum of 15 days.

* DAM zone restrictions go into effect two days after publication of a temporary rule in the *Federal Register* and remain in effect for a minimum of 15 days.

* After 15 days, a DAM zone automatically expires, unless right whales are sighted in the area, in which case the DAM zone may be extended.

* Restrictions may be lifted and an alert may be rescinded earlier than 15 days if:

    * Survey efforts result in no confirmed right whale sightings for one week, or

    * Other credible evidence indicates that right whales have left the DAM zone

## DAM Zone Gear Requirements

The following requirements are in addition to the gear modifications currently required under the ALWTRP found at 50 CFR 229.32. If the requirements and exceptions for gear modifications in a DAM zone, as described in the final rule, differ from other ALWTRP requirements for any overlapping areas and times, then the more restrictive requirements will apply in the DAM zone.

**Lobster Pot/Trap Fisheries and Anchored Gillnet Fisheries (Both) . . . Continued**

## DAM Zone Lobster Trap/Pot Gear

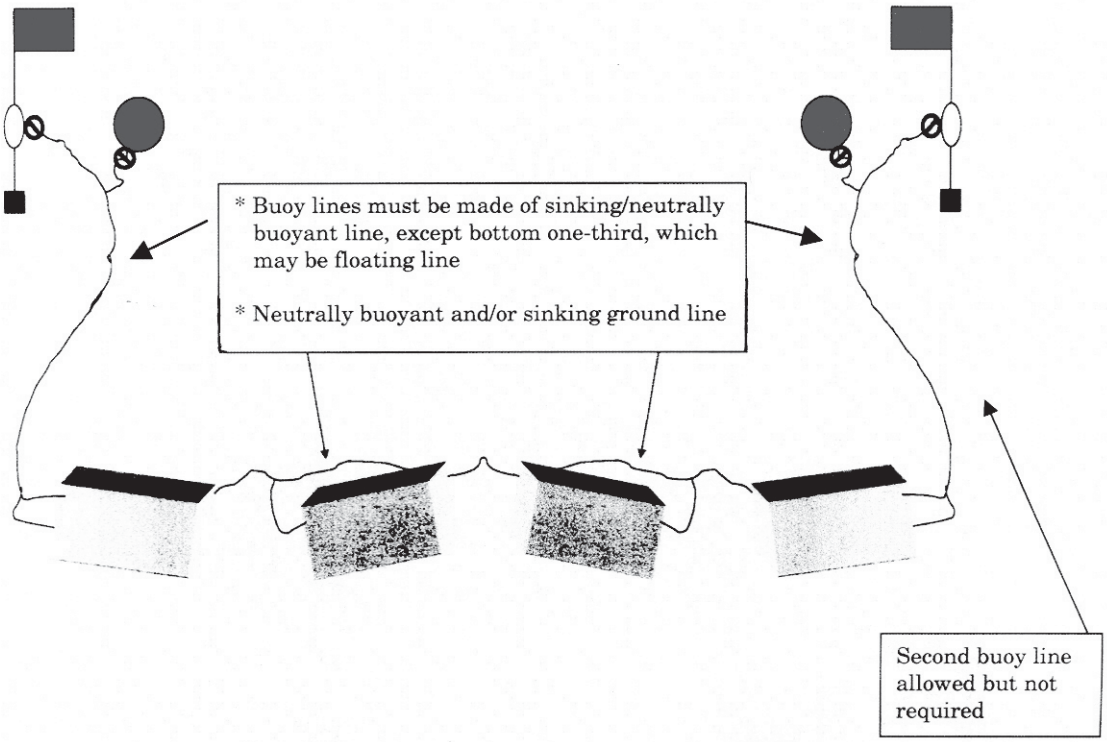
Fishermen utilizing lobster trap/pot gear within the portion of the **Northern Nearshore Lobster Waters, Southern Nearshore Lobster Waters, Northern Inshore State Lobster Waters, Cape Cod Bay Restricted Area (May 16 through December 31), and Stellwagen Bank/Jeffreys Ledge Restricted Area** that overlap with a DAM zone may be required to utilize all of the following gear modifications when a DAM zone is in effect:

- Groundlines must be made of either sinking or neutrally buoyant line. Floating groundlines are prohibited;
- All buoy lines must be made of either sinking or neutrally buoyant line, except the bottom portion of the line, which may be a section of floating line not to exceed one-third the overall length of the buoy line;
- Fishermen are allowed to use two buoy lines per trawl; and
- A weak link with a maximum breaking strength of 600 lb (272.2 kg) must be placed at all buoys.

Fishermen utilizing lobster trap/pot gear within the portion of the **Great South Channel Restricted Lobster Area (July 1 through March 31) and Offshore Lobster Waters Area** that overlap with a DAM zone may be required to utilize all the following gear modifications when a DAM zone is in effect:

- Groundlines must be made of either sinking or neutrally buoyant line. Floating groundlines are prohibited;
- All buoy lines must be made of either sinking or neutrally buoyant line, except the bottom portion of the line, which may be a section of floating line not to exceed one-third the overall length of the buoy line;
- Fishermen are allowed to use two buoy lines per trawl; and
- A weak link with a maximum breaking strength of 1,500 lb (680.4 kg) must be placed at all buoys.

