



# Greater Atlantic Region Bulletin

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## **ATLANTIC SEA SCALLOP FISHERY:** **LIMITED ACCESS SCALLOP VESSELS**

### Updated Allocations for the 2019 Fishing Year and Other New Measures

*Effective Date: April 1, 2019*

The following information describes new measures implemented through Framework 30 and a summary of how they may affect your fishing plans and activities for the 2019 fishing year. We have also included reminders of some current requirements. 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>.

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.greateratlantic.fisheries.noaa.gov/sustainable/species/scallop>.

### **Updated 2019 Days-At-Sea (DAS) Allocations**

#### **Scallop Open Area DAS Allocations**

<b>Permit Category</b>	<b>2019 DAS</b>
Full-Time	24.00
Part-Time	9.60

### **2019 Access Area Closures**

The following areas are closed for scallop fishing year 2019 (see attached map and coordinates):

- Closed Area 2
  - **PROHIBITION:** Vessels are prohibited from transiting CA2 when on a declared scallop trip.
- Nantucket Lightship-North
- Nantucket Lightship-Hatchet
- Nantucket Lightship-South (NLS-S) (with the exception of 2018 carryover trips declared prior to May 31, 2019)

*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.*

### **Fishing Year 2019 Access Area Allocations**

Framework 30 allocates effort into three rotational access areas (Mid-Atlantic Access Area (MAAA), Nantucket Lightship-West Access Area (NLS-W), and Closed Area 1 Access Area (CA1)). There are no seasonal closures in any of the available access areas in 2019.

Full-time Access Area Allocations: The table below provides the limited access full-time allocations for all of the access areas, which can be taken in as many trips as needed, so long as you do not exceed the possession limit on each trip.

#### **Access Area Full-Time Limited Access Vessel Allocations and Trip Possession Limits**

<b>Rotational access area</b>	<b>Scallop possession limit</b>	<b>2019 Scallop allocation</b>	<b>2020 Scallop allocation (default)</b>
Closed Area 1 Flex*	18,000 lb per trip	18,000 lb	0 lb
Nantucket Lightship-West		54,000 lb	18,000 lb
Mid-Atlantic		54,000 lb	18,000 lb
Total		126,000 lb	36,000 lb

\*Closed Area 1 flex allocation can be landed in any available access area.

Part-time Access Area Allocations: The table below provides the limited access part-time allocations for three of the access areas, which can be taken in as many trips as needed, so long as you do not exceed the possession limit on each trip

#### **Access Area Part-Time Limited Access Vessel Allocations and Trip Possession Limits**

<b>Rotational access area</b>	<b>Scallop possession limit</b>	<b>2019 Scallop allocation</b>	<b>2020 Scallop allocation (default)</b>
Closed Area 1 Flex*	17,000 lb per trip	17,000 lb	0 lb
Nantucket Lightship-West		17,000 lb	7,200 lb
Mid-Atlantic		17,000 lb	7,200 lb
Total		51,000 lb	14,400 lb

\*Closed Area 1 flex allocation can be landed in any available access area.

### **Closed Area 1 Flex Allocation**

A limited access vessel's CA1 scallop allocations can be landed from any available access area. For the 2019 fishing year and the first 60 days of the 2020 fishing year, limited access vessels may choose to land CA1 flex allocation from any access area available in fishing year 2019 (*i.e.*, CA1, MAAA, and/or NLS-W). However, vessels may only fish in a single access area on a given trip.

For example, a full-time vessel can take a trip in the CA1 and land 10,000 lb from that area, leaving the vessel with 8,000 lb of the CA1 flex allocation available, which can be landed from

CA1, MAAA, and/or NLS-W. Trips can be combined with allocation dedicated to other areas, provided the 18,000-lb possession limit is not exceeded on any one trip.

Framework 30 allocates this new type of flexible allocation in CA1 because of uncertainty about the condition of the resource in CA1.

### **Access Area Carryover**

Beginning April 1, 2019, and through the first 60 days of the fishing year, limited access vessels may fish their remaining unharvested 2018 access area scallop allocation the area is was designated (i.e., CA1, NLS-S (carryover only), NLS-W, or MAAA). These trips must **begin** no later than May 30, 2019. After that date, any unused 2018 access area allocation expires. You are still subject to the 18,000-lb possession limit on all access area trips. A vessel can combine carryover trips and 2019 trips provided there is 2019 allocation available in that area and it does not exceed the 18,000-lb possession limit on any one trip.

For example, a vessel has 2,000 lb of 2018 MAAA allocation remaining and it makes a MAAA trip for 18,000 lb. The first 2,000 lb would come off of the 2018 MAAA allocation, and the remaining 16,000 lb would come off of the 2019 MAAA allocation.

