



Greater Atlantic Region Bulletin

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<http://www.greateratlantic.fisheries.noaa.gov/>
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ATLANTIC SEA SCALLOP FISHERY: LIMITED ACCESS SCALLOP VESSELS

Updated Allocations for the Remainder of the 2015 Fishing Year
and Other New Measures
Effective Date: May 1, 2015

The following information describes new measures implementing Framework 26 and a summary of how they may affect your fishing plans and activities for the remainder of the 2015 fishing year. 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.greateratlantic.fisheries.noaa.gov>.

We have posted additional information on our website at:
<http://www.greateratlantic.fisheries.noaa.gov/sustainable/species/scallop>.

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 staff members that can help you.

With the exception of new gear requirements on Page 4, all of the measures described in this letter are effective May 1, 2015

Updated 2015 Days-at-Sea (DAS) Allocations

The following table includes final fishing year 2015 open area DAS allocations for full-time and part-time vessels.

Scallop Open Area DAS Allocations

Permit Category	2015 DAS
Full-Time	30.86
Part-Time	12.94

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, Northeast Region.

2015 Access Area Closures

- Closed Area I, Closed Area II, and Nantucket Lightship Access Areas are closed for fishing year 2015.
- In addition, the Nantucket Lightship Closure has been expanded to include a portion of previously open area along the southeast corner (See the map at the end of this bulletin). This will expand the Nantucket Lightship Closure Area by 158 square miles. Area coordinates are included in Appendix B.
- A 549 square mile area in the northwest corner of the Elephant Trunk Access Area is closed to scallop fishing. This area is the Elephant Trunk Closed Area (See map, coordinates included in Appendix B).

NOTE: Vessels are prohibited from transiting the Elephant Trunk Closed area when on a declared scallop trip.

- The remainder of the Elephant Trunk will be open as an access area, as described below.

Fishing Year 2015 Access Area Allocations

- All three Mid-Atlantic Access areas, with the exception of the Elephant Trunk Closure Area mentioned above, will be treated as a single access area and open to scallop fishing in fishing year 2015. (See map, coordinates for the Mid-Atlantic Access Area are included in Appendix B)
- Vessels will be able to fish across all three areas (Delmarva, Elephant Trunk, and Hudson Canyon) on a single access area trip.
- The Mid-Atlantic Access Area will be open for the rest of the 2015 fishing year (i.e., there are no seasonal closures).
- **Full-time** vessels are allocated **51,000 lb** of access area scallops, which can be landed on as many or as few trips as needed, so long as you do not exceed the **17,000-lb possession limit** on any one trip.
- **Part-time** vessels are allocated **20,400 lb** of access area scallops, which can be landed on as many or as few trips as needed, so long as you do not exceed the **10,200-lb possession limit** on any one trip.
- **Until further notice, declare a Delmarva trip through your VMS unit to indicate you are taking a Mid-Atlantic trip.** VMS software will be updated later this summer with a new Mid-Atlantic Access Area declaration (See Appendix A). We will notify you when this change occurs and provide further instructions.
- **Note on 2014 carryover trips:** Unused 2014 carryover compensation trips for the Delmarva access area broken after July 14, 2014, and Nantucket Lightship and Closed Area 2 access area trips broken after December 30, 2014, expire on April 30, 2015. You must begin these trips no later April 29, 2015, and may finish these compensation trips in Nantucket Lightship and Closed Area 2 after May 1, 2015. For Delmarva compensation trips, you must fish these entirely within the boundaries of the Delmarva access area.

Important Access Area Program Changes

Crew Limits: All access areas now have crew limits. Limited access vessels are restricted to 8 individuals, including the captain. Limited access vessels fishing in the small dredge program are limited to 6 individuals, including the captain.

New Reporting Requirements for Access Area Trips: We are replacing the broken trip and compensation trip procedures with a simplified process intended to be more useful and timely. You will no longer need to apply to us to receive a compensation trip to fish your remaining access area scallop allocation. Instead, **you will need to submit a scallop pre-landing notification form through your VMS unit prior to returning to port at the end of each access area trip, including trips where no scallops are landed.**

The current VMS pre-landing notification form instructions will be updated to include an explanation of this new measure soon (summer 2015), but until that time, use the current pre-landing notification form used by LAGC vessels. See Appendix A for instructions.

