



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

June 7, 2006

SMALL ENTITY COMPLIANCE GUIDE

Dear General Category Sea Scallop Permit Holder:

This letter is to notify you that regulations implementing Framework 18 to the Atlantic Sea Scallop Fishery Management Plan (FMP) (Framework 18) will be effective on **June 15, 2006**. This letter summarizes the new management measures established by Framework 18, and is not a substitute for the actual regulations. The full text of the regulations is available on our website: <http://www.nero.noaa.gov>, or you may request a copy by calling (978) 281-9315.

Sea scallop access area schedule

	2006	2007
Closed Area II (CAII)	Open (06/15/06 to 01/31/07)	Closed
Nantucket Lightship (NLCA)	Open (06/15/06 to 01/31/07)	Open (06/15/07 to 01/31/08)
Closed Area I (CAI)	Closed	Open (06/15/07 to 01/31/08)
Elephant Trunk (ETAA)	Closed	Open* (01/01/07 to 02/29/12)
Hudson Canyon (HCAA)	Open	Open

* ETAA: Seasonal closure from September 1 to October 31, effective through 2012

Access area trips allocated to the general category fleet

<u>NLCA</u>		<u>CAII</u>		<u>CAI</u>		<u>ETAA</u>	
<u>2006</u>	<u>2007</u>	<u>2006</u>	<u>2007</u>	<u>2006</u>	<u>2007</u>	<u>2006</u>	<u>2007</u>
577	394	865	0	0	216	0	1,360*

* The number of 2007 ETAA trips may be reduced if 2006 resource surveys identify a lower exploitable biomass

When all trips in an access area are projected to be taken, general category vessels will be notified that it will be closed to general category vessels for the rest of the fishing year.



Yellowtail flounder access area bycatch

General category scallop vessels are prohibited from possessing species of fish other than scallops. Any species of fish other than scallops must be discarded. General category vessels fishing in an access area must report yellowtail flounder bycatch daily through VMS.

All scallop vessels fishing in access areas are limited to a bycatch of yellowtail flounder that equals 9.8% of the annual yellowtail flounder total allowable catch (TAC) established in the Northeast (NE) multispecies regulations. The TACs for the NLCA and CAII for the 2006 fishing year are as follows:

Yellowtail Flounder bycatch TAC	
	<i>2006</i>
NLCA	31,544 lb
CAII	447,230 lb

If the yellowtail flounder TAC is attained in an access area it will be closed to all scallop vessels for the remainder of the fishing year.

Sea scallop set-aside programs

At-sea Observer Program

In 2006 and 2007, 1% of both the open area DAS and access area TAC allocations are set aside to help defray the cost of observer coverage.

Until further notice, vessel owners are not required to pay for the cost of carrying an observer. Therefore, open area DAS and access area TAC set-asides will not be utilized for observed trips.

Research set-aside (RSA) Program

In 2006 and 2007, 2% of both the open area DAS and access area TAC allocations are set aside to fund sea scallop research. Additional DAS and access area pounds will be allocated to vessels participating in approved research projects. Scallop vessels participating in the RSA program are limited to a catch of yellowtail flounder that equals 0.2% of the annual yellowtail flounder TACs established in the NE multispecies regulations. Set-aside projects for the 2006 fishing year have already been considered for funding. An announcement for research proposals utilizing the 2007 research set-asides will be published in June 2006. Additional information about the RSA Program is available from the Regional Office by calling (978) 281-9315.

New scallop rotation areas

- Elephant Trunk Access Area (ETAA)

Beginning January 1, 2007, the ETAA will be open to scallop fishing as an Access Area. Allocations of trips and possession limits are specified in the tables included in this letter. The ETAA is defined by the following coordinates:

<u>Point</u>	<u>N. Latitude</u>	<u>W. Longitude</u>
ET1	38°50'	74°20'
ET2	38°10'	74°20'
ET3	38°10'	73°30'
ET4	38°50'	73°30'
ET1	38°50'	74°20'

Seasonal closure of ETAA

The ETAA will be closed to scallop fishing from September 1 - October 31, effective through 2012. The 2-month closure is intended to provide protection for threatened and endangered sea turtles that may interact with the scallop fishery in the Mid-Atlantic and to reduce small scallop and finfish discard mortality.


- Delmarva Scallop Rotational Closed Area

From January 1, 2007, through February 28, 2010, no vessel may fish for, possess, or land scallops from the Delmarva Closed Area as defined by the following coordinates:

<u>Point</u>	<u>N. Latitude</u>	<u>W. Longitude</u>
DMV1	38°10'	74°50'
DMV2	38°10'	74°00'
DMV3	37°15'	74°00'
DMV4	37°15'	74°50'
DMV1	38°10'	74°50'

Vessels in possession of scallops may transit this area after it closes, provided all gear is stowed and unavailable for use.

If you have any questions regarding this information, please contact the Sustainable Fisheries Division at (978) 281-9315.

