



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
NORTHEAST REGION
55 Great Republic Drive
Gloucester, MA 01930-2276

March 31, 2009

Small Entity Compliance Guide

Dear Scallop Permit Holder:

This letter is to inform you that the Delmarva Scallop Access Area is closed to general category scallop vessels effective 0001 hours, on April 1, 2009. This action is being taken in accordance with the Atlantic sea scallop regulations at 50 CFR 648.59(d)(5)(ii) to prevent the general category scallop fleet from exceeding trip allocations in the Delmarva Scallop Access Area during the 2009 fishing year. The general category scallop fleet was allocated 728 trips in the Delmarva Scallop Access Area for the 2009 fishing year.

Therefore, effective 0001 hours on April 1, 2009, no scallop vessel fishing under general category regulations may declare its intent to enter or fish in the Delmarva Scallop Access Area.

Vessels that have complied with the observer notification requirements, have declared a trip into the Delmarva Scallop Access Area using the correct Vessel Monitoring System (VMS) code, **and** have crossed the VMS demarcation line before 0001, April 1, 2009, may complete their trip and retain and land scallops caught from the Delmarva Scallop Access Area, consistent with existing regulations.

For questions about this closure, please call the Sustainable Fisheries Division at 978-281-9315.

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

You may also receive permit holder letters, including closure notices, by e-mail by clicking on "Permit Holder Letters" on our website at <http://www.nero.noaa.gov>; or via fax by providing a fax number through a written request to the above address, or by faxing your request to 978-281-9135.¹

Sincerely,

Patricia A. Kurkul
Regional Administrator

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

