



# Greater Atlantic Region Bulletin

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<http://www.nero.noaa.gov/>  
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## **ATLANTIC SEA SCALLOP FISHERY:** **LIMITED ACCESS VESSELS**

Updated Allocations for the Remainder of the 2014 Fishing Year  
*Effective Date: June 16, 2014*

This is a summary of new measures implemented through Framework 25 and a summary of how they may affect your fishing plans and activities for the remainder of the 2014 fishing year (FY). Please read through each section carefully, and distribute this letter to your vessel operators. This summary is not a substitute for the actual regulations, and we encourage you to review the full text of the regulations, available at <http://www.nero.noaa.gov>.

If you would like to learn more about these and other measures, or details about recent actions, we have posted additional information on our website at:  
<http://www.nero.noaa.gov/sfd/sfdscallop.html>.

If you have a question about any of the measures, please call our Sustainable Fisheries Division staff at (978) 281-9315. They can answer your questions or direct you to other Greater Atlantic Regional Office staff that can help you.

**With the exception of new gear requirements, these measures are effective  
June 16, 2014**

### **New Restrictions**

#### **Additional Restrictions in the Delmarva Access Area**

Framework 25 adds two additional restrictions to help protect small scallops and reduce mortality in Delmarva in FY 2014.

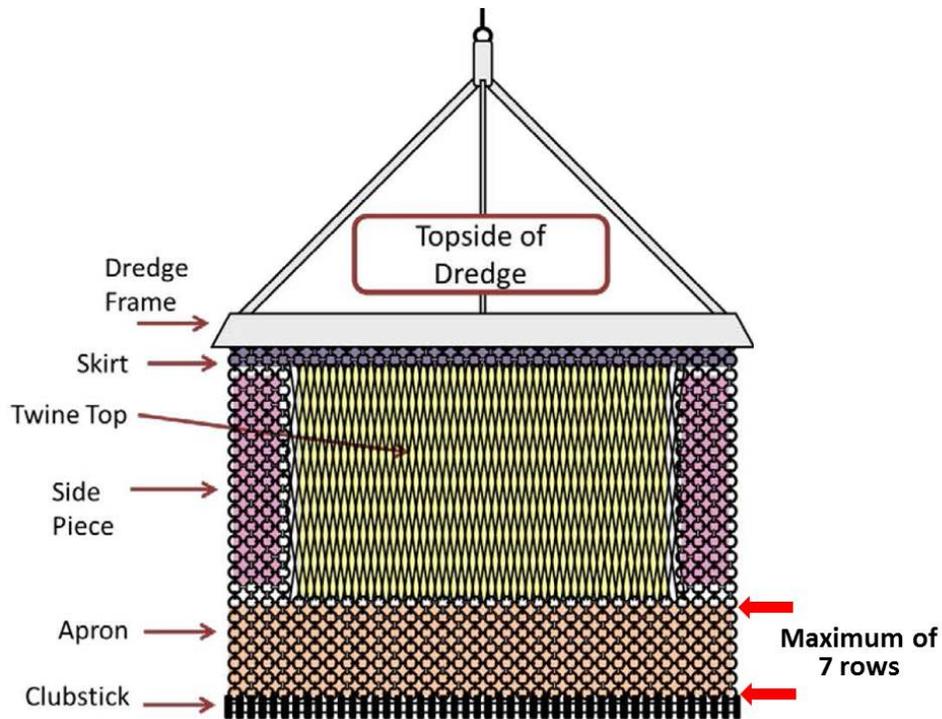
1. Delmarva is open for 90 days from June 16, 2014 to September 14, 2014.
2. For limited access vessels fishing in the Demarva area, the crew limit is seven individuals on a Limited Access vessel, and five individuals on a Limited Access Small Dredge vessel.

**Reminder:** We encourage those vessels choosing to fish in Delmarva to refrain from high-grading. Because of the uncertainty of the scallop resource in Delmarva the increased mortality caused by high-grading could have damaging effects on the longevity of the resource in the area.

*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.*

**New Gear Restrictions to Limit Finfish Bycatch (Effective July 16, 2014)**

Framework 25 implements a gear restriction in the area west of 71° W. Long, excluding Mid-Atlantic access areas. If you are fishing in the area west of 71° W. Long anywhere other than an access area you may have a maximum of seven rows of rings in the apron between the twine top and the clubstick, year-round (See figure below). This measure is intended to reduce flatfish bycatch and applies to all scallop dredge vessels. In order to give vessels time to make the appropriate gear changes **this measure becomes effective on July 16, 2014.**



**Dredge gear configuration required in the area west of 71° W. Long., excluding Mid-Atlantic access area**

<i>Frequently Asked Questions</i>	
<b>What if I'm fishing in a Mid-Atlantic access area?</b>	If you are fishing in the Mid-Atlantic access areas, you are not required to have any particular number of rows of rings.
<b>What if I'm fishing east of 71° W. Long.?</b>	If you are east of 71° W. Long. you are required to have a MINIMUM of 7 rows of rings in the apron between the twine top and the clubstick.