### **Standardized Default DAS Allocations**

Each year the Scallop Fishery Management Plan allocates fishery specifications, including open-area DAS. Default specifications are developed in this annual process so that the fishery may continue to operate at a conservative level if updated specifications are not in place by April 1 (start of the fishing year). Framework 30 standardizes the default DAS allocations for the limited access fleet. During the specifications setting process, each limited access permit type receives 75 percent of Fishing Year 1 open area DAS to begin the subsequent fishing year.

### **Important Access Area Program Reminders**

**Crew Limits:** Limited access vessels are restricted to eight individuals, including the captain. Limited access vessels fishing in the small dredge program are limited to six individuals, including the captain. Crew limits for vessels on open area DAS trips remain at seven individuals for both full-time and part-time vessels and five individuals for small dredge vessels.

**Reporting Requirements for Access Area Trips:** You need to submit a scallop pre-landing notification form through your Vessel Monitoring System (VMS) unit prior to returning to port at the end of each access area trip, including trips where no scallops are landed (more details in the Reminders section below).

**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 compile dealer-reported scallop landing records with access area trip declarations. The information will be available on the web-based allocation monitoring tool, Fish-On-Line, which each vessel owner can access and review. You can access Fish-On-Line here: <https://www.greateratlantic.fisheries.noaa.gov/apps/login/login>

### **Observer Set-Aside Compensation**

The access area compensation credit for limited access vessels is **250 pounds per day**, in addition to the vessel's possession limit for each day or part of a day an observer is on board. The observer compensations credit can be harvested on a subsequent trip; however, you must remain within the trip's possession limit when an observer is not onboard. The open area compensation rate for limited access vessels fishing under DAS is **0.12 DAS per DAS** fished (the vessel is charged 0.88 DAS for each DAS fished with an observer onboard). We monitor the compensation rates and the observer set-aside use 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.

### **Fishing Year 2019 Groundfish ACL in the Scallop Fishery**

<b>Stock</b>	<b>Scallop sub-ACL</b>
Georges Bank Yellowtail Flounder	<b>17 mt (34,479 lb)</b>
SNE/MA Yellowtail Flounder	<b>15 mt (33,069 lb)</b>
Northern Windowpane Flounder	<b>18 mt (36,683 lb)</b>
Southern Windowpane Flounder	<b>158 mt (348,330 lb)</b>

These limits apply to both the limited access and limited access general category fleets. 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>

### **Other Reminders**

#### **Shell Stock Restrictions:**

- Vessels may not possess more than 50 bu of in-shell scallops shoreward of the VMS demarcation line, unless fishing under the state waters exemption program.
- A vessel declared into the Sea Scallop Access Area 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.

**Scallop Access Area Pre-Landing Notification:** You must send a VMS Scallop Pre-Landing Notification form on any access area trip at least 6 hours before arrival on the way back to port, or immediately after fishing ends if less than 6 hours before arrival. Forms must include the:

- Operator's permit number;
- Vessel trip report (VTR) serial number recorded from that trip's VTR;
- Estimated amount of scallop meats and/or bushels to be landed;
- Estimated time and date of arrival in port; and
- Port city and state at which the scallops will be landed.

**Daily Scallop Catch Reports:** Scallop catch reports are required to be submitted daily for vessels that fish for, possess, or retain scallops and not also fishing under a Northeast multispecies DAS or sector allocation. These reports must be submitted in 24-hour intervals for each day of fishing that begins at 0000 hours and ends at 2400 hours. The reports must be

submitted before 9:00 a.m. local time each day for the previous day's catch. Each report must include the:

