



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

March 16, 2009

## **SMALL ENTITY COMPLIANCE GUIDE**

Dear Scup Dealer and  
Commercial Vessel Permit Holder:

This letter is to inform you that NOAA's National Marine Fisheries Service is projecting that 80 percent of the Winter I period commercial quota for the scup fishery has been harvested. Therefore, in order to avoid quota overages that would have to be deducted from the 2010 Winter I period quota, effective **0001 hour on March 19, 2009**, fishing vessels issued a Federal moratorium permit for the scup fishery may not land more than 1,000 lb of scup per trip for the remainder of the Winter I period (through April 30, 2009).

This prohibition applies to federally permitted vessels, whether they fish in Federal or state waters. Vessel owners issued Federal permits are reminded that they must continue to complete and submit vessel logbooks. Additionally, dealers issued Federal dealer permits are reminded that they may not purchase scup from federally permitted vessels that land more than 1,000 lb of scup per trip for the remainder of the Winter I period. Federally permitted dealers must continue to report all fish purchases from any vessel.

Vessel owners issued Federal limited access scup permits are reminded that regulations at 50 CFR 648.4(a)(1)(i)(K) state that, if a vessel's limited access permit history for a particular fishery is voluntarily surrendered to the Regional Administrator, no limited access permit for that fishery may be reissued or renewed based on that vessel's history. Accordingly, once a Federal limited access permit is obtained in any given year, that permit may not be relinquished during that same year (for purposes of fishing for scup in state waters, for example). Should this occur, the limited access permit eligibility would be forfeit and could not be renewed in the following or subsequent permit years.

*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>.<sup>1</sup>*

Sincerely,

Patricia A. Kurkul  
Regional Administrator

<sup>1</sup>*This small entity compliance guide complies with section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996.*