## Updated Fishing Year 2014 Allocations

### Days-at-Sea (DAS) Allocations

The following table includes final FY 2014 open area DAS allocations for full-time, part-time, and occasional vessels.

Scallop Open Area DAS Allocations

Permit Category	FY 2014 DAS
Full-Time	31
Part-Time	12
Occasional	3

### Access Area Trip Allocations

- Full-time vessels are allocated two access area trips of 12,000 lb each in two of the access areas available for fishing (See table below). Every vessel receives one trip in Delmarva, and one trip in either Nantucket Lightship or Closed Area II. We have already notified full-time vessels of their Nantucket Lightship or Closed Area II Framework 25 access area allocations. That list is available at <http://www.nero.noaa.gov/sfd/sfdscallop.html>.
- Part-time vessels are allocated one FY 2014 access area trip allocation in 2014 equivalent to 9,600 lb, and vessels with limited access occasional permits will receive one 2,000-lb trip. You can take this trip in any single access area that is open to the fishery for FY 2014 (i.e., Delmarva, Nantucket Lightship, or Closed Area II).

### Ability to Exchange a Delmarva Trip for 5 DAS

In response to uncertain projections of scallop sizes and densities in Delmarva, full-time vessels have the option to exchange only one 12,000-lb Delmarva trip for 5 open area DAS. This is an exchange of a single Delmarva trip for 5 DAS. If you would like to take your Delmarva trip this year you must declare into the Delmarva area during the 90-day opening from June 16 to September 14. If you break your Delmarva trip in the last 60 days of the area's opening you can carry the trip over and fish it in the first 60 days of FY 2015 (March 1, 2015 through April 29, 2015).

### How to Exchange a Delmarva Trip for 5 DAS

You will automatically receive the additional 5 DAS in one of two ways:

1. Delmarva will close on September 15, 2014. If you do not take your trip before the area closes, then we will automatically credit your vessel with 5 additional DAS.
  - a. Example: Vessel A will receive 31 DAS on June 16, 2014. When Delmarva closes on September 13, 2014, if Vessel A never declared or fished a Delmarva trip, then Vessel A will automatically be credited with 5 additional DAS, giving Vessel A a total of 36 DAS for FY 2014.
2. If you fish your initial allocation of 31 open area DAS before Delmarva closes, you can fish five additional DAS by deciding not fish a Delmarva trip, regardless of whether

Delmarva has closed. Once your initial allocation reaches zero, if you continue to fish and you have a Delmarva trip available to exchange for 5 DAS, we will automatically exchange that trip for you.

- a. Example: If Vessel B fishes a total of 31 DAS prior to Delmarva closing, it could fish up to an additional 5 DAS even if Delmarva hasn't closed. Vessel B could not fish in the Delmarva subsequent to using any of the additional 5 DAS. We will track trips and declarations to automatically convert the non-used Delmarva trip into 5 additional DAS.

**Can I Exchange 2 Delmarva Trips for 10 DAS?**

No, each vessel may not exchange more than one Delmarva trip for 5 DAS. You may trade your Nantucket Lightship or Closed Area 2 trip for a Delmarva trip, but you may exchange only one of your two Delmarva trips for 5 DAS.

**Accountability Measures for Southern New England/Mid-Atlantic (SNE/MA) Windowpane Flounder**

This action contains the following accountability measures to respond to overages in the SNE/MA windowpane flounder allocation, known as a sub-annual catch limit or sub-ACL, to the scallop fishery.

