



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

January 17, 2007

SMALL ENTITY COMPLIANCE GUIDE

REVISED 2007 FINAL SPECIFICATIONS FOR SUMMER FLOUNDER

Dear Permit Holder:

NOAA Fisheries Service has increased the commercial quota and recreational harvest limits for summer flounder (fluke), effective January 19, 2007. This increase has been implemented using authority granted by the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (Reauthorized Magnuson-Stevens Act).

The summer flounder total allowable landing (TAL) is increased by this action from 12.983 million lb published in the Federal Register on December 14, 2006, to 17.112 million lb. After this increase, the revised commercial quota is 10,267,098 lb, and the revised recreational harvest limit is 6,844,800 lb. The commercial quota is further allocated to the states, according to the allocation percentages identified in Amendment 2 to the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan (see Table 1). The research set-aside (RSA) will remain 389,490 lb, as originally specified in the December 14, 2006, final rule.

Under these revised 2007 specifications, Delaware continues to have no 2007 commercial summer flounder quota. Therefore, fishing vessels issued a Federal moratorium permit for the summer flounder fishery may not land summer flounder in Delaware during the 2007 calendar year, and dealers issued Federal dealer permits for summer flounder are advised that they may not purchase summer flounder from federally permitted vessels that land in Delaware during the 2007 calendar year, unless additional quota becomes available through a transfer.

This letter does not contain all the regulatory provisions that pertain to these species, and consequently, has no legal force or effect. A copy of the regulations can be obtained through a link to the Office of the Federal Register at the NOAA Fisheries Service Northeast Regional Office website: <http://www.nero.noaa.gov>.

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

Sincerely,

For Patricia A. Kurkul

Regional Administrator



Table 1. Revised state-by-state commercial summer flounder allocations for 2007.

	Percent Share	Revised Initial Quota	Revised Initial Quota, Less RSA	Quota Overages (through 10/31/06) ¹	Revised Quota less RSA ²	Change in Quota from Dec.14, 2006 Final Rule to Emergency Action
State		lb	lb	lb	lb	lb
ME	0.04756	4,883	4,772	0	4,772	1,178
NH	0.00046	47	46	0	46	11
MA	6.82046	700,270	684,331	30,046	654,285	168,970
RI	15.68298	1,610,203	1,573,553	0	1,573,553	388,530
CT	2.25708	231,739	226,464	16,470	209,994	55,917
NY	7.64599	785,029	767,161	148,038	619,123	197,346
NJ	16.72499	1,717,188	1,678,103	0	1,678,103	414,345
DE	0.01779	1,827	1,785	50,528	-48,743	441
MD	2.03910	209,358	204,593	0	204,593	50,516
VA	21.31676	2,188,634	2,138,818	0	2,138,818	528,101
NC	27.44584	2,817,919	2,753,780	0	2,753,780	679,943
Total	100.00	10,267,098	10,033,407	245,082	9,788,325	2,485,299

¹ 2006 quota overage is determined through comparison of landings for January through October 2006 plus any landings in 2005 in excess of the 2005 quota that were not previously addressed in the 2006 quota specifications, with the final 2006 quota for each state (70 FR 77060, December 29, 2006).

² Total quota is the sum of all states having allocation. A state with a negative number has an allocation of zero (0).