Automatic Access Area Carryover: Your limited access vessel will now be able to automatically carry over unharvested scallop access area allocation from one fishing year to another. Access area carryover must still be harvested in the first 60 days of the subsequent fishing year and can only be harvested from an area if that area is open for scallop fishing.

This will be effective for carryover from this fishing year (2015) into 2016. The Mid-Atlantic Access Area will be open for carryover harvesting in 2016 from March 1, 2016, through April 29, 2016.

Access Area Allocation Monitoring: Although vessel owners are ultimately responsible for tracking their own scallop access area landings and ensuring they do not exceed their annual allocations, NMFS will match dealer-reported scallop landing records with access area trip declarations and make that information available on the web-based allocation monitoring tool, Fish-Online, which each vessel owner can access and review.

Changes to DAS Charging for Vessels Landing in Ports South of 39° N. Lat.

You may now declare out of a scallop DAS trip south of 39° N. lat. with scallops on board in order to land scallops at ports south of 39° N. lat. (See map, “Southern Port Transit Declaration Line”). In order to stop accruing scallop DAS on such a trip, a vessel operator must do the following, in the order listed:

- Cross shoreward of the VMS Demarcation Line at or south of 39° N. lat. on the vessel’s way back to port after fishing.
- Declare out of the scallop fishery and submit a scallop pre-landing notification form.
- Once your declaration has changed, and you have submitted the form, the vessel may cross seaward of the VMS demarcation line and steam to a port south of 39° N. lat. Gear must be stowed and you must return directly to port and offload scallops.

A VMS software change to support this measure has not yet gone into effect. We anticipate an update later this summer. The new change will create a “declare out of fishery” code for “transiting with product on board.” **Until that time, use the current Declare-out-of-fishery transit code (DOF-TST) and fill out the current pre-landing notification form that is used by LAGC vessels** (See Appendix A for detailed instructions).

Alignment of Gear to Protect Sea Turtles

Both the turtle deflector dredge (TDD) and the sea turtle chain mat now have the same area and season requirements. They are both required from May through November only in the area west of 71°W. long. The map at the end of this bulletin shows the updated area where both TDDs and chain mats are required. All limited access dredge vessels are required to use TDDs and chain mats.

Changes to TDD flaring bar

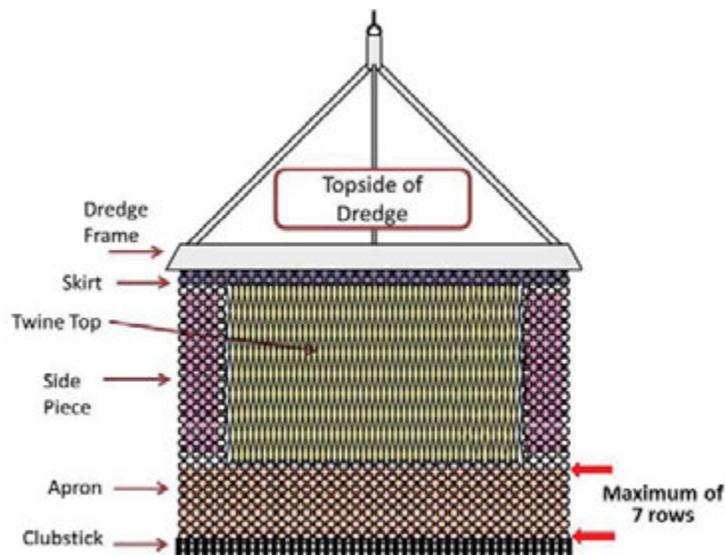
To ensure safe handling of the dredge, TDD flaring bars are now allowed to be in the shape of a “U”, as well as a bar (see below). No portion of the flaring U or bar can exceed 12 in. The location of the flaring mechanism can be on the inside or outside of the dredge frame, so long as all the other gear requirements are met, including required spacing of flaring mechanism from the “bump out.” TDD gear regulations are found at 50 CFR Part 648.51(b)(5)(ii).



The regulations now allow a flaring mechanism to be a bar (left, status quo) or in the shape of a “U” (right).