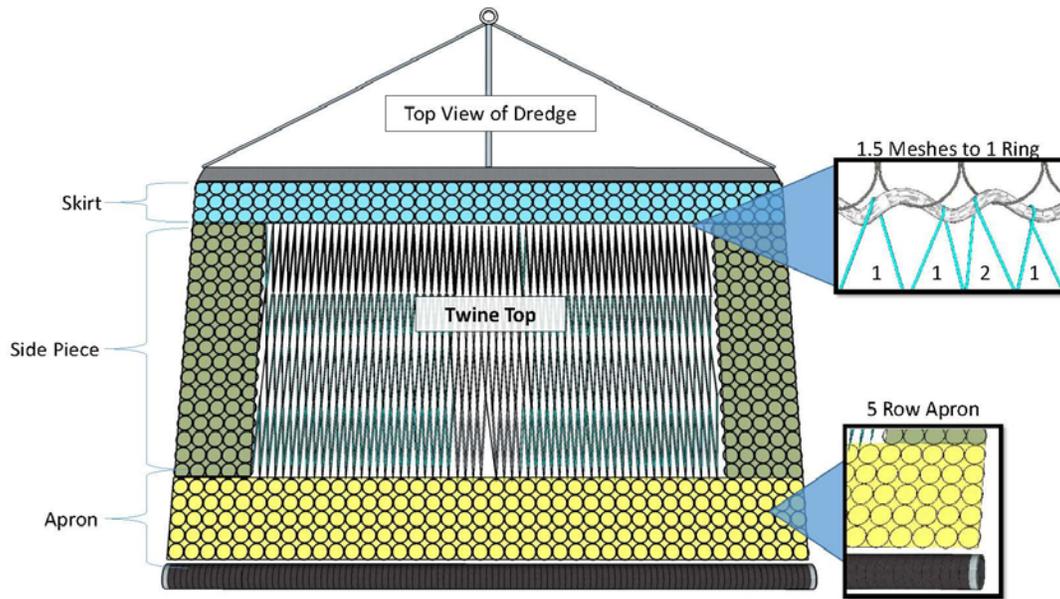
If the scallop sub-ACL for the scallop fishery is exceeded in a given fishing year, the area west of 71° W. Long., excluding Mid-Atlantic access areas, becomes a SNE/MA windowpane flounder gear restricted area in the following fishing year. You will be required to comply with the gear restrictions described below for the month of February or February and March, depending on the severity of the overage.

**SNE/MA windowpane flounder AM length of gear restriction**

<b>Percent overage of sub-ACL</b>	<b>Length of Gear Restriction</b>
0 – 20	February
>20	March and February

When a vessel is subject to this gear restricted area, the vessel will be required to fish with dredges as follows:

- (1) The maximum number of rows of rings in the apron of the topside does not exceed five rows; and
- (2) The maximum hanging ratio for a net on the top of a scallop dredge (twine top) does not exceed 1.5:1 overall. (See diagram on next page)



*Dredge gear configuration required if the SNE/MA windowpane flounder accountability measure is in place*

**Observer Set-Aside Compensation**

The compensation rate for all three open access areas for limited access vessels is 150 lb per day, in addition to the vessel’s possession limit for the trip for each day or part of a day an observer is on board.

The compensation rate for open areas for limited access vessels fishing under DAS is 0.07 DAS per DAS fished (the vessel is charged 0.93 DAS for each DAS fished with an observer onboard).

We monitor the compensation rates and the observer set-aside use in each area throughout the year. If information suggests that a different rate is necessary to account for unexpected fishery conditions, we will change the compensation rate as appropriate and necessary.

For details on how we calculated these compensation rates, and our expectation of how it will impact compensation and observer coverage rates, please go to:

<http://www.nero.noaa.gov/nr/2014/February/14scalobsercompratephl.pdf>

**FY 2014 Northeast Multispecies (Groundfish) sub-Annual Catch Limits (sub-ACL) in the Scallop Fishery**

<b>Stock</b>	<b>Scallop sub-ACL</b>
GB Yellowtail Flounder	<b>50.9 mt (112,215 lb)</b>
SNE/MA Yellowtail Flounder	<b>66.0 mt (145,505 lb)</b>
SNE/MA Windowpane Flounder	<b>183.0 mt (403,446 lb)</b>

For more information about yellowtail flounder and windowpane flounder catch limits in the scallop fishery, go to <http://www.nero.noaa.gov/regs/info.html>.

### **Unharvested Pounds in Closed Area I from Fishing Years 2012 and 2013**

Many vessels were unable to harvest the pounds associated with their Closed Area I trips in fishing years 2012 and 2013. Framework 25 allows unused pounds associated with these trips to be harvested by those full-time vessels in Closed Area I when it reopens in the future. We will be sending letters to each owner in the fall of 2014 to confirm the amount of unharvested pounds that his/her vessel had in Closed Area I in fishing years 2012 and 2013. You can find more details on this measure in the Framework 25 final rule, available here: <http://www.nero.noaa.gov/sfd/sfdscallop.html>.