## DAM Lobster Trap/Pot Gear




Key:

* Northern Inshore State, and Southern Nearshore Lobster Waters; Cape Cod Bay Restricted Area (May 16-December 31); & Stellwagen Bank/Jeffreys Ledge = **600 lb Buoy Weak Link**
* Great South Channel Restricted Lobster Area(July 1 – March 31) and Offshore Lobster Waters = **1,500 lb Buoy Weak Link**

Buoy

High Flyer or Buoy

**Graphic depicts Buoy, Line, and Weak Link Configuration** – See individual ALWTRP Management Areas for information regarding gear marking, number of traps allowed per trawl, and/or any other additional ALWTRP requirements

**Lobster Pot/Trap Fisheries and Anchored Gillnet Fisheries (Both) . . . Continued**

## DAM Zone Anchored Gillnet Gear

Fishermen utilizing anchored gillnet gear within the portion of the **Other Northeast Gillnet Waters, Cape Cod Bay Restricted Area (May 16 through December 31), Stellwagen Bank/Jeffreys Ledge Restricted Area, Great South Channel Restricted Gillnet Area (July 1 through March 31, Great South Channel Sliver Restricted Area(July 1 through March 31, and Mid-Atlantic Coastal Waters** that overlap with a DAM zone may be required to utilize all the following gear modifications when a DAM zone is in effect:

- Groundlines must be made of either sinking or neutrally buoyant line. Floating groundlines are prohibited;

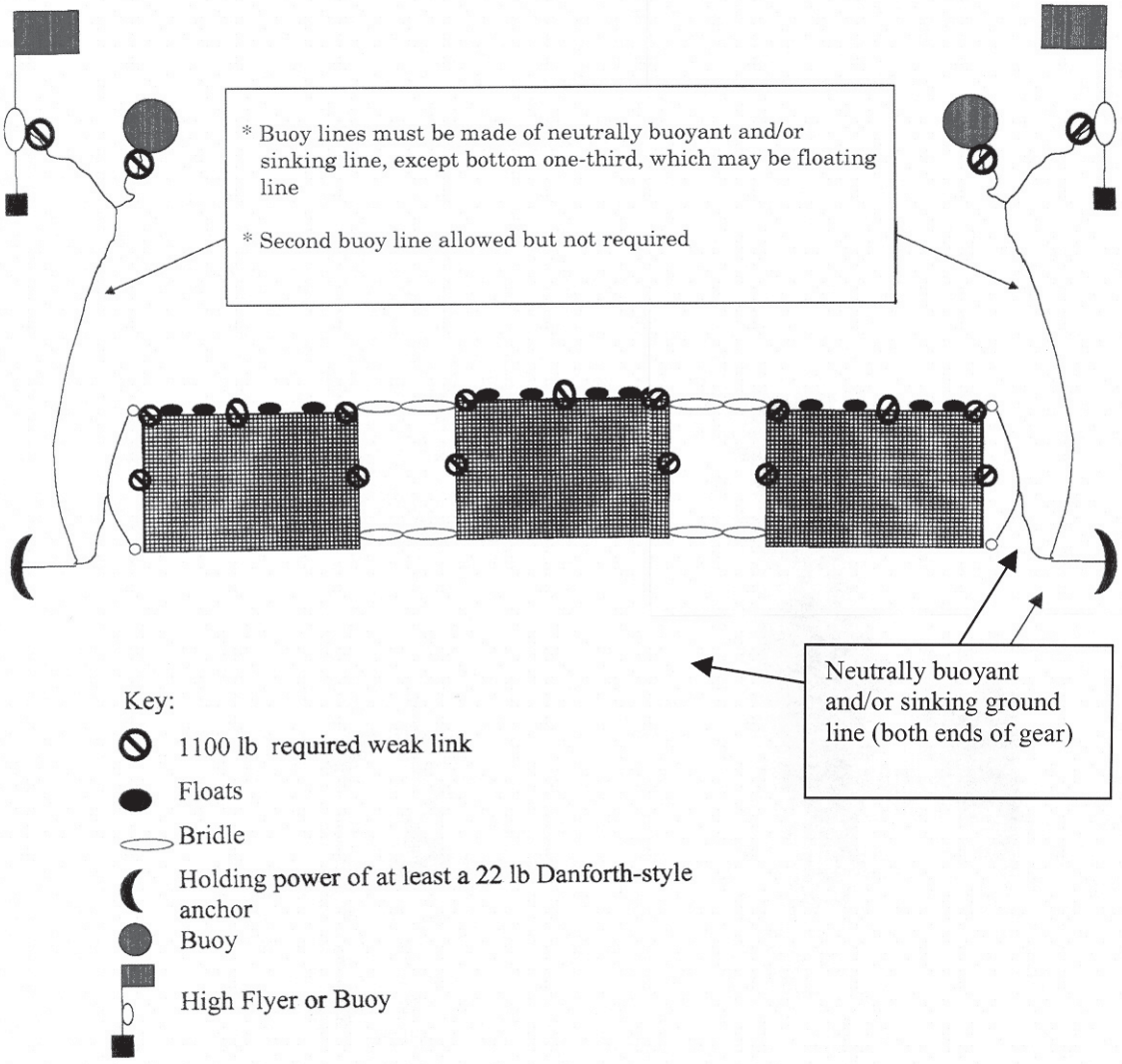
- All buoy lines must be made of either sinking or neutrally buoyant line, except the bottom portion of the line, which may be a section of floating line not to exceed one-third the overall length of the buoy line;

- Fishermen are allowed to use two buoy lines per string;

- Each net panel must have a total of five weak links with a maximum breaking strength of 1,100 lb (498.9 kg). Net panels are typically 50 fathoms in length, but the weak-link requirements would apply to all variations in panel size. These weak links must include three floatline weak links. The placement of the weak links on the floatline must be: one at the center of the net panel and one each as close as possible to each of the bridle ends of the net panel. The remaining two weak links must be placed in the center of each of the up and down lines at the panel ends; and

- All anchored gillnets, regardless of the number of net panels, must be securely anchored with the holding power of at least a 22-lb (10 .0 kg) Danforth-style anchor at each end of the net string.

