



New England Fishery Management Council

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John Pappalardo, *Chairman* | Paul J. Howard, *Executive Director*

MEMORANDUM

DATE: November 30, 2006
TO: Enforcement Committee
FROM: Deirdre Boelke, Scallop PDT Chair
SUBJECT: **Potential issue with VMS for vessels with both multispecies and general category scallop permits**

It has come to our attention that there may be an unintended consequence of the VMS requirement for vessels that hold both a multispecies and general category 1B scallop permit. A vessel with a general category 1B scallop permit is polled every 30 minutes as required by Section 648.9(c)(1)(iii). The intent of this requirement was to be consistent with the VMS requirements of limited access scallop vessels. However, vessels that had VMS for their multispecies permit are polled every hour, unless NMFS requires every 30 minutes for certain programs like the US/Canada program. So even if a vessel declares a multispecies trip when they leave the dock and do not land any scallops, the vessel is polled every 30 minutes because it holds a general category permit.

Regardless of the Council intent or how NMFS interpreted Framework 17, does it make sense that different fisheries are polled with different frequencies? Can the system even handle different frequencies for a single vessel that may have permits with different polling frequencies? If a vessel declares out of a fishery with more frequent polling can that vessel be polled less frequently for certain trips, or does it have to remain under the more restrictive polling frequency? Should this cost be born by the vessel no matter what they are targeting?

On a related note, we have also heard feedback related to notices sent out from NMFS through VMS. Typically vessels commit to a specific number of characters they expect to receive through their VMS unit per month. Similar to a cell phone plan a vessel estimates how many characters they will need for polling and reporting through VMS per month, and if they go over additional charges are applied at a higher rate. NMFS also sends notices to vessels through VMS and those notices are often very long and use up the same characters. It is impossible to predict how many notices NMFS will send out in a month; therefore, difficult to predict which plan will be most cost effective per vessel. Can these notices be sent differently so they are more abbreviated, or can some cost sharing system be considered?