

UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
National Marine Fisheries Service  
Office of Law Enforcement  
55 Great Republic Drive, Suite 02-300  
Gloucester, MA 01930  
(978)281-9213

Date: **October 1, 2010**

To whom it may concern:

The F/V \_\_\_\_\_, official number or state vessel license number \_\_\_\_\_, has been selected on \_\_\_\_\_ to carry a National Oceanic and Atmospheric Administration (NOAA) National Marine Fisheries Service (NMFS) certified observer, but has been deemed inadequate or unsafe to carry an observer due to the following conditions.

\_\_\_\_\_ The vessel does not have a current United States Coast Guard (USCG) Commercial Fishing Vessel Safety Examination (CFVSE) decal or written exemption from the decal requirement.

\_\_\_\_\_ The vessel does not have one or more of the following safety devices currently inspected, in working order, and in sufficient quantity:

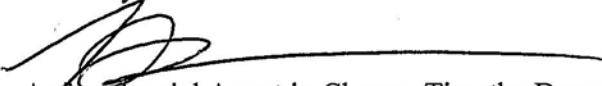
- \_\_\_\_\_ (1) Personal flotation devices/immersion suits;
- \_\_\_\_\_ (2) Ring buoys or other allowable flotation;
- \_\_\_\_\_ (3) Distress signals;
- \_\_\_\_\_ (4) Fire extinguishing equipment, when required;
- \_\_\_\_\_ (5) Emergency position indicating radio beacon (EPIRB), when required; and
- \_\_\_\_\_ (6) Survival craft, when required, with sufficient capacity to accommodate the total number of persons, including the observer(s), that will embark on the voyage.

Because this vessel has been selected to carry an observer on its next fishing trip, it is illegal for this vessel to engage in the following fishing activity without an observer on board.

- 1) Any Category I or II fishery currently listed under the Marine Mammal Protection Act.
- 2) Any federally permitted fishery in the Northeast region listed in 50 C.F.R Sections 648.11(a) and 697.12. Currently, those species are Atlantic sea scallops, NE multispecies, monkfish, skates, Atlantic mackerel, squid, butterfish, scup, black sea bass, bluefish, spiny dogfish, Atlantic herring, tilefish, Atlantic deep-sea red crab; summer flounder (moratorium permit), and American lobster.

An observer cannot depart on this vessel until the corrective measure(s) have been completed. If the vessel fishes in one of the fisheries listed above without carrying an observer or receiving a waiver to carry an observer, seizure of the vessel's catch, termination of the trip and/or civil penalty assessments to the owner and/or operator of the vessel may occur. Once the corrective measure(s) have been completed, please contact **Sara Wetmore for Northeast Vessels at (508) 495-2227; (508) 642-6005 and Mike Tork for Mid-Atlantic Vessels at (508) 495-2339; (508) 274-4859.**

Sincerely:

  
Acting Special Agent in Charge, Timothy Donovan  
NOAA Fisheries Office of Law Enforcement