## DAM Anchored Gillnet Gear




**Graphic depicts Buoy, Line, Anchor, and Weak Link Configuration** – See individual ALWTRP Management Areas for information regarding gear marking and/or any other additional ALWTRP requirements

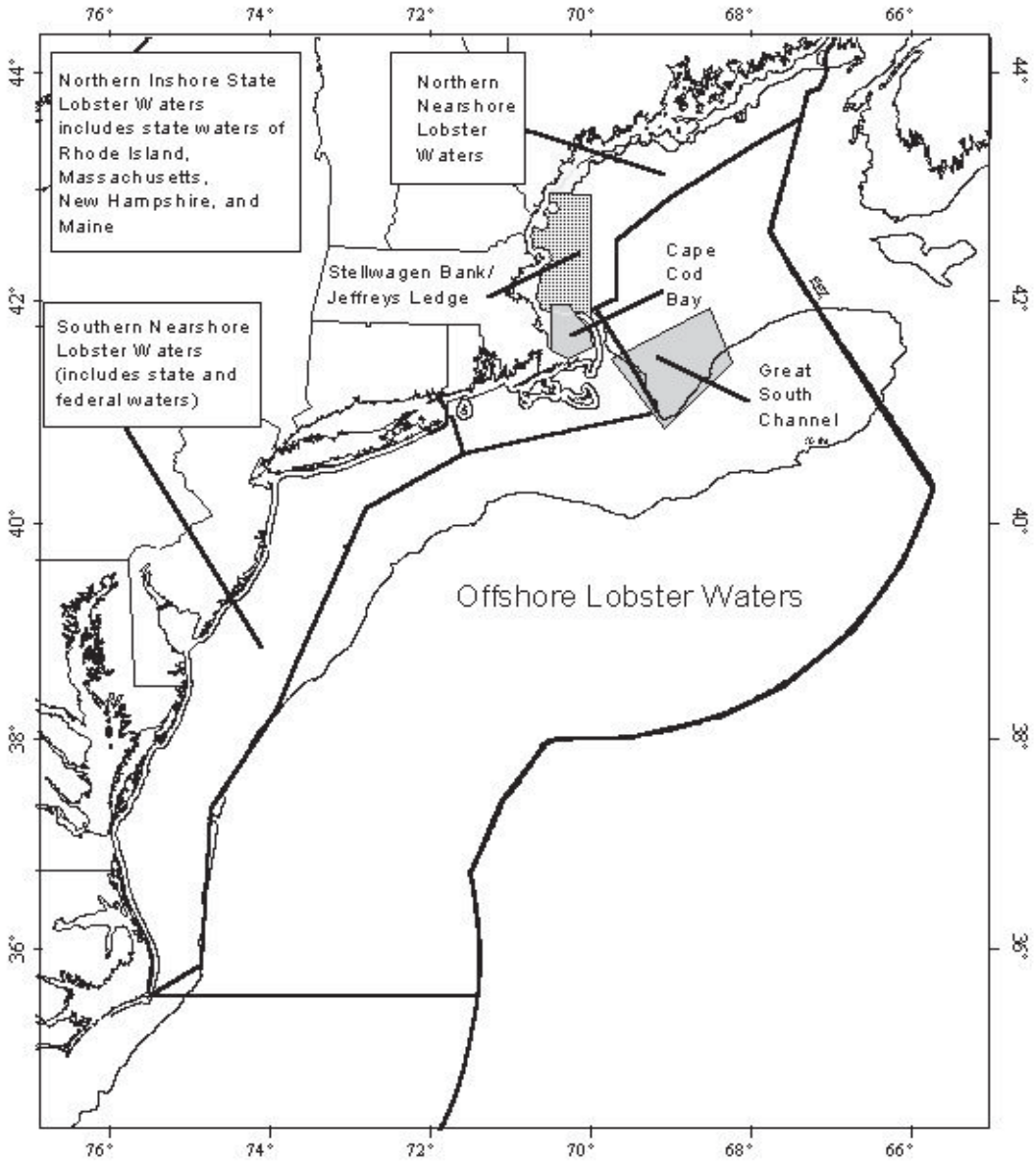
## Regulations that Apply To

# Lobster Pot/Trap Fisheries

## Regulated Areas

The lobster gear regulations in the ALWTRP vary by geographic area. The TRP currently recognizes seven areas: Northern Inshore State Lobster Waters, Cape Cod Bay Critical Habitat Area, Great South Channel Critical Habitat Area, Stellwagen Bank/Jeffreys Ledge, Northern Nearshore Lobster Waters, Southern Nearshore Lobster Waters, and Offshore Lobster Waters (Figure 2).

Figure 2 ALWTRP Regulated Lobster Waters

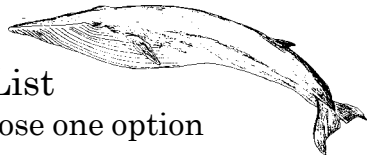


## Lobster Pot/Trap Fisheries. . . continued

The regulated areas in the ALWTRP are different than lobster management areas in the federal regulations for the American lobster fishery. Here is how the lobster areas in the ALWTRP correspond with the lobster areas in the lobster regulations:

### Table 1 ALWTRP and American Lobster Fishery Management Areas

| ALW TRP Regulations | American Lobster Fishery Regulations |
|---|---|
| Northern Nearshore Lobster Waters Area and Northern Inshore State Lobster Waters Area | Management Area 1 *<br>Management Area 2<br>Outer Cape Lobster Management Area |
| Southern Nearshore Lobster Waters Area | Management Area 4<br>Management Area 5 |
| Offshore Lobster Waters Area | Management Area 3<br>Management Area 2/3 Overlap |
| | * Except Stellwagen Bank/Jeffreys Ledge, and Cape Cod Bay |



### Table 2 Lobster Take Reduction Technology List

Northern Inshore State Lobster Waters Area fishermen must choose one option

- All buoys must be attached to the buoy line with a weak link having a breaking strength no greater than 600 lbs (272.4 kg). Weak links may include swivels, plastic weak links, rope of the appropriate breaking strength, hog rings, rope stapled to a buoy stick, or devices approved in writing by the NOAA Fisheries Assistant Administrator. In addition, the weak link must be designed so that the bitter end of the buoy line is clean and free of knots when the weak link breaks
- All buoy lines must be made entirely of sinking and/or neutrally buoyant line
- All ground lines must be made entirely of sinking and/or neutrally buoyant line

## Lobster Pot/Trap Fisheries. . . continued

### Northern Inshore State Lobster Waters

Northern Inshore State Waters includes the state waters of Rhode Island, Massachusetts, New Hampshire, and Maine but does not include waters landward of the first bridge over any embayment, harbor, or inlet and waters landward of the following areas in Rhode Island:

Sakonnet River
Narragansett Bay
Pt. Judith Pond Inlet
Ninigret Pond Inlet
Quonochontaug Pond Inlet
Weekapaug Pond Inlet

For exact coordinates of the exempted waters see 50 CFR part 229.32(a)(2).

