

NOAA'S NATIONAL MARINE FISHERIES SERVICE (NMFS) 2023 MARINE MAMMAL AUTHORIZATION CERTIFICATE

A. Authorization:

Pursuant to Section 118 of the Marine Mammal Protection Act (MMPA; 16 U.S.C. 1387), the implementing regulations at 50 CFR Part 229, and subject to the terms and conditions below, NOAA's National Marine Fisheries Service (NMFS) issues this Authorization Certificate, which, when presented in combination with a current/valid state or federal fisheries permit, authorizes the taking of non-endangered/threatened marine mammals incidental to commercial fishing operations in Category I or II fisheries, listed below.

B. Terms and Conditions:

- **All incidental mortality or injury of marine mammals occurring in the course of commercial fishing operations must be reported to NMFS within 48 hours after the end of each fishing trip in which the incidental death or injury occurred using the appropriate reporting form, even if the trip is observed.**
- This Authorization Certificate, or a photocopy of it, must be on board the vessel during commercial fishing operations.
- Authorization Certificate holders must comply with any applicable take reduction plans and emergency regulations.
- If requested to do so by NMFS or a designated contractor providing observer services to NMFS, an Authorization Certificate holder must take aboard an observer to accompany the vessel on fishing trips and must possess a valid Commercial Fishing Vessel Safety Examination decal issued by the U.S. Coast Guard.
- When necessary to deter a marine mammal from damaging fishing gear, catch, other private property, or from endangering personal safety, the vessel owner, operator, or crew members may use measures which do not result in serious injury or death of the animal pursuant to the deterrence provisions of the MMPA.
- A marine mammal may not be intentionally killed in the course of commercial fishing operations except where imminently necessary in self-defense or to protect the life of a person in immediate danger. Such lethal taking must be reported to NMFS within 48 hours after the end of each fishing trip in which the mortality occurred using the appropriate MMAP mortality/injury reporting form.
- Any marine mammal incidentally taken must be immediately returned to the sea unless directed otherwise by NMFS or a NMFS-authorized observer.
- This Authorization Certificate, or a copy, must be made available upon request to any state or federal enforcement agent authorized to enforce the Act, any designated agent of NMFS, or any contractor providing observer services to NMFS.
- This Certificate is not transferable. In the event of a change in vessel ownership, the Authorization Certificate is void and a new Authorization Certificate must be obtained by the new owner.
- If the registered vessel is sold or destroyed or is replaced by a new designated vessel, an authorization must be obtained for the new vessel.
- Any person who violates these Terms and Conditions, regulations under 50 CFR Part 229, or any provisions of Section 118 of the MMPA, shall be subject to the penalties set forth in the MMPA.
- This certificate is valid from January 1, 2023 through December 31, 2023

