



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

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### **Limited Access Scallop Fishery**

#### **Closed Area II Observer Set-Aside Compensation Reduction for Limited Access Scallop Vessels**

Effective November 1, 2011, the observer compensation rate has been reduced from 180 lb to 125 lb per day for limited access vessels carrying an observer on trips in the Closed Area II Sea Scallop Access Area (CAII).

Before the start of each fishing year (FY), we determine the amount of additional pounds of scallops that may be harvested per day fished in Sea Scallop Access Areas in order to help defray the costs for vessels that carry an at-sea observer. The initial determination of the FY 2011 observer compensation rates was based on expected conditions in the fishery, including trip length, expected ex-vessel price, observer costs, and fishing productivity. We slightly underestimated the use of the observer set-aside, so the observer set-aside total allowable catch (TAC) was harvested more quickly than we expected. As a result, we have adjusted the compensation rate to 125 lb per day to ensure that the remaining CAII observer set-aside TAC is not used up prior to the end of the FY. At this rate, the additional poundage allotted to vessels carrying an observer is expected to continue to cover estimated observer costs.

We will continue to be in close communication with the Northeast Fisheries Observer Program to carefully monitor assigned observer coverage in CAII for the remainder of FY 2011.

Please refer to the February 18, 2011, Small Entity Compliance Guide for information on how the initial FY 2011 observer compensation rates were calculated for the scallop fishery. Please call the NMFS Sustainable Fisheries Division at 978-281-9315 if you have any questions regarding this action.

*This small entity compliance guide complies with section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996. This notice is authorized by the Regional Administrator of the National Marine Fisheries Service, Northeast Region.*

