

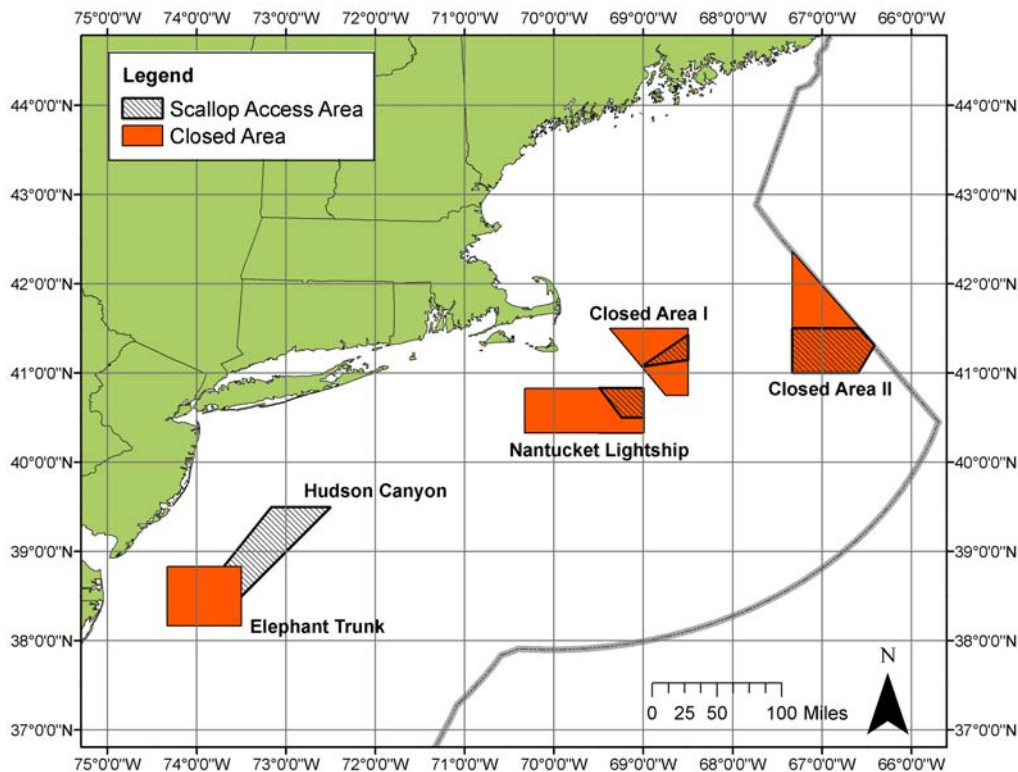
Atlantic Sea Scallop Regulations

General Category Fishery Fact Sheet 3

Scallop Access Area Program Requirements

The Scallop Access Area Program established specific management controls over defined geographic areas. The Hudson Canyon Access Area (see chart below) program does not include any area specific restrictions on general category scallop fishing. However, there are area specific restrictions for the three year-round NE Multispecies Closed Areas: Closed Area I (CAI), Closed Area II (CAII), and the Nantucket Lightship Closed Area (NLCA). The Scallop Access Areas are not necessarily open to fishing simultaneously, and are generally not open for the full fishing year. There is a cap on the number of trips that can be taken into each Scallop Access Area by general category vessels, and when that cap is attained, general category vessels may no longer fish within the area.

At this time, the CAII Scallop Access Area is the only Access Area where general category fishing is allowed, and there is a cap on the number of general category trips allowed in the area. General category fishing within the Access Area is prohibited when the trip cap is attained, or at the end of the Access Area season (June 15, 2005 - January 31, 2006), whichever occurs first. General category scallop restrictions apply to vessels issued general category scallop permits as well as limited access vessels fishing outside of scallop days-at-sea (DAS).