New Gear Restrictions to Limit Finfish Bycatch – EFFECTIVE MAY 21, 2015

All scallop dredges must have no more than seven rows of rings in the apron between the twine top and the clubstick, **year-round and in all areas**. Previously, the required number of rows was different depending on where you were fishing. This change makes the maximum number required consistent across all areas and is intended to further reduce flatfish bycatch.



Observer Set-Aside Compensation

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

The open area compensation rate for limited access vessels fishing under DAS is 0.08 DAS per DAS fished (the vessel is charged 0.92 DAS for each DAS fished with an observer onboard).

We monitor the compensation rates and the observer set-aside use in each area very closely 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.

FY 2015 Northeast Multispecies (Groundfish) Annual Catch Limits (ACL) in the Scallop Fishery

Stock	Scallop sub-ACL
GB Yellowtail Flounder	38.0 mt (83,776 lb)
SNE/MA Yellowtail Flounder	66.0 mt (145,505 lb)
SNE/MA Windowpane Flounder	183.0 mt (403,446 lb)

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

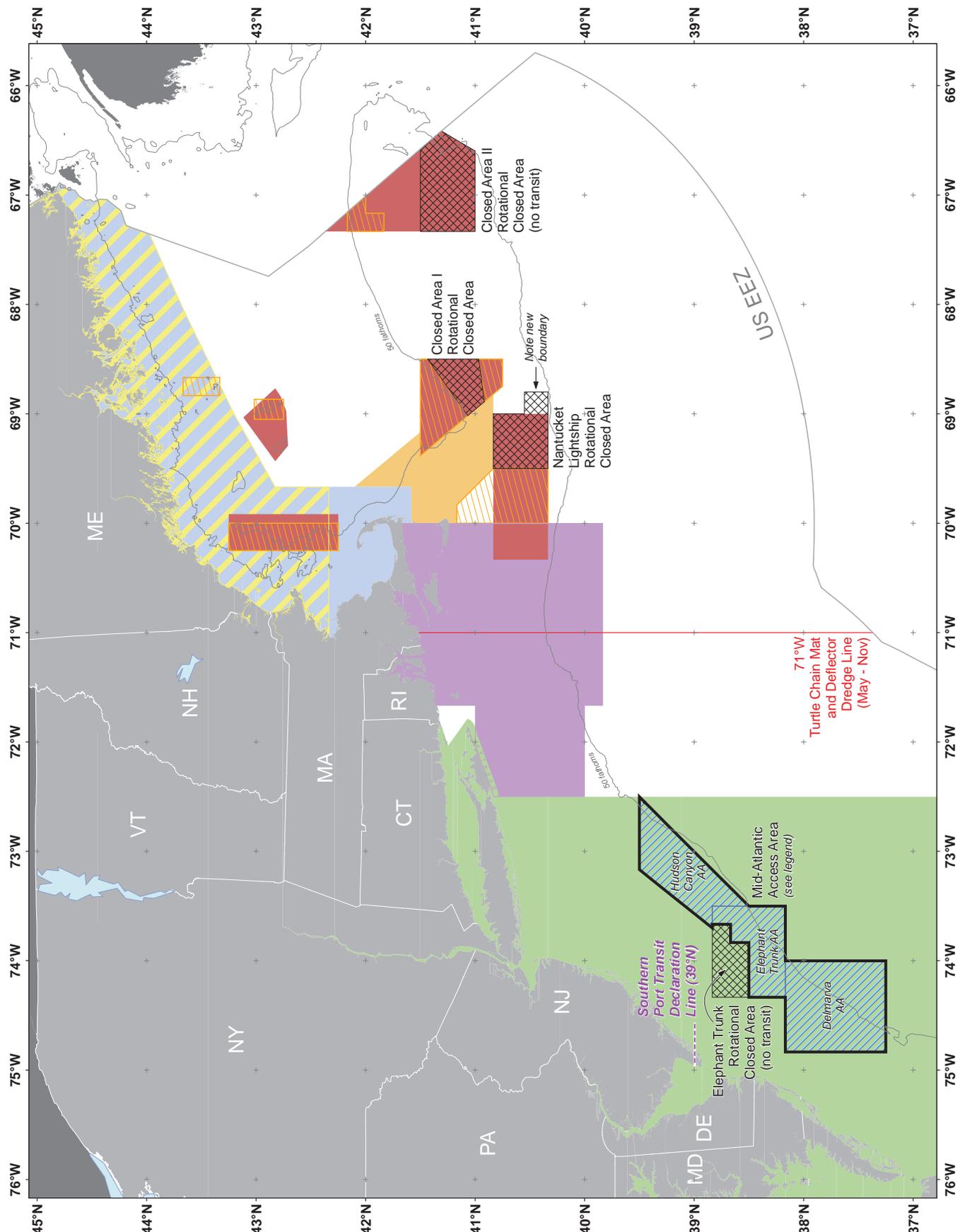
- ***Groundfish*** - A maximum of 300 lb of all species combined.
- ***Yellowtail flounder* - PROHIBITED.**

