



Massachusetts Division of Marine Fisheries

Paul Diodati, Director

Policies, Procedures, and Guidelines

Issue: Policy prohibiting splitting of state Coastal Access Permit (CAP) and federal limited-access Atlantic sea scallop permits No: PPG- 05

Introduction and Purpose:

Effective immediately, splitting of CAP's from federally-permitted scallop vessels onto a new vessel will not be permitted. This policy therefore prohibits federally permitted scallop vessels from transferring their state CAP onto a new vessel in conjunction with the CAP (i.e., transfers must involve the entire scallop operation and not result in a single operation splitting into separate state and federal scallop businesses).

This policy would not impact state-only CAP vessels authorized to dredge for scallops in state waters. Current vessel upgrade provisions and other transfer specifications continue to apply.

Rationale:

The New England Fishery Management Council recently passed a motion to consider an IFQ program for the limited access scallop fishery as part of Amendment 15, currently under development. These and other federal restrictions may motivate dual permit holders (vessels with both CAPs and federal limited access scallop permits) to split their single scallop operations into two distinct state and federal operations. Such a doubling of effort is not consistent with the federal management plan. Furthermore, the scallop fishery in waters under the jurisdiction of the Commonwealth is unlikely to sustain such an increase in effort.

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