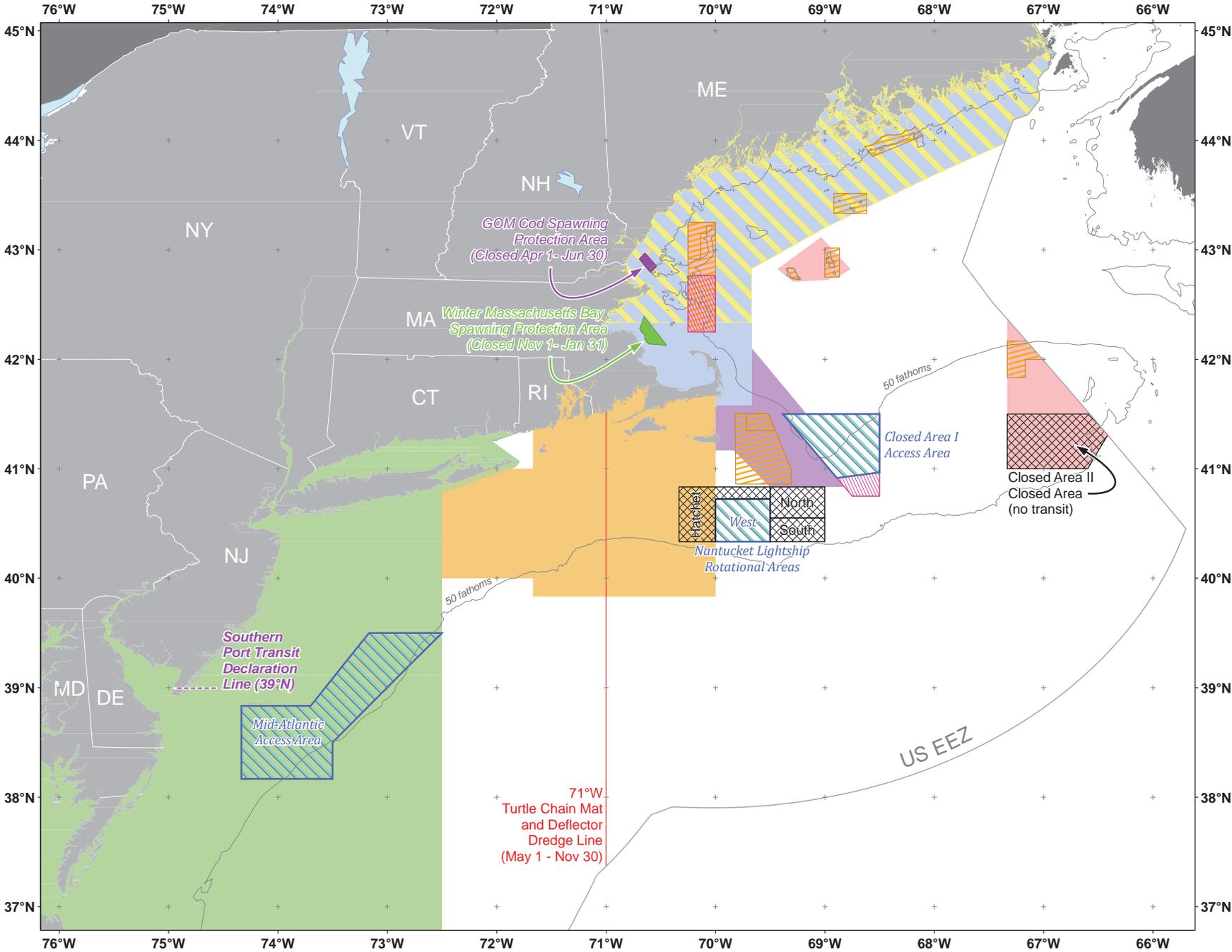
- Operator's permit number;
- VTR serial number;
- Date fish were caught;
- Total pounds of scallop meets kept; and
- Total pounds of all other fish kept.

**Groundfish Possession Limits on Access Area Trips:** Unless otherwise prohibited, limited access scallop vessels, also issued a valid Northeast multispecies 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 from 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.**



### Atlantic Sea Scallop Managed Waters Fishing Year 2019

-  Scallop Access Area
-  Scallop Closed Area
-  Dedicated Habitat Research Area
-  Habitat Management Area
-  Groundfish 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

**Access Areas for Fishing Year 2019**

**Closed Area I**

<b>Point</b>	<b>Latitude</b>	<b>Longitude</b>
CAIA1	41°30' N	68°30' W
CAIA2	40°58' N	68°30' W
CAIA3	40°54.95' N	68°53.37' W
CAIA4	41°04' N	69°01' W
CAIA5	41°30' N	69°23' W
CAIA1	41°30' N	68°30' W

**Nantucket Lightship-West**

<b>Point</b>	<b>Latitude</b>	<b>Longitude</b>
NLSW1	40°20' N	70°00' W
NLSW2	40°43.44' N	70°00' W
NLSW3	40°43.44' N	69°30' W
NLSW4	40°20' N	69°30' W
NLSW1	40°20' N	70°00' W

**Mid-Atlantic Access Area**

<b>Point</b>	<b>Latitude</b>	<b>Longitude</b>
MAAA1	39°30' N	73°10' W
MAAA2	39°30' N	72°30' W
MAAA3	38°30' N	73°30' W
MAAA4	38°10' N	73°30' W
MAAA5	38°10' N	74°20' W
MAAA6	38°50' N	74°20' W
MAAA7	38°50' N	73°42' W
MAAA1	39°30' N	73°10' W