**Closed Area I Access Area (CA I)
(Currently Closed)**

<u>Point</u>	<u>N. Latitude</u>	<u>W. Longitude</u>
CAIA1	41°26'	68°30'
CAIA2	41°09'	68°30'
CAIA3	41°4.54'	69°0.9'
CAIA1	41°26'	68°30'

**Closed Area II Access Area (CA II)
(Currently Open)**

<u>Point</u>	<u>N. Latitude</u>	<u>W. Longitude</u>
CA2A1	41°00'	67°20'
CA2A2	41°00'	66°35.8'
CA2A3	41°18.6'	66°24.8'
CA2A4	41°30'	66°34.8'
CA2A5	41°30'	67°20'
CA2A1	41°00'	67°20'

**Nantucket Lightship Access Area (NLSA)
(Opens June 15, 2006)**

<u>Point</u>	<u>N. Latitude</u>	<u>W. Longitude</u>
NLSA1	40°50'	69°00'
NLSA2	40°30'	69°00'
NLSA3	40°30'	69°14.5'
NLSA4	40°50'	69°29.5'
NLSA1	40°50'	69°00'

Scallop Access Area Season

- Scallop fishing is authorized during an open season of June 15 through January 31.

Gear Restrictions

- When fishing for scallops in the Access Areas vessels can use only scallop dredge gear.
- Maximum combined dredge width is 10.5 ft.
- The minimum size of the metal rings used to construct the chain bag in scallop dredge gear is **4.0 inches** in diameter.
- The net material on the top of the dredge (twine top) must be at least 10 inches, square or diamond mesh, inside measurements.

Possession Limits & TAC

- The possession limit for general category scallop vessels remains 400 lb (181.4kg) of shucked, or 50 U.S. bushels (17.6 hL) of in-shell scallops per trip. Vessels may possess shucked and in-shell scallops, provided the combination of shucked and in-shell scallops does not exceed 400 lb total of shucked scallop meats. For example, a vessel may possess 200 lb of shucked scallops and 25 U.S. bushels (8.8 hL) of in-shell scallops per trip. This measure applies to all general category vessels, whether fishing an Area Access trip or not.
- Zero possession of any species other than scallops
- A TAC for general category vessels is specified, equal to 2 percent of the overall scallop TAC for each Scallop Access Area. The general category set-aside TACs for 2005, are as follows; 64,860 lb (29 mt) in CAI and 153,971 lb (70 mt) in CAII.

Number of Trips

- General category vessels will not be allowed to continue fishing in the specific scallop Access Area once the total number of allowed trips is reached.
- The limits on the number of total trips general category vessels may take for 2005 are 162 trips in CAI and 385 trips in CAII. If the general category TAC and/or trip cap are attained, NERO will notify vessel owners that the Area Access program is closed to general category vessels. **The CAI cap was attained on September 8, 2005, and that area is closed.**

Sea Scallop Access Trip Notification Requirements

All participating vessels must have installed on board an operational VMS unit. Vessel owners can contact the following vendors for VMS purchase information:

Boatracs
9155 Brown Deer Road
Suite 8
San Diego, CA 92121
Tel 858-458-8100
Fax 858-458-8116

Skymate
14000 Willard Road
Chantilly, VA 20151
Tel 703-636-4220
Fax 703-814-8585

Vessels must comply with all of the following notification requirements to fish in the Sea Scallop Access Area Program.

- Vessel owners or operators whose vessel has been issued a general category scallop permit and who plan to fish in the Access Area Program, must submit a report through the VMS **e-mail** messaging system (usca@aisobservers.com) of its intention to fish in any Sea Scallop

Access Area prior to the 25th of the month before the month in which the anticipated trip(s) are to be taken. The report must include the following information:

1. Vessel name
 2. Federal vessel permit number
 3. Owner and operator's names
 4. Contact phone number
 5. Number of trips the vessel intends to fish
- In addition to the above advance notice for accessing the Sea Scallop Access Areas, for the purpose of randomly selecting vessels to carry an observer, a vessel owner or operator must also contact the NOAA Fisheries observer contractor **by phone** (508-990-9057) at least 72 hours prior to the date they intend to depart on each trip into an Access Area. The following information must be included:
 1. Vessel name
 2. Contact phone number
 3. Federal permit number
 4. Date, time and port of departure
 5. Documentation number
 6. Boatracs or Skymate address
 - On the day that the vessel leaves port to fish under the Access Area Program, the vessel owner or operator must declare the vessel into the Access Area Program through the VMS by entering the appropriate access area sailing code prior to leaving port.

