



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

December 4, 2006

Dear Atlantic Sea Scallop Permit Holder,

This letter has been issued to update and remind Atlantic sea scallop permit holders of measures implemented through Framework 18 to the Atlantic Sea Scallop Fishery Management Plan that will become effective January 1, 2007. In addition, this letter announces the extension of the observer program emergency rule through June 11, 2007. This summary 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.

Elephant Trunk Access Area (ETAA)

The ETAA is scheduled to open January 1, 2007, to both Limited Access and General Category scallop vessels. Please note that the National Marine Fisheries Service (NOAA Fisheries) is considering a recent request by the New England Fishery Management Council (Council) for NOAA Fisheries to take interim action to reduce the current ETAA trip allocations, delay the ETAA opening until March 1, 2007, and prohibit vessels from leaving any scallop access area with more than 50 U.S. bushels of in-shell scallops. These Council recommendations were based on concerns raised by the Council's Scallop Plan Development Team that scallop fishing mortality may be too high in 2007. NMFS will notify vessel owners if ETAA measures are changed.

The ETAA will also be closed seasonally to scallop fishing from September 1 - October 31, 2007, effective through 2012. This 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.

Current 2007 ETAA Trip Allocation Table

Full-time	5 trips per vessel
Part-time	Up to 3 trips per vessel*
Occasional	Up to 1 trip per vessel**
General Category	1,360 trips total

*Part-time scallop vessels have the following access area trip options:

2007: 1 trip in Closed Area I Access Area (CAI), 1 trip in the Nantucket Lightship Access Area (NLCA) and 1 trip in ETAA; or 1 trip in CAI and 2 trips in ETAA; or 1 trip in NLCA and 2 trips in ETAA; or 3 trips in ETAA

**Occasional scallop vessels have the following access area trip options:

2007: 1 trip in CAI; or 1 trip in NLCA; or 1 trip in ETAA



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'

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 that have declared a scallop trip on their vessel monitoring system (VMS), or are in possession of scallops, may transit this area after it closes, provided all gear is stowed and unavailable for use. Vessels may fish for other species in the Delmarva Closed Area, but cannot possess scallops, nor declare a scallop trip on their VMS.

Cashes Ledge Closure Area Correction

The Framework 18 Permit Holder Letter (June 27, 2006) incorrectly omitted one of the six coordinates. The coordinates for the Cashes Ledge Closed Area are:

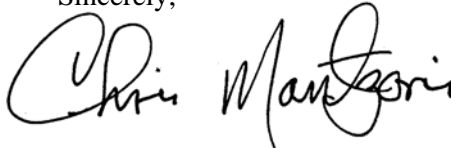
<u>Point</u>	<u>N. Latitude</u>	<u>W. Longitude</u>
CL1	43°07'	69°02'
CL2	42°49.5'	68°46'
CL3	42°46.5'	68°50.5'
CL4	42°43.5'	68°58.5'
CL5	42°42.5'	69°17.5'
CL6	42°49.5'	69°26'
CL1	43°07'	69°02'

Observer Program Emergency Rule Extended Through June 11, 2007

The emergency rule re-activating the Scallop FMP Observer Set-Aside Program has been extended through June 11, 2007. The Council has initiated an amendment to the FMP that would implement the Observer Set-Aside as a permanent part of the FMP. For details on the emergency rule, please see the permit holder letter from June 26, 2006, posted on the NOAA Fisheries Northeast Regional website at: <http://www.nero.noaa.gov/nero/nr/>.

If you have questions, please call the Northeast Region's Sustainable Fisheries Division at (978) 281-9315.

Sincerely,


for Patricia A. Kurkul
Regional Administrator

You may also receive permit holder letters by e-mail by clicking on "What's New" on our website at <http://www.nero.noaa.gov/nero/nr>

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