

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

Measure		Pre-FW 42 (FW 40-A and B)	FW 42
Target TACs		Target TACs set through 2006	Target TACs set through 2009
VMS Usage		Voluntary, except in Spec. Man. Progs.	Mandatory for using DAS
DAS Allocation		A:B Split = 55:45 (A13 default)	A:B Split = 55:45 (A13 default)
DAS Counting		1:1, save for default 1.5:1 in SNE/MA	2:1 in GOM DA and SNE DA
Trip Limits	CC/GOM YT	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
	E GB Cod	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
	GB Winter	Unlimited	5,000 lb/trip
	GB YT	30,000 lb/trip, unless modified	10,000 lb/trip, unless modified
	SNE/MA YT	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
	White Hake	Unlimited	1,000 lb/DAS, up to 10,000 lb/trip
U.S./Canada Management Area		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
Eastern Haddock SAP		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
Regular B DAS Program		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 st quarter
		Incidental TACs distributed evenly throughout the year	Changes to incidental TAC distribution
		No haddock separator trawl req.	Haddock separator trawl required
DAS Leasing Prog.		Program expired in April 2006	Program renewed
DAS Transfer Program		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
Sectors		Hook Sector only	Approved Fixed Gear Sector
Gear Regulations		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
Recreational Measures		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