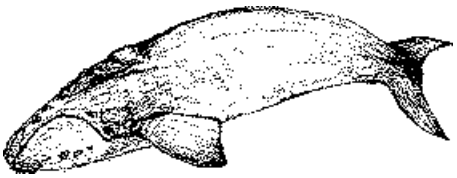
ALWTRP regulations for Northern Inshore State Waters require:

- Compliance with Universal Requirements
  - -No buoy line floating at the surface
  - -No wet storage of gear (all gear must be hauled out of the water at least once every 30 days)
  - -Fishermen are encouraged, but not required, to maintain knot free buoy lines

- Lobster traps/pots must be in compliance with one option from the Lobster Take Reduction Technology List (Page 17)

The Commonwealth of Massachusetts has other regulations for lobster gear set in state waters adjacent to the Cape Cod Bay Critical Habitat Area including a year-round floating groundline prohibition. Contact the Commonwealth of Massachusetts for additional information.

Portions of the Northern Inshore State Lobster Waters are subject to Seasonal Area Management (SAM) in addition to the restrictions indicated in this section. For SAM requirements, see page 6. If SAM requirements differ from other requirements, you must follow the more restrictive requirement.



## Lobster Pot/Trap Fisheries. . . continued

## Cape Cod Bay Critical Habitat Area

The Cape Cod Bay Critical Habitat Area includes the area bounded by: 42°04.8'N / 70°10'W; 42°12'N / 70°15'W; 42°12'N / 70°30'W; 41°46.8'N / 70°30'W; and on the south and east by the interior shore line of Cape Cod, Mass.

**Year Round**

- Compliance with Universal Requirements
  - -No buoy line floating at the surface
  - -No wet storage of gear (all gear must be hauled out of the water at least once every 30 days)
  - -Fishermen are encouraged, but not required, to maintain knot free buoy lines

**January 1 through May 15**

- Buoy lines marked (red, 4" midway on the buoy line)
- All buoys must have a weak link* (see below) with a maximum breaking strength of 500 lb (226.7 kg)
- All traps must be set in either a two-trap string or in a trawl of four or more traps
- A two trap string cannot have more than one buoy line
- All buoy lines must be made of sinking line except for the bottom third of the line, which may be floating line
- All ground lines must be made entirely of sinking line

**May 16 through December 31**

*In State-Water Portions of Cape Cod Bay Critical Habitat Area*

- Must use at least 1 option from Lobster Take Reduction Technology List (page 17)
- No gear marking required

*In Federal-Water Portions of Cape Cod Bay Critical Habitat Area*

- Buoy lines marked (red, 4" midway on the buoy line)
- All buoy lines must be attached to the main buoy with a weak link* (see below) having a breaking strength of no more than 600 lb (272.4 kg)
- Multiple traps only -- no single traps allowed; trawls of 5 or fewer traps can have only one buoy line

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* Weak links must be chosen from the list of NMFS approved gear, which includes: swivels, plastic weak links, rope of appropriate breaking strength, hog rings, rope stapled to a buoy stick, or other materials or devices approved in writing

* Weak links must be designed in such a way that the bitter end of the buoy line is clean and free of any knots when the weak link breaks

The Commonwealth of Massachusetts has other regulations for lobster gear set in state waters in the Cape Cod Bay Critical Habitat Area, including a year-round floating groundline prohibition and a requirement that buoys must be marked with twin orange markers from January 1 though April 30. Contact the Commonwealth of Massachusetts for additional information.

## Lobster Pot/Trap Fisheries. . . continued

## Great South Channel Critical Habitat Area

The Great South Channel Critical Habitat Area includes the area bounded by:
41°40'N / 69°45'W; 41°00'N / 69°05'W; 41°38'N / 68°13'W; and
42°10'N / 68°31'W

**April 1 through June 30**
*Area closed to lobster trap/pot fishing

**July 1 through March 31**

- Compliance with Universal Requirements
  - -No buoy line floating at the surface
  - -No wet storage of gear (all gear must be hauled out of the water at least once every 30 days)
  - -Fishermen are encouraged, but not required, to maintain knot free buoy lines
- Buoy lines marked (black, 4" mark midway on the buoy line)
- All buoys must be attached to the main buoy line with a weak link having a breaking strength of no more than 2,000 lb (906.9 kg)
- The weak link must be chosen from the following list of NMFS approved gear: swivels, plastic weak links, rope of appropriate breaking strength, hog rings, or rope stapled to buoy stick or devices approved in writing
- The weak links must be designed in such a way that the bitter end of the buoy line is clean and free of any knots when the weak link breaks

## Stellwagen Bank/Jeffreys Ledge

Stellwagen Bank/Jeffreys Ledge includes all federal waters of the Gulf of Maine (except those designated as Cape Cod Bay Restricted Area) that lie south of 43°15'N and west of 70°00'W.

- Compliance with Universal Requirements
  - -No buoy line floating at the surface
  - -No wet storage of gear (all gear must be hauled out of the water at least once every 30 days)
  - -Fishermen are encouraged, but not required, to maintain knot free buoy lines
- Buoy lines marked (red, 4" mark midway on the buoy line)
- All buoys must be attached to the main buoy line with a weak link having a breaking strength of no more than 600 lb (272.4 kg).
- Multiple traps only -- no single traps allowed; trawls of 5 or fewer traps can have only one buoy line
- The weak link must be chosen from the following list of NMFS approved gear: swivels, plastic weak links, rope of appropriate breaking strength, hog rings, or rope stapled to a buoy stick or devices approved in writing
- Weak links must be designed in such a way that the bitter end of the buoy line is clean and free of any knots when the weak link breaks

Portions of the Stellwagen Bank/Jeffreys Ledge are subject to Seasonal Area Management (SAM) in addition to the restrictions indicated in this section. For SAM requirements, see page 6. When these waters are subject to SAM, you must follow the more restrictive requirement.

