



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

July 18, 2006

Small Entity Compliance Guide

Dear Limited Access Vessel Scallop Permit Holder:

This letter is to inform you that **the Nantucket Lightship Scallop Access Area (NLCA) is closed to scallop vessels effective 0001 hours, July 20, 2006.** This action is being taken in accordance with the Atlantic sea scallop regulations at 50 CFR 648.59(a)(5)(ii)(C) to prevent the scallop fleet from exceeding the NLCA yellowtail flounder bycatch total allowable catch (TAC) allocated to the scallop for the 2006 scallop fishing year. Therefore, effective 0001 hours, July 20, 2006, no scallop vessel may declare their intent to enter or fish in the NLCA.

Vessels that have complied with the observer notification requirements, have declared a trip into the NLCA using their Vessel Monitoring System (VMS) and have crossed the VMS demarcation line before 0001 hours on July 20, 2006, may complete their trip and retain and land scallops caught from the NLCA, consistent with existing regulations.

If a vessel has an unused complete trip(s) into the NLCA closed by the yellowtail flounder TAC, it will be allocated 4.9 additional open areas days-at-sea (DAS) for each unused trip. If a vessel has an unused compensation trip(s), it will be allocated additional open area DAS based on estimated catch rates for the NLCA. The conversion rate from access area DAS to open area DAS for the NLCA is 0.41 per open area DAS. An access area DAS is equal to 1,500 lb. For example, a vessel with a 10,000-lb compensation trip in NLCA would be allocated 2.72 open area DAS ($0.41 * 10,000 / 1,500 = 2.72$). A separate letter will be sent within 15 days to notify vessel owners of their allocations for unused complete and/or compensation trips.

The NLCA is scheduled to reopen on June 15, 2007, unless the schedule for scallop access areas is modified by the New England Fishery Management Council. For questions, please call 978-281-9315.

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 Administrator of the National Marine Fisheries Service, Northeast Region.

