



**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
 NATIONAL MARINE FISHERIES SERVICE  
 NORTHEAST REGION  
 One Blackburn Drive  
 Gloucester, MA 01930-2298

August 24, 2004

**Small Entity Compliance Guide**

**\*\*\*IMPORTANT NOTICE REGARDING SCALLOP DAYS-AT-SEA\*\*\***

Dear Scallop Permit Holder:

This letter is to inform you that the National Marine Fisheries Service (NOAA Fisheries) has proposed regulations under Framework 16 to the Scallop Fishery Management Plan (FMP) and Framework 39 to the Northeast Multispecies FMP (Joint Frameworks), that if approved, would allow access to the groundfish closed areas. However, NOAA Fisheries does not anticipate that the decision to approve or disapprove the Joint Frameworks will be made in time to publish a final rule by September 15, 2004. Therefore, effective September 15, 2004, vessels will be allocated additional days-at-sea as specified in the table below. Additional DAS specified in the table below may not be used prior to September 15, 2004.

Limited Access Scallop Permit Category	Increase to 2004 DAS Allocation	Total 2004 Open Area DAS (excluding carryover DAS)
Full-Time	20	62
Part-Time	8	25
Occasional	5	9

**However, due to a provision proposed in the Joint Frameworks, vessel owners should carefully consider whether or not to use the additional DAS.** If approved, a final rule for the Joint Frameworks would be published after September 15, 2004. As proposed in the Joint Frameworks, if scallop fishing is ultimately allowed in the proposed portions of the groundfish closed areas in the 2004 fishing year, any scallop vessel that has used any of the additional 2004 DAS specified above would be prohibited from fishing in the proposed access areas in the 2004 fishing year. Vessels that do not use any of the additional 2004 DAS would be eligible to fish within the proposed access areas, if approved under the Joint Frameworks.

If you have any questions, please call the Northeast Region’s Sustainable Fisheries Division at (978) 281-9315.

Sincerely,

for

Patricia A. Kurkul  
 Regional Administrator