## Lobster Pot/Trap Fisheries. . . continued

### Northern Nearshore Lobster Waters

Northern Nearshore Lobster Waters includes all federal waters, except Cape Cod Bay Critical Habitat Restricted Area and Stellwagen Bank/Jeffreys Ledge Restricted Area, bounded by:

43°58'N / 67°22'W;
43°41'N / 68°00'W;
43°12'N / 69°00'W;
42°49'N / 69°40'W;
42°15.5'N / 69°40'W;
42°05.5'N / 70°14'W;
42°04.25'N / 70°17.22'W;
42°02.84'N / 70°16.1'W;
42°03.35'N / 70°14.2'W;
41°40'N / 70°00'W;
41°15'N / 70°00'W;
41°21.5'N / 69°16'W;
41°10'N / 69°06.5'W;
40°55'N / 68°54'W;
40°27.5'N / 72°14'W;
40°45.5'N / 71°34'W;
41°07'N / 71°43'W;
41°06.5'N / 71°47'W;
41°11'30"N / 71°47'15"W;
41°18'30"N / 71°54'30"W

- Compliance with Universal Requirements
  - -No buoy line floating at the surface
  - -No wet storage of gear (all gear must be hauled out of the water at least once every 30 days)
  - -Fishermen are encouraged, but not required, to maintain knot free buoy lines

- Buoy lines marked (red, 4" mark midway on the buoy line)

- All buoys must be attached to the main buoy line with a weak link having a breaking strength of no more than 600 lb (272.4 kg)

- Multiple traps only -- no single traps allowed; trawls of 5 or fewer traps can have only 1 buoy line

- The weak link must be chosen from the list of NMFS approved gear: swivels, plastic weak links, rope of appropriate breaking strength, hog rings, or rope stapled to a buoy stick or devices approved in writing

- Weak links must be designed in such a way that the bitter end of the buoy line is clean and free of any knots when the weak link breaks

Portions of the Northern Nearshore Lobster Waters are subject to Seasonal Area Management (SAM) in addition to the restrictions indicated in this section. For SAM requirements, see page 6. When these waters are subject to SAM, you must follow the more restrictive requirement.

## Lobster Pot/Trap Fisheries. . . continued

## Southern Nearshore Lobster Waters

Southern Nearshore Lobster Waters includes all state and federal waters bounded by:

M. 40°27.5'N / 72°14'W;
N. 40°45.5'N / 71°34'W;
O. 41°07'N / 71°43'W;
P. 41°06.5'N / 71°47'W;
S. 43°58'N / 72°00'W;
T. 41°00.5'N / 72°00'W;
From Point "T", along the New York/New Jersey coast to Point "W"
W. 39°50'N / 74°09'W;
V. 39°50'N / 73°01'W;
U. 40°12.5'N / 72°48.5'W;
From Point "U" back to Point "M";
X. 38°39.5' / 73°40'W;
Y. 38°12'N / 73°55'W;
Z. 37°12'N / 74°44'W;
ZA. 35°34'N / 74°51'W;
ZB. 35°14.5'N / 75°31'W;
From Point "ZB" along the coasts of North Carolina, Virginia, Maryland, Delaware, New Jersey back to Point "W"

See Page 4 for a list of waters exempt from ALWTRP regulations.

- Compliance with Universal Requirements
  - -No buoy line floating at the surface
  - -No wet storage of gear (all gear must be hauled out of the water at least once every 30 days)
  - -Fishermen are encouraged, but not required, to maintain knot free buoy lines

- Buoy lines marked (orange, 4" mark midway on the buoy line)

- All buoys must be attached to the main buoy line with a weak link having a breaking strength of no more than 600 pounds (272.4 kg) placed as close to each individual buoy as operationally feasible.

- The weak link must be chosen from the following list of NMFS approved gear: swivels, plastic weak links, rope of appropriate breaking strength, hog rings, or rope stapled to a buoy stick or devices approved in writing

- Weak links must be designed in such a way that the bitter end of the buoy line is clean and free of any knots when the weak link breaks

## Lobster Pot/Trap Fisheries. . . continued

## Offshore Lobster Waters

Offshore Lobster Waters includes the area bounded by:

A. 43°58'N / 67°22'W
B. 43°41'N / 68°00'W
C. 43°12'N / 69°00'W
D. 42°49'N / 69°40'W
E. 42°15.5'N / 69°40'W
F. 42°10'N / 69°56'W
K. 41°10'N / 69°6.5'W
N. 40°45.5'N / 71°34'W
M. 40°27.5'N / 72°14'W
U. 40°12.5'N / 72°48.5'W
V. 39°50'N / 73°01'W
X. 38°39.5'N / 73°40'W
Y. 38°12'N / 73°55'W
Z. 37°12'N / 74°44'W
ZA. 35°34'N / 74°51'W
ZB. 35°14.5'N / 75°31'W
From Point "ZB" east to the EEZ boundary, then along the seaward EEZ boundary to Point "A"

Portions of the Offshore Lobster Waters are subject to Seasonal Area Management (SAM) in addition to the restrictions indicated in this section. For SAM requirements, see page 6. When these waters are subject to SAM, you must follow the more restrictive requirement.