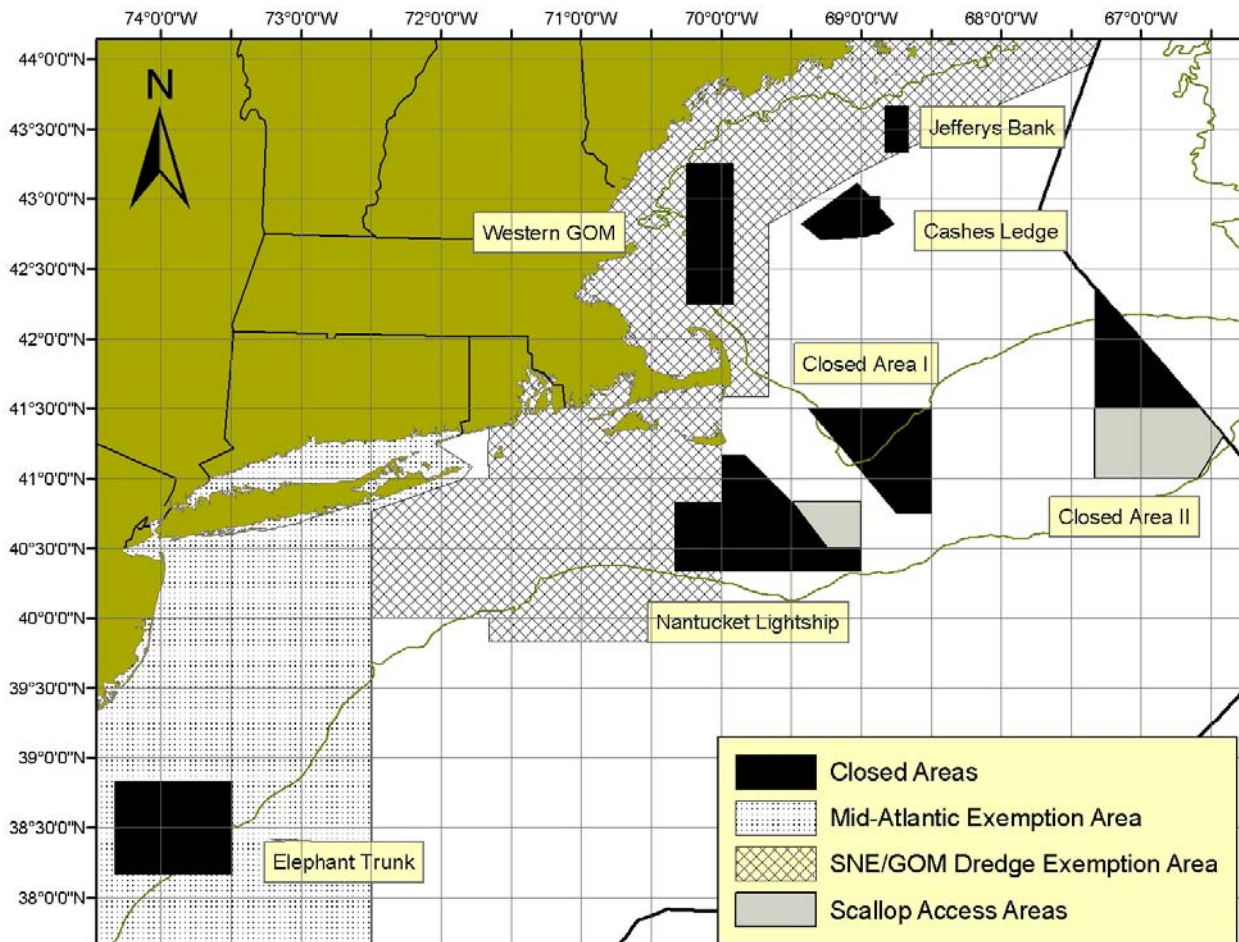
Sincerely,

Patricia A. Kurkul
Regional Administrator

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

Sea scallop chart for the 2006 fishing year

The following chart details sea scallop access areas, closed areas and scallop exemption areas.

- Access areas open to scallop vessels between June 15, 2006 and January 31, 2007.
- Areas closed to scallop vessels, including closed access areas and essential fish habitat closed areas.
- Mid-Atlantic Exemption Area and Southern New England (SNE) and Gulf of Maine (GOM) Dredge Exemption Areas: General category vessels that have declared an open area trip, or limited access vessels fishing outside of DAS, must fish within one of these three exemption areas.



EXEMPTION AREAS

Gulf Of Maine (GOM)

Scallop Dredge Exemption Area

<u>Point</u>	<u>N. Latitude</u>	<u>W. Longitude</u>
GOM1	41°35'	70°00'
GOM2	41°35'	69°40'
GOM3	42°49.5'	69°40'
GOM4	43°12'	69°00'
GOM5	43°41'	68°00'
GOM5	43°58'	67°22'
GOM1	41°35'	70°00'

Northward along the irregular U.S.-Canada maritime boundary to the shoreline

Southern New England (SNE)