2023 Atlantic, Caribbean, Gulf of Mexico Category I & II Fishery Definition Reference

Gear Type	Fishery	Cat.	Location and Details
Gillnet	<i>Northeast sink gillnet</i>	I	U.S./Canada border to Long Island, NY (excluding Long Island Sound), at 72° 30' W long., south to VA/NC border & east to the EEZ.
	<i>Northeast anchored float gillnet</i>	II	U.S./Canada border to Long Island, NY (excluding Long Island Sound), at 72° 30' W long., south to VA/NC border & east to the EEZ. Anchored and fished in the upper 2/3 of the water column.
	<i>Northeast drift gillnet</i>	II	U.S./Canada border to Long Island, NY, at 72° 30' W long., south to VA/NC border & east to the EEZ. Includes any residual large pelagic driftnet effort in New England.
	<i>Chesapeake Bay inshore gillnet</i>	II	Between the Chesapeake Bay/Bridge Tunnel & mainland.
	<i>Mid-Atlantic gillnet</i>	I	West of a line drawn at 72° 30' W long., south to VA/NC border, east to the eastern edge of EEZ & north of the NC/SC border (does not include inshore waters of bays, estuaries and rivers). Uses drift and sink gillnets (including residual large pelagic driftnet, shark gillnet, and dogfish gillnet effort in the Mid-Atlantic & NC beach-anchored small and large gillnets).
	<i>North Carolina inshore gillnet</i>	II	Inshore of the COLREGS lines in NC.
	<i>Southeast Atlantic gillnet</i>	II	Waters south of a line extending east from the NC/SC border to the EEZ, & east of the fishery management council demarcation line between the Atlantic Ocean/Gulf of Mexico. Primarily in Federal waters. Excludes shark gillnetting effort.
	<i>Southeastern U.S. Atlantic shark gillnet</i>	II	Coastal waters off of FL and GA. Uses sink, stab, set, strike or drift gillnets.
	<i>Gulf of Mexico gillnet</i>	II	Waters west of fishery management council demarcation line between the Atlantic Ocean/Gulf of Mexico & north of U.S./Mexico border.
Traps/Pots	<i>Northeast/Mid-Atlantic American lobster trap/pot</i>	I	Predominantly inshore and offshore waters from Maine to NJ; may extend as far south as Cape Hatteras, NC.
	<i>Atlantic mixed species trap/pot</i>	II	U.S./Canada border south through the waters east of the fishery management demarcation line between the Atlantic Ocean & Gulf of Mexico. Excludes other Category I, II, & III trap/pot fisheries already appearing on the List of Fisheries.
	<i>Atlantic blue crab trap/pot</i>	II	From south shore of Long Island, NY at 72° 30' W long. fishery management council demarcation line through the Atlantic Ocean/Gulf of Mexico - includes estuarine, coastal, & offshore waters.
	<i>Southeastern U.S. Atlantic, Gulf of Mexico stone crab trap/pot</i>	II	Primarily nearshore in FL. state waters.
	<i>MA mixed species trap/pot</i>	II	MA state waters.
Longline	<i>Atlantic Ocean, Caribbean, Gulf of Mexico large Pelagic & highly migratory species longline</i>	I	Waters within Atlantic, Caribbean and Gulf of Mexico EEZ; water outside of EEZ (High Seas).
Trawl	<i>Northeast mid-water trawl (including pair trawl)</i>	II	U.S./Canada border through waters east of 70° W. long. to the intersection of the EEZ, primarily on the continental shelf & throughout the Gulf of Maine, Georges Bank, & Southern New England.
	<i>Mid-Atlantic mid-water trawl (including pair trawl)</i>	II	Cape Cod, MA, to Cape Hatteras, NC, in waters west of 70° W. long. to the intersection of the EEZ & north of a line extending due east from the NC/SC border.
	<i>Northeast bottom trawl</i>	II	South of Cape Cod, MA, east of 70° W. long. & south to intersection of EEZ and 70° W; north of Cape Cod to U.S./Canada border
	<i>Mid-Atlantic bottom trawl</i>	II	Cape Cod, MA, to Cape Hatteras, NC, west of 70° W. long. & north of a line extending due east from the NC/SC border to the EEZ.
	<i>Southeastern U.S. Atlantic, Gulf of Mexico shrimp trawl</i>	II	Pelagic, skimmer, or bottom trawl fisheries in the Atlantic Ocean from NC through FL, & in the Gulf of Mexico from FL through TX. Includes all estuarine, coastal, & offshore waters.
	<i>High Seas Atlantic highly migratory species trawl</i>	II	U.S. waters and the adjacent High Seas - waters outside of the EEZ.
Seines, Pound & Stop Net	<i>Mid-Atlantic menhaden purse seine</i>	II	Mid-Atlantic region. Most effort within 3 mi of shore.
	<i>Gulf of Mexico menhaden purse seine</i>	II	Bays, sounds and nearshore coastal waters along the Gulf of Mexico Coast.
	<i>Mid-Atlantic haul/beach seine</i>	II	Waters west of 72°30' W long. & north of a line extending due east from the NC/SC border. Includes VA, MD and NJ.
	<i>North Carolina long haul seine</i>	II	NC state waters, including estuarine waters in Pamlico and Core Sounds and their tributaries.
	<i>Virginia pound net</i>	II	VA state waters, including inside Chesapeake Bay.
	<i>North Carolina roe mullet stop net</i>	II	Oct-Nov, off Bogue Banks, NC.
Other High Seas Fisheries	<i>High Seas Atlantic highly migratory species handline/pole & line</i>	II	On the High Seas - waters outside of the EEZ.
	<i>High Seas Atlantic highly migratory species troll</i>	II	On the High Seas - waters outside of the EEZ.

*Note the EEZ (Exclusive Economic Zone) in the U.S. typically extends 200 nautical miles from the coast.

For more detailed descriptions of each fishery, please reference the 2023 List of Fisheries available online at www.fisheries.noaa.gov/action/list-fisheries-2023