**Closed Areas for Fishing Year 2019**

**Nantucket Lightship-North**

<b>Point</b>	<b>Latitude</b>	<b>Longitude</b>
NLSN1	40°50' N	69°30' W
NLSH2	40°50' N	69°00' W
NLSN3	40°33' N	69°00' W
NLSN4	40° 33' N	69°30' W
NLSN1	40°50' N	69°30' W

**Nantucket Lightship-South**

<b>Point</b>	<b>Latitude</b>	<b>Longitude</b>
NLSS1	40°20' N	69°30' W
NLSS2	40°33' N	69°30' W
NLSS3	40°33' N	69°00' W
NLSS4	40°20' N	69°00' W
NLSS1	40°20' N	69°30' W

**Nantucket Lightship-Hatchet**

<b>Point</b>	<b>Latitude</b>	<b>Longitude</b>
NLSH1	40° 50' N	69° 30' W
NLSH2	40° 43.44' N	69° 30' W
NLSH3	40° 43.44' N	70° 00' W
NLSH4	40° 20' N	70° 00' W
NLSH5	40° 20' N	70° 20' W
NLSH6	40° 50' N	70° 20' W
NLSH1	40 50' N	69 30' W

## Industry-Funded Scallop Observer Program Call-In Guide

**Limited Access (LA) Vessels MUST** provide 72 hours' notice before the intended sail date. Notice should be no more than 10 days prior to sail date. Date requests within the 72 hours' notice window will not be granted.

**LA General Category Vessels (LAGC) MUST** notify by Thursday for the upcoming calendar week (Sunday through Saturday). Only one call per calendar week is required. Calls will not be back-dated if received after the calendar week has begun.

### **STEP I – Call the Automated IVR System at (508) 495-2100**

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

**2. Gear type:** Press 1 for Scallop Dredge  
Press 2 for Scallop Trawl

**3. Permit type:** Press 1 for a Limited Access trip  
Press 2 for a General Category IFQ trip

**4. Area:** For Mid Atlantic Open Area, press 4, then press # key  
For Georges Bank Open Area, press 5, then press # key  
For Closed Area I Access Area, press 7, then press # key  
For Mid Atlantic Access Area, press 9, then press # key  
For Nantucket Lightship West Access Area, press 10, then press # key  
For Nantucket Lightship South Access Area, press 11, then press # key

**5. Phone #:** Enter your 10 digit phone number (**DO NOT** use '1' before the area code)

**6. Permit #:** Enter your 6 digit permit number

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

**8. Port:** Please say the city and state you intend to sail from, then press # key

**9. Sail Date:** Please say the month, day, and year, then press # key

You will receive a confirmation number which **MUST** be retained.

A waiver or observer selection email from NMFS will be sent to your VMS unit within 24 hours.

If you do not receive a notification within 24 hours, contact the NMFS at (508) 495-2188

If you are issued a waiver, you may begin your trip.

If you receive an observer notice, please follow the instructions in Step II.

### **STEP II – When selected to carry an observer**

If selected for observer coverage you **MUST** provide at least 48 hours' notice to the observer providers.

You are required to call **all four** of the observer providers in an attempt to obtain coverage, but you may choose to hire any provider that is available.

#### Current Industry Funded Scallop Observer Providers

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

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

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

**MRAG Americas, Inc. (877) 768-7121**

Please call the Vessel Call-in Coordinator at (508) 495-2188 or (508) 560-3550 (after-hours cell) if there are no observers available from any of the providers and you would like to request a waiver, or if you are cancelling or delaying your trip more than 48 hours beyond the intended sail date.

This summary is not a substitute for the actual regulations. The full text of the regulations is available at <https://www.greateratlantic.fisheries.noaa.gov/regs/fr.html> or call the Greater Atlantic Regional Office at (978) 281-9315.

OMB Control No: 0648-0593, Expires: October 31, 2018. 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



**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
NATIONAL MARINE FISHERIES SERVICE  
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Woods Hole, MA 02543-1026

## Industry Funded Scallop Observer Program Requirements

With the start of the new scallop fishing year, we wanted to take this opportunity to remind all vessel owners and captains of the call-in requirements and regulations concerning the Industry Funded Scallop Observer Program.

It is a requirement that all Limited Access and Limited Access General Category Individual Fishing Quota (IFQ) permitted scallop vessels fishing in federal waters call the automated Interactive Voice Response (IVR) phone system at 508-495-2100 to declare their intent to fish, prior to the start of their trip(s). Upon calling in, all vessels will receive a confirmation number that **must** be retained. If selected for coverage, vessels must provide this confirmation number to the observer service provider companies so a record of contact can be logged for NMFS. Within 24 hours of calling the IVR, vessels will receive an automated email on their VMS units indicating selection or waiver status. If desired, this email can also be sent to additional addresses which should be provided to the NMFS Scallop Vessel Call-In Coordinator (VCIC). If you do not receive a confirmation message within 24 hours please call the VCIC at 508-495-2188 or the after-hours/weekend line (9 am to 9 pm) at 508-560-3550.

