



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
NORTHEAST REGION
55 Great Republic Drive
Gloucester, MA 01930-2298

July 26, 2010

SMALL ENTITY COMPLIANCE GUIDE

Subject: Northeast (NE) Multispecies – Vessel Monitoring System (VMS) Reporting

Dear NE Multispecies Limited Access Permit Holder:

This letter is inform you of the current NE multispecies regulations pertaining to the VMS catch report, broad stock area (BSA), and vessel trip report (VTR) requirements for both sector and common pool vessels, and explain that NOAA's National Marine Fisheries Service (NMFS) will be undertaking rulemaking to further clarify the description of these requirements in the regulations.

The regulations at 50 CFR 648.10(k) specify that a vessel declared into the groundfish fishery must submit, prior to leaving port at the start of a fishing trip, the VTR serial number from the first page of the VTR used for that particular trip via VMS. In addition, for a trip declared into more than one BSA, a trip-level VMS catch report must also be submitted prior to returning to port that includes the VTR serial number, the estimated weight of each groundfish species kept, and the total estimated weight of all fish kept, from each BSA fished. NMFS intends to modify these regulations such that vessels that have declared a trip into either one or multiple BSAs report the VTR serial number for that trip only once through the trip-level catch report submitted prior to returning to port.

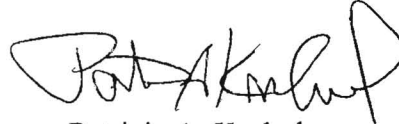
In the meantime, NMFS is waiving the current regulations that require a vessel to submit the VTR serial number prior to leaving port to begin a trip, provided that the vessel operator, regardless of whether the vessel fishes in one or multiple BSAs, voluntarily submits the VTR serial number for that trip prior to crossing the VMS demarcation on its return to port. This modification is more consistent with the current requirements for the submission of VMS catch reports and better enables NMFS to link VTR serial number data with the VMS activity code declaration for that trip. Please note that a vessel declared into only one BSA should use the VMS catch report form to submit the first VTR serial number for that trip. This waiver applies only to the requirement regarding reporting of the VTR serial number and not to any other reporting requirements.

Reporting requirements for single or multiple BSA trips are determined by VMS activity declaration and not where the vessel actually fishes. For example, if the vessel operator declared his/her intent to fish in both the Gulf of Maine and Inshore George's Bank BSAs on a particular trip, but only fishes in the Gulf of Maine, the VMS catch reporting requirements for more than one BSA will apply. Therefore, the vessel operator must still submit a trip level VMS catch report prior to returning to port and ending that trip. In this example, the VMS catch report

should include the estimated weight of each groundfish species kept and the total estimated weight of all fish kept only from the Gulf of Maine, along with the first VTR serial number for that trip. The catch report data, which must be submitted before landing, do not need to exactly match actual dealer landings, as long as it is a good-faith estimate.

Please call the Sustainable Fisheries Division at (978) 281-9315 if you have any questions regarding the information in this letter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Patricia A. Kurkul', written in a cursive style.

Patricia A. Kurkul
Regional Administrator

This small entity compliance guide complies with section 212 of the Small Business Regulatory Enforcement and Fairness Act of 1996.