- Compliance with Universal Requirements
  - -No buoy line floating at the surface
  - -No wet storage of gear (all gear must be hauled out of the water at least once every 30 days)
  - -Fishermen are encouraged, but not required, to maintain knot free buoy lines

- Buoy lines marked (black, 4" mark midway on the buoy line)

- All buoys must be attached to the main buoy line with a weak link having a breaking strength of no more than 2,000 lb (906.9 kg)

- The weak link must be chosen from the following list of NMFS approved gear:swivels, plastic weak links, rope of ppropriate breaking strength, hog rings, or rope stapled to a buoy stick or devices approved in writing

- Weak links must be designed in such a way that the bitter end of the buoy line is clean and free of any knots when the weak link breaks

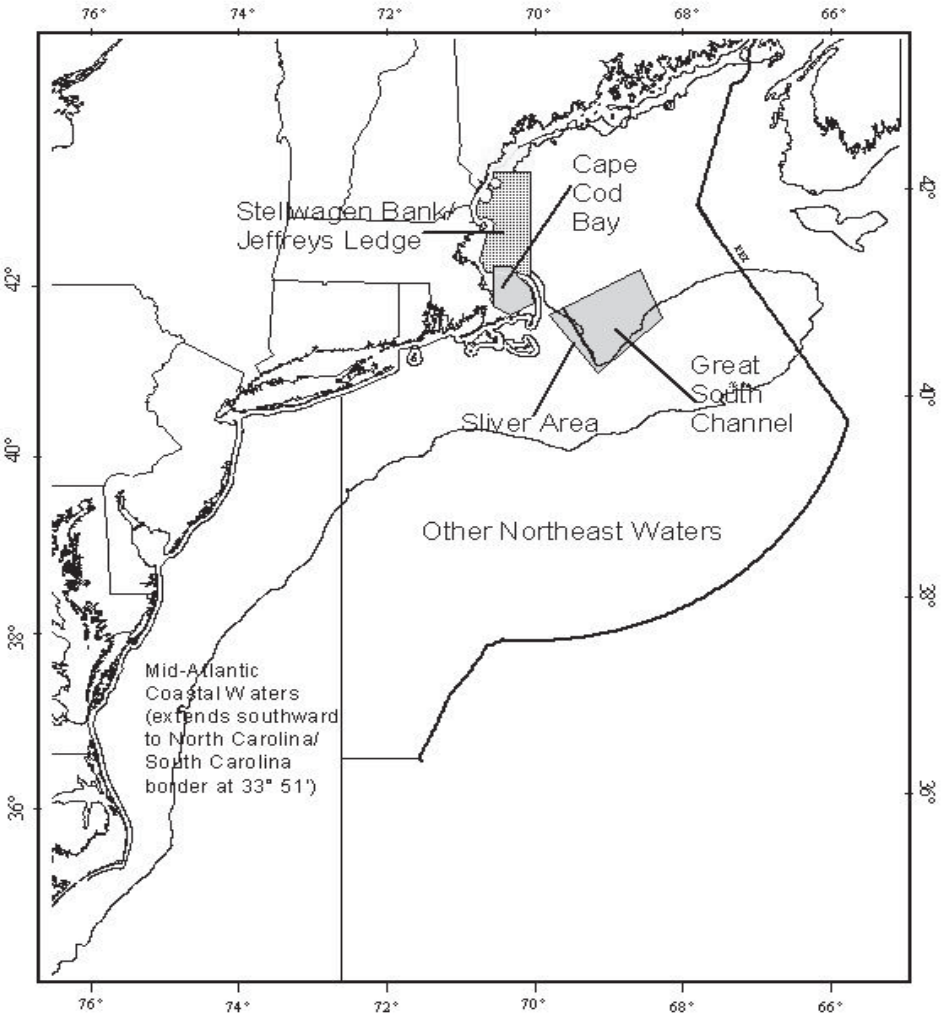
## Regulations that Apply To

# Anchored Gillnet Fisheries

### Regulated Areas

**The anchored gillnet gear regulations in the TRP vary by geographic area. The TRP currently recognizes six areas: Cape Cod Bay Critical Habitat Area, Great South Channel Critical Habitat Area, Great South Channel Sliver Area, Stellwagen Bank/Jeffreys Ledge, Other Northeast Gillnet Waters, and Mid-Atlantic Coastal Waters (Figure 3)**

Figure 3 ALWTRP Regulated Gillnet Waters




Anchored Gillnet means any gillnet gear, including a sink gillnet or stab net, that is set anywhere in the water column and which is anchored, secured or weighted to the bottom of the sea. Also called a set gillnet.

# Anchored Gillnet Fisheries. . . continued

## Cape Cod Bay Critical Habitat Area

Cape Cod Bay Critical Habitat Area includes the area bounded by:
42°04.8'N / 70°10'W;
42°12'N / 70°15'W;
42°12'N / 70°30'W;
41°46.8'N / 70°30'W; and on the south and east by the interior shore line of Cape Cod, Mass.

**January 1 through May 15**
- Area closed to gillnetting

**May 16- December 31**
Anchored gillnetting permitted if:

- Gear is marked (4" green mark midway on the buoy line)
- "Universal Requirements" are satisfied
  - -No buoy line floating at the surface
  - -No wet storage of gear (all gear must be hauled out of the water at least once every 30 days)
  - -Fishermen are encouraged, but not required, to maintain knot free buoy lines
- "Area-Specific Requirements" are satisfied (page 25)

## Table 3 Anchor Gillnet Fishery Area-Specific Gear Requirements

- All buoys must be attached to the buoy line with a weak link having a breaking strength no greater than 1,100 lb (498.8 kg). Weak links may include swivels, plastic weak links, rope of appropriate breaking strength, hog rings, rope stapled to a buoy stick, or devices approved in writing. The weak link must be designed so that the bitter end of the buoy line is clean and free of knots when the weak link breaks.
- All net panels must contain weak links with a breaking strength no greater than 1,100 lb (498.8 kg) in the center of the floatline (headrope) of each net panel
- Anchored gillnet strings of 20 or fewer net panels must be secured in 1 of 3 ways:
  (1) with the holding power of at least a 22 lb (10.0 kg) Danforth-style anchor at each end of the net string,
  (2) with at least 50 lb (22.7 kg) of dead weight at each end of the net string, or
  (3) with a lead line weighing at least 100 lb (45.4 kg) per 300 feet for each net panel in the net string