### Information for General Category IFQ vessels:

LAGC IFQ vessels are required to call the IVR on a weekly basis to declare their intent to fish during the upcoming calendar week (Sunday to Saturday). Please note that only **one** call is required to declare your intent to fish any day(s) during that calendar week. NMFS requires that all vessels notifying under a General Category IFQ permit do so through the call-in system **at least 72 hours** prior to the start of the calendar week. Vessels must call the IVR by Thursday 0001 hours in order to notify us of their intent to fish during the upcoming calendar week, beginning the following Sunday. Calls received after the calendar week has started will **not** be "back-dated". If you are unsure of your plans for the upcoming week, NMFS advises that you call the IVR if there is a chance you will fish, in order to be compliant.

If selected for observer coverage, the owner, operator, or vessel manager must contact the observer service providers with **at least 48 hours** of notice to arrange for observer deployment. You may call the provider companies in any order you prefer, however, in order to be considered compliant **all** provider companies must be contacted prior to a selected LAGC vessel sailing without an observer. As required by regulations, the providers maintain records of all calls from vessels requesting observer services, and NMFS will confirm that attempts to obtain observer coverage have been made for each vessel selected. If you fish without an observer and have not contacted all provider companies, this will be considered a refusal and will be reported to NOAA's Office of Law Enforcement. You will also be considered non-compliant if you fish without fulfilling the notification requirements as VMS trip records and IVR calls are frequently checked.

### Information for Limited Access vessels:

Limited Access vessels are required to notify **at least 72 hours** prior to, but **no more than 10 days** before their intended sail date. Please note that vessel requests for sail dates less than 72 hours out will **not** be processed as requested. If requiring a fishing area change for an existing confirmation number, or if the trip is being delayed more than 48 hours past the initial sail date due to weather, mechanical issues, etc., please refrain from calling a new trip in through the IVR and instead, contact the VCIC who will be happy to assist you.

If selected for observer coverage, the owner, operator, or vessel manager must contact the observer service providers with **at least 48 hours** of notice to arrange for observer deployment. You may call the provider companies in any order you prefer, however, in order to be considered compliant **all** provider companies must be contacted prior to the vessel



sailing without an observer. As required by regulations, the providers maintain records of all calls requesting observer services, and NMFS will confirm that attempts to obtain observer coverage have been made for each vessel selected. If no observers are available through any of the providers, Limited Access vessels must contact the VCIC to request a formal waiver prior to departing. NMFS will verify that all providers have been contacted before issuing any waivers. If you fish without an observer and have not contacted all provider companies this will be considered a refusal and will be reported to NOAA's Office of Law Enforcement. You will also be considered non-compliant if you fish without fulfilling the notification requirements as VMS trip records and IVR calls are frequently checked.

**Reminder that Observers are Prohibited from Shucking Scallops:**

Please note that any observer deployed on a Limited Access or Limited Access General Category scallop trip is prohibited by law from assisting the crew in shucking scallops. Observers are not permitted to shuck and must not solicit or accept, directly or indirectly, any gratuity, gift, favor, entertainment, loan, or anything of monetary value from anyone who conducts fishing or fishing related activities that are regulated by NMFS, as outlined by the Fisheries Sampling Branch Observer Program Standards of Conduct and Statement of Non-Conflict of Interest. Captains and/or crew may not request observers to participate in crew duties such as shucking. Observers must be able to perform their duties and collect and record data in an unbiased manner. Reports of observers shucking or being asked to shuck while deployed on Industry Funded Scallop trips will be directed to the Office of Law Enforcement.

Please contact us if you have any questions. This letter is intended as a courtesy and in no way takes the place of, or changes the regulations found at 50 CFR 648.11(g). We appreciate your cooperation in this matter.

**The 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  
MRAG Americas 877-768-7121

This information and more regarding the program can be found at the following website:  
<https://www.nefsc.noaa.gov/fsb/scallop/>

You can access the Industry Funded Scallop Observer Program Call-In Guide at:  
[https://www.nefsc.noaa.gov/fsb/scallop/Industry\\_Scallop\\_Call\\_In\\_Guide.pdf](https://www.nefsc.noaa.gov/fsb/scallop/Industry_Scallop_Call_In_Guide.pdf)

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