



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

September 1, 2006

Small Entity Compliance Guide

Dear Atlantic Sea Scallop Permit Holder:

This letter is to inform you that the Closed Area II Scallop Access Area (CAII) is closed to scallop vessels effective 0001 hours on September 6, 2006. Effective 0001 hours on September 6, 2006, no scallop vessel on a CAII scallop trip may be inside the boundaries of CAII.

This action is being taken in accordance with the Atlantic sea scallop regulations at 50 CFR 648.60(a)(5)(ii)(C) to prevent the scallop fleet from exceeding the yellowtail flounder bycatch total allowable catch (TAC) allocated to the scallop fleet in CAII during the 2006 fishing year.

If a vessel has an unused complete trip(s) into CAII closed by the yellowtail flounder TAC, it will be allocated 5.4 additional open areas DAS for each unused trip. If a vessel has an unused compensation trip(s), it will be allocated additional open area DAS based on an access area catch rate of 1,500 lb per day. The conversion rate to open area DAS for CAII is 0.45 DAS per access area day. For example, a vessel with a 10,000-lb compensation trip in CAII would be allocated 2.72 open area DAS ($0.45 * 10,000 / 1,500 = 3.0$). A separate letter will be sent to notify vessel owners of their allocations for unused complete and/or compensation trips.

CAII is scheduled to reopen on June 15, 2008, unless the schedule for scallop access areas is modified by the New England Fishery Management Council. For questions, please call 978-281-9315.

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.