Scallop Dredge Exemption Area

<u>Point</u>	<u>N. Latitude</u>	<u>W. Longitude</u>
SNE1	(1)	73°00'
SNE2	40°00'	73°00'
SNE3	40°00'	71°40'
SNE4	39°50'	71°40'
SNE5	39°50'	70°00'
SNE6	(2)	70°00'
SNE7	(3)	70°00'
SNE8	(4)	70°00'
SNE9	41°00'	(5)
SNE10	41°00'	71°40'
SNE 11	(6)	71°40'

- 1) South facing shoreline of Long Island, NY
- 2) South facing shoreline of Nantucket, MA
- 3) North facing shoreline of Nantucket, MA
- 4) South facing shoreline of Cape Cod, MA
- 5) East facing shoreline of the south fork of Long Island, NY
- 6) South facing shoreline of RI

Mid-Atlantic Exemption Area

The MA Exemption Area is that area bounded on the east by a line running from the Rhode Island shoreline at 41°18.2' N. lat. 71°55.5' W long. (Watch Hill, RI), southwesterly through Fishers Island, NY, to Race Point, Fishers Island, NY; southeasterly to the intersection of the 3-nautical mile line east of Montauk Point; southwesterly along the 3-nautical mile line to the intersection of 72°30' W. long; and south along that line to the intersection of the outer boundary of the EEZ

2006 SEA SCALLOP ACCESS AREAS

Closed Area II Access Area (CAII)

<u>Point</u>	<u>N. Latitude</u>	<u>W. Longitude</u>
CA2A1	41°00'	67°20'
CA2A2	41°00'	66°35.8'
CA2A3	41°18.6'	66°24.8'
CA2A4	41°30'	66°34.8'
CA2A5	41°30'	67°20'
CA2A1	41°00'	67°20'

Nantucket Lightship Access Area (NLCA)

<u>Point</u>	<u>N. Latitude</u>	<u>W. Longitude</u>
NLCA1	40°50'	69°00'
NLCA2	40°30'	69°00'
NLCA3	40°30'	69°14.5'
NLCA4	40°50'	69°29.5'
NLCA1	40°50'	69°00'

Hudson Canyon Access Area (HCAA)

<u>Point</u>	<u>N. Latitude</u>	<u>W. Longitude</u>
HCAA1	39°30'	73°10'
HCAA2	39°30'	72°30'
HCAA3	38°30'	73°30'
HCAA4	38°50'	73°30'
HCAA5	38°50'	73°42'
HCAA1	39°30'	73°10'

NOTE: HCAA open to General category vessels

CLOSED AREAS

Cashes Ledge

<u>Point</u>	<u>N. Latitude</u>	<u>W. Longitude</u>
CL1	43°07'	69°02'
CL2	42°49.5'	68°46'
CL3	42°46.5'	68°50.5'
CL4	42°43.5'	68°58.5'
CL5	42°42.5'	69°17.5'
CL6	43°07'	69°02'

Cashes Ledge Habitat Area

<u>Point</u>	<u>N. Latitude</u>	<u>W. Longitude</u>
CLH1	43°01'	69°03'
CLH2	43°01'	68°52'
CLH3	42°45'	68°52'
CLH4	42°45'	69°03'
CLH1	43°01'	69°03'

Closed Area I

(Includes access area)

<u>Point</u>	<u>N. Latitude</u>	<u>W. Longitude</u>
CAI1	41°30'	69°23'
CAI2	41°30'	68°30'
CAI3	40°45'	68°30'
CAI4	40°45'	68°45'
CAI1	41°30'	69°23'

Closed Area II

(Does not include access area)

<u>Point</u>	<u>N. Latitude</u>	<u>W. Longitude</u>
CAII1	42°22'	67°20' ¹
CAII2	41°30'	66°34.8'
CAII3	41°30'	67°20' ¹
CAII1	42°22'	67°20' ¹

¹ The U.S/Canada Maritime Boundary

Elephant Trunk Access Area (ETAA)

<u>Point</u>	<u>N. Latitude</u>	<u>W. Longitude</u>
ETAA1	38°50'	74°20'
ETAA2	38°10'	74°20'
ETAA3	38°10'	73°30'
ETAA4	38°50'	73°30'
ETAA1	38°50'	74°20'

Jeffrey's Bank Habitat Area

<u>Point</u>	<u>N. Latitude</u>	<u>W. Longitude</u>
JB1	43°40'	68°50'
JB2	43°40'	68°40'
JB3	43°20'	68°40'
JB4	43°20'	68°50'
JB1	43°40'	68°50'

Nantucket Lightship

(Does not include access area)

<u>Point</u>	<u>N. Latitude</u>	<u>W. Longitude</u>
NLS1	40°50'	70°20'
NLS2	40°50'	70°00'
NLS3	41°10'	70°00'
NLS4	41°10'	69°50'
NLS5	40°30'	69°14.5'
NLS6	40°30'	69°00'
NLS7	40°20'	69°00'
NLS8	40°20'	70°20'
NLS1	40°50'	70°20'

Western GOM Habitat Area

<u>Point</u>	<u>N. Latitude</u>	<u>W. Longitude</u>
WGOM1	43°15'	70°15'
WGOM2	43°15'	69°55'
WGOM3	42°15'	69°55'
WGOM4	42°15'	70°15'
WGOM1	43°15'	70°15'