## Anchored Gillnet Fisheries. . . continued

### Great South Channel Critical Habitat Area

The Great South Channel Critical Habitat Area includes the area bounded by:
41°02.2'N / 69°02'W;
41°43.5'N / 69°36.3'W;
42°10'N / 68°31'W; and
41°38'N / 68°13'W

**April 1 through June 30**
•Area closed to gillnetting

**July 1 through March 31**
Anchored gillnetting permitted if:

- Gear is marked (4" green mark midway on buoy line)
- "Universal Requirements" are satisfied
  - -No buoy line floating at the surface
  - -No wet storage of gear (all gear must be hauled out of the water at least once every 30 days)
  - -Fishermen are encouraged, but not required, to maintain knot free buoy lines
- "Area-Specific Requirements" are satisfied (page 25)

### Great South Channel Sliver Area

Great South Channel Sliver Area includes the area bounded by:
41°02.2'N / 69°02'W;
41°43.5'N / 69°36.3'W;
41°40'N / 69°45'W; and
41°00'N / 69°05'W

Anchored gillnetting permitted if:

- Gear is marked (4" green mark midway on on buoy line)
- "Universal Requirements" are satisfied
  - -No buoy line floating at the surface
  - -No wet storage of gear (all gear must be hauled out of the water at least once every 30 days)
  - -Fishermen are encouraged, but not required, to maintain knot free buoy lines
- "Area-Specific Requirements" are satisfied (page 25)

## Anchored Gillnet Fisheries. . . continued

### Stellwagen Bank/Jeffreys Ledge

Stellwagen Bank/Jeffreys Ledge includes all federal waters of the Gulf of Maine (except those designated as Cape Cod Bay Restricted Area) that lie south of 43°15'N and west of 70°00'W.

Anchored gillnetting permitted if:

- Gear is marked (4" green mark midway on buoy line)
- "Universal Requirements" are satisfied
  - -No buoy line floating at the surface
  - -No wet storage of gear (all gear must be hauled out of the water at least once every 30 days)
  - -Fishermen are encouraged, but not required, to maintain knot free buoy lines
- "Area- Specific Requirements" are satisfied (page 25)

Portions of the Stellwagen Bank/Jeffreys Ledge are subject to Seasonal Area Management (SAM) in addition to the restrictions indicated in this section. For SAM requirements, see page 6. When these waters are subject to SAM, you must follow the more restrictive requirement.

### Other Northeast Gillnet Waters

Other Northeast Gillnet Waters consists of all U.S. waters west of the U.S./Canada border and north of a line extenting due east from the VA/NC border with the exception of the Cape Cod Bay Critical Habitat Restricted Area, Stellwagen Bank/Jeffreys Ledge Restricted Area, Great South Channel Restricted Gillnet Area, Great South Channel Sliver Restricted Area, Mid-Atlantic Coastal Waters Area and the exempted waters listed in 50 CFR 229.32(a)(2).

Anchored gillnetting permitted if:

- Gear is marked (4" green mark midway on buoy line)
- "Universal Requirements" are satisfied
  - -No buoy line floating at the surface
  - -No wet storage of gear (all gear must be hauled out of the water at least once every 30 days)
  - -Fishermen are encouraged, but not required, to maintain knot free buoy lines

"Area- Specific Requirements" are satisfied (page 25)

Portions of the Other Northeast Gillnet Waters are subject to Seasonal Area Management (SAM) in addition to the restrictions indicated in this section. For SAM requirements, see page 6. When these waters are subject to SAM, you must follow the more restrictive requirement.

## Anchored Gillnet Fisheries. . . continued

### Mid-Atlantic Coastal Waters

Mid-Atlantic Coastal Waters is bounded by: The southern shoreline of Long Island, NY at 72°30'W, then due south to 33°51'N, then west to the North Carolina/South Carolina border.

The following requirements must be met from

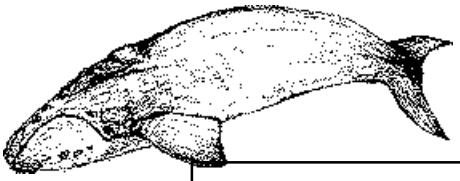
**December 1 to March 31**:

- Universal Requirements are satisfied
  - -No buoy line floating at the surface
  - -No wet storage of gear (all gear must be hauled out of the water at least once every 30 days)
  - -Fishermen are encouraged, but not required, to maintain knot free buoy lines

- All buoys must be attached to the main buoy line with a weak link having a breaking strength no greater than 1,100 lb (498.8 kg) placed as close to each individual buoy as operationally feasible. Weak links may include swivels, plastic weak links, rope of appropriate breaking strength, hog rings, rope stapled to a buoy stick, or other materials or devices approved in writing. The bitter end of the buoy line must be clean and free of any knots when the weak link breaks.

- All net panels must contain weak links with a breaking strength no greater than 1,100 lb (498.8 kg) in the center of the floatline of each 50-fathom (300-ft or 91.4-m) net panel in a net string or every 25-fathoms for longer panels.

- All gillnets must return to port with the vessel or be anchored at each end with an anchor capable of the holding power of at least a 22 lb (10.0 kg) Danforth-style anchor.



