



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

DEC 10 2010

Small Entity Compliance Guide

Delmarva Observer Set-Aside Compensation Reduction for Limited Access and Limited Access General Category (LAGC) Individual Fishing Quota (IFQ) Vessels

Dear Limited Access or LAGC IFQ Scallop Vessel Owner:

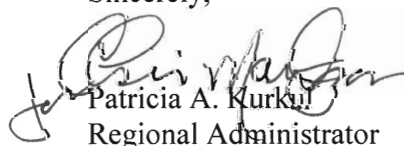
The National Marine Fisheries Service (NMFS) announces that, effective December 15, 2010, in the Delmarva Sea Scallop Access Area (Delmarva) fishery, the observer compensation rate has been reduced from 180 lb to 125 lb per day for limited access vessels for trips on which an industry-funded observer is on board. The observer compensation rate has also been adjusted to 125 lb per trip for LAGC IFQ vessels when fishing in the Delmarva access area with an industry-funded observer on board.

Under the authority of the regulations governing observer coverage in the scallop fishery found at 50 CFR 648.11(g)(5)(ii), the Regional Administrator shall determine the amount of additional pounds of scallops per day fished in Sea Scallop Access Areas in order to help defray costs for vessels that carry an at-sea observer. The initial determination of 2010 fishing year (FY) observer compensation rates was based on anticipated conditions in the fishery, including such variables as trip length, expected ex-vessel price, observer costs, and fishing productivity. Scallop fleet activity and trip lengths increased in Delmarva during the month of November, relative to activity and trips lengths from March through August, resulting in the set-aside total allowable catch (TAC) being harvested more quickly than expected. As a result, NMFS's Northeast Regional Office (NERO) has adjusted the compensation rate to ensure that the remaining Delmarva observer TAC is not exhausted prior to the end of the FY. At a compensation rate of 125 lb, the additional poundage allotted to vessels with an observer on board is expected to continue to cover estimated observer costs.

NERO will continue to be in close communication with the Northeast Fisheries Observer Program to carefully monitor assigned observer coverage in Delmarva for the remainder of FY 2010.

Please refer to the March 3, 2010, Small Entity Compliance Guide for information on how the initial 2010 fishing year observer compensation rates were calculated for the Atlantic sea scallop fishery. Please call the Sustainable Fisheries Division of NMFS at 978-281-9315 if you have any questions about this action.

Sincerely,



Patricia A. Kurku
Regional Administrator

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

