



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

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## **SMALL ENTITY COMPLIANCE GUIDE**

### **AMENDMENT 14 TO THE SUMMER FLOUNDER, SCUP, AND BLACK SEA BASS FISHERY MANAGEMENT PLAN ADOPTED; SCUP REBUILDING PLAN IMPLEMENTED**

Dear Scup Permit Holder:

On July 3, 2007, NOAA's National Marine Fisheries Service (NMFS) approved Amendment 14 to the Summer Flounder Scup and Black Sea Bass Fishery Management Plan (FMP). The purpose of Amendment 14 is to rebuild the scup stock from an overfished condition to the biomass level associated with maximum sustainable yield. Under Amendment 14, a constant fishing mortality rate (F) of 0.10 will be applied each year during the 7-year rebuilding time period. Amendment 14 contains some additional measures, outlined below, that are designed to ensure that the scup stock is rebuilt within the required period.

- A periodic review will be conducted by the Council's scientific advisors to re-evaluate the appropriate fishing mortality rate necessary to rebuild the stock. If the Council's scientific advisors determine the stock cannot be rebuilt within the time remaining in the initial 7-year time frame under an  $F=0.10$ , then the Council will recommend measures to rebuild the stock as soon as possible after the 7 years, but not to exceed 10 years.
- The scup biological reference points (stock status determination criteria) would be reviewed after the *Fishery Survey Vessel (FSV) Henry B. Bigelow* has completed 2 full years of service.
- If a scup stock assessment that results in a change to the biological reference points is completed before the end of the 7-year rebuilding time period, the Council may reconsider the rebuilding targets, but not the rebuilding time frame.

The Council will utilize the constant fishing mortality rate of  $F=0.10$  in setting the 2008 scup quota specifications.

The amendment also effects an administrative change to allow the regulations concerning the Gear Restricted Areas (GRAs) to be modified through framework adjustments to the FMP. Prior to Amendment 14, GRAs could only be modified through the annual specification setting process or by an amendment to the FMP.

A copy of Amendment 14 can be obtained through the NMFS 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,

Patricia A. Kurkul  
Regional Administrator