Shell Stock Restrictions:

- Vessels fishing in 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.
- 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.
- Vessels fishing in the Georges Bank paralytic shellfish poisoning (PSP) closure area may not retain in-shell scallops.

Atlantic Sea Scallop Managed Waters Fishing Year 2015

- Groundfish Closed Area
- Essential Fish Habitat Closed Area
- Scallop Access Area (AA)
Mid-Atlantic AA (black outline) Includes Hudson Canyon, Elephant Trunk, & Delmarva AAs
- Scallop Rotational Closed Area
- Northern Gulf of Maine Scallop Management Area (*Overlaps GOM SDEA*)
- Gulf of Maine Scallop Dredge Exemption Area
- Great South Channel Scallop Dredge Exemption Area
- Southern New England Scallop Dredge Exemption Area
- Mid-Atlantic Exemption Area



Appendix A: Vessel Monitoring Systems (VMS) Reporting Instructions

A VMS software change to reflect Framework 26 management measures will occur later this summer and we will send updated instructions for those updates when they happen. Until that time, limited access vessels will need to use existing VMS declarations and pre-landing notification forms.

Temporary Scallop Declaration Instructions:

- To declare a Mid-Atlantic Access Area trip, use the Delmarva SAA declaration.
- If intending to declare out of the fishery to land scallops south of 39°N lat., use the current transit code (DOF-TST).

Temporary Scallop Pre-Landing Notification Instructions:

You must submit a pre-landing notification form under the following three circumstances:

- When you finish a declared access area trip, even if scallops are not landed;
- When you are declaring out of the scallop DAS fishery to transit to a port south of 39° N lat.; or
- When you are fishing under the provisions of an LAGC permit, if your vessel is issued such a permit.

Submit the current pre-landing notification form that is used by LAGC vessels (Macro #42 for Boatracs vessels).

What information must be submitted?

- Vessel operator's permit number;
- Amount of scallop meats in pounds to be landed and the number of bushels of in-shell scallops to be landed (*or in the case of an access area trip where no scallops were landed, confirmation that no scallops were landed*);
- Estimated time of arrival;
- Landing port and state where the scallops will be offloaded; and
- VTR serial number recorded from that trip's VTR (the same VTR serial number as reported to the dealer).

When must the form be submitted?

- Vessel operators on an access area trip must submit the report no less than 6 hours before arrival, or, if fishing ends less than 6 hours before arrival, immediately after fishing ends. A report must be submitted whether or not scallops are retained/landed.
- In order to end a declared Sea Scallop DAS trip and steam south of 39° N. lat., a vessel operator must submit the pre-landing notification form upon crossing shoreward of the VMS Demarcation Line at or south of 39° N. lat.

Scallop Daily Catch Reports:

Scallop catch reports are also still required to be submitted daily for vessels that fish for, possess, or retain scallops and not also fishing under a NE multispecies DAS or sector allocation. . These reports must be submitted for each day (beginning at 0000 hr and ending at 2400 hr), and not later than 0900 hr of the following day. Each report must include the VTR serial number, the date fish were caught, the total pounds of scallop meats kept, and the total pounds of all fish

kept. The upcoming VMS software change will remove outdated references to reporting the total pounds of yellowtail flounder discarded, which no longer needs to be reported by the vessel operator.

Frequently Asked Questions

Are there any VMS forms or declarations I will not need to use anymore?

- You no longer need to indicate an access area trip as a compensation trip or fill out a limited access scallop access area compensation trip form (unless you are declaring a 2014 access area compensation trip on or before April 29, 2015).
- You no longer need to fill out a limited access scallop broken trip notification form.