## Regulations that Apply To
# Drift Gillnet Fisheries

## Mid-Atlantic Drift Gillnet Fishery

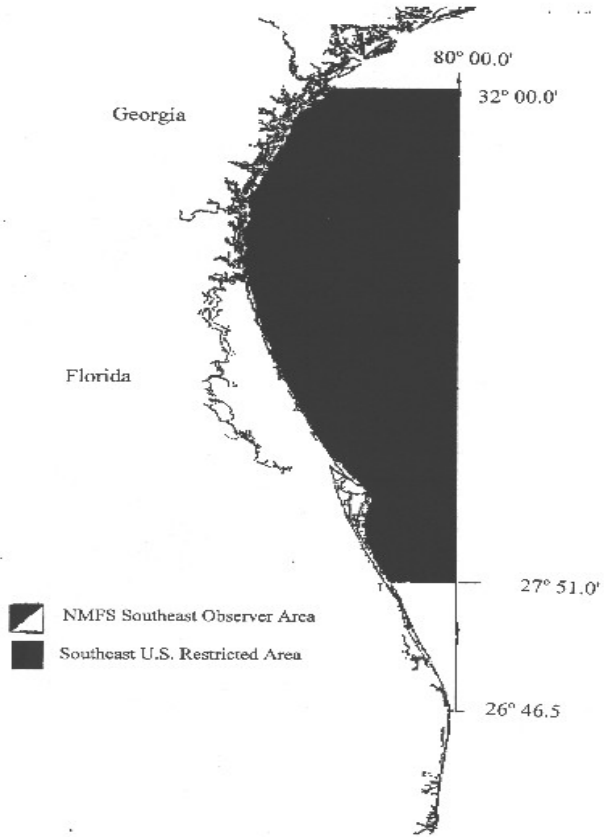
**December 1 through March 31**

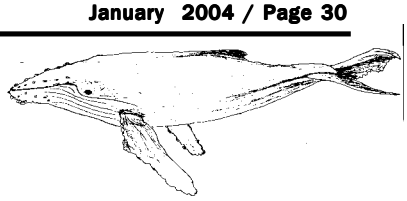
- No fishing with driftnet gear at night unless that gear is tended
- All driftnet gear set by a vessel must be removed from the water and stowed on board the vessel before returning to port

Driftnet, drift gillnet, or drift entanglement gear means a gillnet or gillnets that is/are unattached to the ocean bottom and not anchored, secured or weighted to the bottom, regardless of whether attached to a vessel.

Tended gear or tend means fishing gear that is physically attached to a vessel in a way that is capable of harvesting fish, or to fish with gear attached to the vessel

Figure 4. *Southeast U.S. Restricted and Southeast U.S. Observer areas*





## Regulations that Apply To
# Shark Gillnet Fisheries

Shark gillnetting means to fish a gillnet in the waters south of the South Carolina/Georgia border with webbing of 5 inches or greater stretched mesh.

## Southeast U.S. Restricted Area

The Southeast U.S. Restricted Area (Figure 4, page 29) consists of the area from 32°00'N (near Savannah, GA) south to 27°51'N (near Sebastian Inlet, FL) from the shore eastward to 80°00'W.

**November 15 through March 31**

- Area closed to shark gillnet fishing

**Special Provisions for Strikenets**

Fishing for sharks with strikenet gear is exempt from the closed period if:

- No nets are set at night or when visibility is less than 500 yards (460 m)
- Each set is made under the observation of a spotter plane
- No net is set within 3 nautical miles of a right, humpback, or fin whale
- If a right, humpback, or fin whale moves within 3 nautical miles of the set gear, the gear is removed immediately from the water

- Note: Strikenet fishermen in the Southeast U.S. Restricted Area must also comply with requirements for the Southeast U.S. Observer Area (below)

Strikenet or to fish with strikenet gear means a gillnet that is designed so that, when it is deployed, it encircles or encloses an area of water either with the net or by utilizing the shoreline to complete encirclement, or to fish with such a net and method.

Night is defined as anytime between one-half hour before sunset and one-half hour after sunrise.

## Southeast U.S. Observer Area

The Southeast U.S. Observer Area (Figure 4, page 29) consists of the area from 32°00'N (near Savannah, GA) south to 26°46.5'N (near West Palm Beach, FL) and extending from the shore eastward to 80°00'W°. The Southeast U.S. Observer Area includes the Southeast U.S. Restricted Area.

**November 15 through March 31**

- All gillnet gear in this area must be marked with two colors:
  Green (to indicate gillnet gear) and
  Blue (to indicate the gear was set in the U.S. Observer Area);
  - marks must be 4" long and both marks must be within 6" of each other
  - buoy lines must be marked within 2' of the top and midway along the length of the buoy line
  - each net panel must be marked along both the float line and the lead line at least once every 100 yards
- Not less than 48 hours prior to departure, vessel operator must call NMFS (727-570-5312) to make arrangements for taking an observer

Note: In all but the southern-most portion of the Observer Area, gillnet fishermen must also comply with the regulations for the Southeast Restricted Area (above)

## Regulations that Apply To
# Southeast Atlantic Gillnet Fishery Regulated Area

The Southeast Atlantic Gillnet Fishery includes any type of gillnet gear for any species (except shark gillnetting effort using 5 inch (12.7cm) stretched mesh south of the SC/GA Border) in waters south of the line extending due east from the NC/SC border and south and west of the Fishery Management Council demarcation line between the Atlantic Ocean and the Gulf of Mexico (see 50 CFR 600.105).

## Southeast U.S. Restricted Area

**The Southeast U.S. Restricted Area (Figure 4) consists of the area from** 32°00'N (near Savannah, GA) south to 27°51'N (near Sebastian Inlet, FL) from the shore eastward to 80°00'W.

**November 15 through March 31**

- No straight sets of gillnets at night.

A straight set of a gillnet is the deployment of gillnet in a straight line, as opposed to the deployment of gillnet in a circular manner, for example, around a school of fish.

Night is defined as any time between one-half hour before sunset and one-half hour after sunrise.

**Special Provisions for Shark Gillnet Gear**

Fishing for sharks with shark gillnet gear is exempt from the closed period if:

- No nets are set at night or when visibility is less than 500 yards (460 m)
- Each set is made under the observation of a spotter plane
- No net is set within 3 nautical miles of a right, humpback, or fin whale
- If a right, humpback, or fin whale moves within 3 nautical miles of the set gear, the gear is removed immediately from the water

•Note: Shark gillnet fishermen in the Southeast U.S. Restricted Area must also comply with requirements for the Southeast U.S. Observer Area