Observer coverage

NOAA Fisheries Observers will be randomly assigned to a portion of the scallop fleet fishing in the Scallop Access Areas. Observers will collect information on scallop catch, yellowtail catch, and other bycatch to provide additional data on Scallop Access Area trips in order to monitor catch and bycatch.

New Vessel Safety Inspection Requirements

As of May 1, 2006, all vessels required to carry an observer must meet United States Coast Guard (USCG) safety requirements and display a current Commercial Fishing Vessel Safety Examination Decal (Decal) (issued within the previous two years). Vessels that do not have a current safety Decal are deemed unsafe for purposes of carrying an observer. Vessels that are required to carry an observer, but are inadequate or unsafe for purposes of carrying an observer, are prohibited from fishing. Enforcement action may result when a vessel that is required to take an observer does not meet the safety requirements and embarks on a fishing trip.

In addition to the requirements to display a current Decal, the vessel's owner or operator must allow an observer, to visually inspect any safety or accommodation requirement if requested. Observers are **required** to complete a pre-trip safety check of the emergency equipment and are encouraged to review emergency instructions and drills with the operator prior to vessel departing port. The vessel must correct noted safety deficiencies before departing to fish with the observer.

Cost to Vessels Carrying an Observer

Because scallop vessels are currently not responsible for paying for the cost of observers, they are **NOT** authorized to collect and utilize the additional pounds of scallop meats in Access Areas.

The Atlantic Scallop Fishery Management Plan dictates that scallop vessels are responsible for paying for the cost of observers in Sea Scallop Access Areas. One percent of the scallop target TAC for each Access Area is allocated to help scallop vessels pay for the cost of observers. However, due to contracting issues, scallop vessels are currently **NOT** responsible for paying for the cost of observers in Access Areas or Open Areas.

You will receive further notification when these issues have been resolved and you are required to pay for the cost of carrying an observer on your vessel.

Catch Reporting

The owner or operator of a general category scallop vessel fishing in the Scallop Access Areas is required to report catch of both scallops and yellowtail to allow for monitoring of the yellowtail TAC. The operator of a vessel must submit reports through the VMS for each day fished when declared in the Sea Scallop Area Access Program, including trips accompanied by a NOAA Fisheries-approved observer. The reports must be submitted in 24-hour intervals, for each day beginning at 0000 hours and ending at 2400 hours. The reports must be submitted by 0900 hours of the following day and must include the following information:

1. Total pounds/kilograms of scallop meats, or bushels of in-shell scallops kept;
2. Total pounds/kilograms of yellowtail flounder kept;
3. Total pounds/kilograms of yellowtail flounder discarded;
4. Total number of tows and;
5. Fishing Vessel Trip Report log page number.

Vessels Fishing Under Multispecies Days-at-Sea

Special Access Programs (SAPs) authorized under the Northeast Multispecies Plan, at times authorize fishing by vessels using multispecies DAS within Scallop Access Areas. When the access programs overlap, a vessel using multispecies DAS to fish under the SAP:

1. May possess up to 400 lb of shucked scallops, or 50 bu in-shell if within the SAP area even if it is **CLOSED** to scallop fishing without having to comply with the notification and observer requirements stated above.
2. May possess up to 400 lb of shucked scallops, or 50 bu in-shell if in an Access Area that is **OPEN** as both a Multispecies SAP and Scallop Access Area only if they comply with all of the requirements listed above. Such vessels are subject to closure of the general category fishery if the general category trip cap or TAC is reached and may no longer harvest scallops during a multispecies SAP trip.