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

Small Entity Compliance Guide

Dear Scallop Permit Holder:

This letter is to inform you that the 2009 Observer Set-aside total allowable catch (TAC) for the Delmarva Access Area (DMAA) has been fully utilized. Therefore, for any DMAA scallop trip departing after 0001 hours, August 25, 2009, and with an observer on board, the vessel may not land additional scallops to offset the cost of that observer. Scallop vessels that have been selected to take an observer and cross the demarcation line before 0001, August 25, 2009, may complete their trips and land up to an additional 400 lb for each day at sea the observer is on board.

You must still comply with all the observer notification requirements, and owners will be responsible for paying the cost of observers, if selected to carry observers in the DMAA. The Atlantic sea scallop regulations at 50 CFR 648.60(d)(2) state that vessel owners are responsible for paying the cost of observers, regardless of whether the vessel lands or sells scallops on that trip, and regardless of the availability of set-aside for an increased possession limit. Vessels may not depart on a scallop trip in the DMAA without an observer if the vessel owner, operator, and/or manager has not received a waiver of the observer requirement. For questions about this action, please call the Sustainable Fisheries Division at 978-281-9315.

You may also receive permit holder letters, including closure notices, by e-mail by clicking on "Permit Holder Letters" on our website at http://www.nero.noaa.gov; or via fax by providing a fax number through a written request to the above address, or by faxing your request to 978-281-9135.[1]

Sincerely,
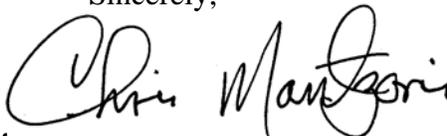
for   Patricia A. Kurkul
Regional Administrator

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