



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

IMPORTANT NOTICE
NEW VESSEL MONITORING SYSTEM (VMS) REQUIREMENTS
FOR GENERAL CATEGORY SCALLOP VESSELS
DELAYED UNTIL DECEMBER 1, 2005

The Northeast Regional Office of the National Marine Fisheries Service (NERO) announces several clarifications of the new VMS requirements that apply to General Category scallop vessels. These clarifications supplement and modify the information sent to you in a letter to permit holders dated August 26, 2005. This letter and previous permit holder letters are available on our website at www.nero.nmfs.gov.

1. EFFECTIVE DATE OF VMS REQUIREMENT

The number of vessel owners requesting installation of VMS units has been higher than projected by the New England Fishery Management Council (Council), resulting in some delays in scheduling of VMS installations. Therefore, additional time is being provided for vessel owners to comply with the new regulations that require VMS units on General Category vessels. **Implementation of the two new General Category permits is being delayed until December 1, 2005, to provide additional time to install a VMS unit and obtain the required vessel permit.**

2. APPLICATION DEADLINES

A.) Effective December 1, 2005, there will be two types of General Category vessel permits:

Category 1A non-VMS permit: authorizes fishing for, possessing, or landing no more than 40 lb shucked or 5 bushels (bu) in-shell scallops per trip;

Category 1B VMS permit: authorizes fishing for, possessing, or landing more than 40 lb shucked or 5 bu in-shell scallops per trip, up to 400 lb of shucked or 50 bu of in-shell scallops per trip provided the vessel has an operational VMS unit.

B.) All existing General Category permits must be reissued as either a Category 1A or Category 1B permit by December 1, 2005.

C.) On December 1, 2005, vessels that are currently issued a General Category scallop permit will automatically be issued a Category 1A non-VMS permit, unless they have applied for, qualified for, and have been issued a Category 1B VMS permit. Therefore, if the Category 1A non-VMS permit is appropriate for your fishing activity, you do not need to take further action.

D.) If you want your vessel to be issued the Category 1B VMS permit, you must submit a complete application (applications were included in the August 26, 2005 letter). If you submit an incomplete application, it will be returned to you. Be aware that it may take up to 30 days to process permit applications.



- E.) **If you are issued a Category 1A permit on December 1, 2005, you will have until January 14, 2006, to submit a complete application for a Category 1B Permit for the 2005 permit year.** After this date, you will be unable to change to a Category 1B Permit until you renew your permit for the 2006 permit year. The 2005 permit year ends April 30, 2006. A Category 1A permitted vessel may not fish for, possess, or land more than 40 lb shucked or 5 bushels (bu) in-shell scallops per trip.
- F.) The dates above apply to vessels currently holding a General Category permit. **Vessels that do not currently hold a General Category permit may submit an application for the General Category 1A or 1B permit at any time.**

3. CATEGORY 1B PERMIT REQUIREMENTS

- A.) Application instructions included with the August 26, 2005, letter stated that a copy of the VMS vendor installation receipt must accompany the application. After discussions with the VMS vendors, it was determined that some permit holders are capable of installing the VMS themselves. **Therefore, you do not need to provide a VMS vendor installation receipt with your application. However, the VMS unit must be installed and activated prior to being issued a Category 1B permit. NERO must receive notice from the vendor that the VMS is activated prior to issuing a Category 1B Permit.**
- B.) If your vessel is issued a Category 1B Permit you must make a VMS declaration and transmit a position signal to NERO to be in compliance. You may enter any valid fishery declaration code with the exception of the power down (PWD) code. You may enter the PWD code, if appropriate, after a position signal has been transmitted.

NOTE: All General Category scallop permits are open access permits, meaning that any U.S. vessel may be issued the permit upon submission of a complete application to the National Marine Fisheries Service. However, owners and operators of vessels issued General Category scallop permits, and those interested in acquiring a General Category scallop permit for their vessel, should **be aware that a November 1, 2004, control date has been established for this fishery.** Such a control date is published by NMFS to notify the public that the Council may use that date as a cut-off date for establishing eligibility criteria when it considers limiting or restricting further access to this fishery.

For more information, please contact the Sustainable Fisheries Division at 978-281-9315. A detailed VMS fact sheet will be sent to you shortly. You may also contact the Office for Law Enforcement with any VMS questions at 978-281-9213.

This notice is authorized by the Administrator of the National Marine Fisheries Service, Northeast Region.