Appendix B: Scallop Area Coordinates

Closed Areas

Closed Area 1

Point	Latitude	Longitude	Note
CAIA1	41°26' N.	68°30' W.	
CAIA2	40°58' N.	68°30' W.	
CAIA3	40°54.95' N.	68°53.37' W.	(¹)
CAIA4	41°04' N.	69°01' W.	(¹)
CAIA1	41°26' N.	68°30' W.	

¹From Point CAIA3 to Point CAIA4 along the western boundary of Closed Area I, defined in § 648.81(a)(1).

Closed Area 2

Point	Latitude	Longitude	Note
CAIIA1	41°00' N.	67°20' W.	
CAIIA2	41°00' N.	66°35.8' W.	
CAIIA3	41°18.45' N.	(¹)	(²)
CAIIA4	41°30' N.	(³)	(²)
CAIIA5	41°30' N.	67°20' W.	
CAIIA1	41°00' N.	67°20' W.	

¹The intersection of 41°18.45' N. lat. and the U.S.-Canada Maritime Boundary, approximately 41°18.45' N. lat. and 66°24.89' W. long.

²From Point CAIIA3 connected to Point CAIIA4 along the U.S.-Canada Maritime Boundary.

³The intersection of 41°30' N. lat. and the U.S.-Canada Maritime Boundary, approximately 41°30' N. lat., 66°34.73' W. long.

Nantucket Lightship Closed Area*

Point	Latitude	Longitude
NLAA1	40°50' N.	69°30' W.
NLAA2	40°50' N.	69°00' W.
NLAA3	40°33' N.	69°00' W.
NLAA4	40°33' N.	68°48' W.
NLAA5	40°20' N.	68°48' W.
NLAA6	40°20' N.	69°30' W.
NLAA1	40°50' N.	69°30' W.

*includes the additional closure area

Elephant Trunk Closed Area

Point	Latitude	Longitude
ETCA 1	38°50' N.	74°20' W.
ETCA 2	38°50' N.	73°40' W.
ETCA 3	38°40' N.	73°40' W.
ETCA 4	38°40' N.	73°50' W.
ETCA 5	38°30' N.	73°50' W.
ETCA 6	38°30' N.	74°20' W.
ETCA 1	38°50' N.	74°20' W.

Scallop Access Areas

The Mid-Atlantic Access Area is the combination of these three areas:

Delmarva Scallop Access Area

Point	Latitude	Longitude
DMV1	38°10' N.	74°50' W.
DMV2	38°10' N.	74°00' W.
DMV3	37°15' N.	74°00' W.
DMV4	37°15' N.	74°50' W.
DMV1	38°10' N.	74°50' W.

Hudson Canyon Scallop Access Area

Point	Latitude	Longitude
H1	39°30' N.	73°10' W.
H2	39°30' N.	72°30' W.
H3	38°30' N.	73°30' W.
H4	38°50' N.	73°30' W.
H5	38°50' N.	73°42' W.
H1	39°30' N.	73°10' W.

Elephant Trunk Scallop Access Area

Point	Latitude	Longitude
ETAA1	38°30' N.	74°20' W.
ETAA2	38°30' N.	73°50' W.
ETAA3	38°40' N.	73°50' W.
ETAA4	38°40' N.	73°40' W.
ETAA5	38°50' N.	73°40' W.
ETAA6	38°50' N.	73°30' W.
ETAA7	38°10' N.	73°30' W.
ETAA8	38°10' N.	74°20' W.
ETAA1	38°30' N.	74°20' W.

Industry-Funded Scallop Observer Program Call-In Guide

Limited Access (LA) Vessels: Call for **BOTH** Open Area and Access Area trips. MUST provide 72 hours' notice before the intended sail date. 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:

1	Scallop Dredge	2	Scallop Trawl
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3. Permit type:

1	Limited Access	2	General Category
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4. Fishing Area:

4	Mid-Atlantic Open Area
5	Georges Bank Open Area
9	Mid-Atlantic Access Area

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).**

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.

You are 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.

OMB Control No: 0648-0593, Expires: November 30, 2015. Notwithstanding any provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number