## **Reminders**

**Groundfish Possession Limits on Access Area Trips:** Unless otherwise prohibited, limited access scallop vessels, also issued a valid groundfish permit, that have declared into a trip and that are fishing within the Sea Scallop Access Areas may possess and land, per trip, up to a maximum of 1,000 lb of all groundfish combined. Additionally, the restrictions for Atlantic cod, haddock, and yellowtail flounder are as follows:

- ***Atlantic cod*** - Vessels may possess up to 100 lb (45.4 kg) of Atlantic cod per trip, provided such fish is for personal use only (you cannot sell, trade, or barter cod caught in access areas).
- ***Haddock*** - Vessels may possess and land haddock up to the overall possession limit of all NE multispecies combined, except that vessels cannot possess or land haddock from January 1 through June 30.
- ***Yellowtail flounder* - PROHIBITED**

**Groundfish Possession Limits on Scallop DAS Trips:** Unless otherwise prohibited, limited access scallop vessels also issued a valid groundfish permit that have declared into the scallop DAS program may possess and land, per trip:

- ***Groundfish*** - A maximum of 300 lb of all species combined.
- ***Yellowtail flounder* - PROHIBITED.**

### **Shell Stock Restrictions:**

- Vessels fishing in areas that are closed due to paralytic shellfish poisoning (PSP) may not retain in-shell scallops.
- Vessels fishing in or transiting the area south of 42°20'N. lat. at any time during a trip may possess no more than 50 bu of in-shell scallops shoreward of the Vessel Monitoring System (VMS) demarcation line, unless fishing under the state waters exemption.
- A vessel declared into the Sea Scallop Area Access Program may not possess more than 50 bu of in-shell scallops outside of the access area.

# Industry-Funded Scallop Observer Program Call-In Guide

**Limited Access (LA) Vessels:** Call for **BOTH** Open Area and Access Area trips. 72 hours notice before the intended sail date is required and notice should be no more than 10 days prior to sail date.

**LA General Category Vessels:** Call for **BOTH** Open and Access Area trips. Notify weekly by Thursday if you intend to make any trips from Sunday through Saturday of the following week.

## **STEP I – CALL (508) 495-2100**

1. **Press 1** to report a trip and follow the telephone message prompts.

2. **Gear type:**

<b>1</b>	Scallop Dredge	<b>2</b>	Scallop Trawl
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3. **Permit type:**

<b>1</b>	Limited Access	<b>2</b>	General Category
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4. **Fishing Area:**

<b>1</b>	Nantucket Lightship Access Area	<b>4</b>	Mid-Atlantic Open Area
<b>2</b>	Closed Area II Access Area	<b>5</b>	Georges Bank Open Area
<b>3</b>	Hudson Canyon Access Area	<b>8</b>	Delmarva

5. **Phone Number:** enter your 10 digit phone number (DO NOT use ‘1’ before the area code)

6. **Permit number:** enter your 6 digit permit number

7. **Name:** please speak clearly, first and last name, then press # key

8. **Port sailing from:** please speak clearly the port name, including city and state, then press # key

9. **Date of sailing:** please speak clearly the month, day, and year, then press # key; for General Category, use the date for Sunday starting that week.

You will receive a **trip confirmation number** for each call (trip calls for limited access trips, and weekly calls for general category trips). An email transmission from the National Marine Fisheries Service (NMFS) will be sent to your email address(s) within 24 hours and will either issue a ‘waiver’ or notify you that an observer must be hired for the trip. If you are issued a waiver, you may begin your trip(s). If you receive an observer notice, please follow the instructions in Step II. **If you do not receive VMS notification within 24 hours, contact the NMFS Vessel Call-in Coordinator at (508) 495 – 2188 or (508) 560 – 3550 (cell) as soon as possible.**

## **STEP II - OBSERVER PROVIDER 48-HOURS PRIOR TO TRIP**

**If selected for observer coverage you MUST provide 48 hours notice to observer providers. The 48 hour notice is required for each provider when contacting them to hire an observer for your trip.** The observer provider may take up to 18 hours to notify you on observer availability. General Category vessels that are selected for coverage are required to carry an observer and may be selected for up to 2 trips during the week per NMFS discretion.

**It is required to call all observer providers before requesting a waiver from NMFS.**

**Current Industry Funded Scallop Observer providers are:**

**A.I.S. Inc. (774) 200-1688**

**East West Technical Services Inc. (860) 910-4957**

**Fathom Research LLC. (508) 990 - 0997**

**Please call the NMFS Vessel Call-in Coordinator at (508) 495-2188 or (508) 560-3550 (cell) if:**

1. There are no observers available from any of the providers and you would like to request a waiver.
2. You are cancelling your trip or your trip has been delayed more than 48 hours beyond the intended sail date.
3. Any other extenuating circumstances.

*This summary is not a substitute for the actual regulations. The full text of the regulations is available at <http://www.nero.noaa.gov> or call the Northeast Regional Office at (978) 281-9315.*