



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

November 26, 2002

SMALL ENTITY COMPLIANCE GUIDE

Dear Scup Dealer and Commercial Vessel Permit Holder:

This letter is to inform you that the Winter II period (November through December) commercial quota for the scup fishery is projected to have been harvested.

Therefore, effective 0001 hours December 2, 2002, fishing vessels issued a Federal moratorium permit for the scup fishery may no longer land scup in any state for the remainder of the Winter II period. 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 for scup are advised that they may not purchase scup from federally permitted vessels that land scup for the remainder of the Winter II period (through December 31, 2002). 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 you obtain or renew a Federal limited access permit in any given year, you may not relinquish that permit during that same year (for purposes of fishing for scup in state waters, for example), or you would lose your right to renew your limited access permit for the following year.

You may also receive permit holder letters, including closure notices, by e-mail by clicking on "What's New" on our website at <http://www.nero.nmfs.gov>; or via fax by providing a fax number through a written request to the above address, or by faxing your request to 978-281-9135.¹

Sincerely,

Patricia A. Kurkul
Regional Administrator

¹This small entity compliance guide complies with section 212 of the Small Business Regulatory Enforcement and Fairness Act of 1996.

