



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

July 7, 2010

SMALL ENTITY COMPLIANCE GUIDE

Dear Charter/Party Vessel Permit Holder:

This letter is to inform you that NOAA's National Marine Fisheries Service (NMFS) has approved the final 2010 management measures for the summer flounder, scup, and black sea bass recreational fisheries. The final rule implementing these measures will be published in the Federal Register on July 8, 2010, and will remain in effect until further notification.

The tables on the reverse summarize the minimum fish size, possession limit, and fishing season for these fisheries. For the summer flounder fishery, the final rule implements conservation equivalency, as described in the proposed rule and Framework Adjustment 2 to the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan. Under conservation equivalency, each vessel is required to abide by the regulations approved by the Atlantic States Marine Fisheries Commission (Commission) for the state in which it lands summer flounder (see Table 1).

The recreational measures for scup are in Table 2. Scup measures will differ in state waters, as the Commission is utilizing a conservation equivalency approach for the scup fishery in the state waters of New York, Connecticut, Rhode Island, and Massachusetts. In cases where state recreational measures for scup and black sea bass are different from those listed in Table 2, federally permitted party/charter vessels are required to abide by the more restrictive state or Federal measure. For example, if a state has adopted a possession limit of 45 fish for scup, a federally permitted party/charter vessel is required to abide by the 10-fish per person possession limit when landing recreationally caught fish in that state.

You may also receive permit holder letters, and find supporting documentation for these management measures, on our web site at <http://www.nero.noaa.gov/nero/>. If you have questions, please contact the Sustainable Fisheries Division at (978) 281-9315.

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 - 2010 Commission Approved State-by-State Conservation Equivalent Recreational Management Measures for Summer Flounder

State	Minimum Fish Size (inches)	Possession Limit (number of fish)	Fishing Season
MA	18.5	5	May 22-September 6
RI	19.5	6	May 1-December 31
CT	19.5	3	May 15-August 25
NY	21.0	2	May 15-September 6
NJ	18.0	6	May 29-September 6
DE	18.5	4	January 1-October 13
MD	19.0	3	April 17-November 22
VA	18.5	4	January 1-December 31
NC ¹	15.0	8	January 1-December 31

¹ *Pamlico Sound, NC* - No person may possess flounder less than 14.0 in (35.56 cm) total length (TL) taken from internal waters for recreational purposes west of a line beginning at a point on Point of Marsh in Carteret County at 35°04.6166' N lat.-76°27.8000' W long., then running northeasterly to a point at Bluff Point in Hyde County at 35°19.7000' N lat.-76°09.8500' W long. In Core and Clubfoot creeks, the Highway 101 Bridge constitutes the boundary north of which flounder must be at least 14.0 in (35.56 cm) TL.

Albemarle Sound, NC - No person may possess flounder less than 14.0 in (35.56 cm) TL taken from internal waters for recreational purposes west of a line beginning at a point 35°57.3950' N lat.- 76°00.8166' W long. on Long Shoal Point; running easterly to a point 35°56.7316' N lat.-75°59.3000' W long. near Marker "5" in Alligator River; running northeasterly along the Intracoastal Waterway to a point 36°09.3033' N lat.-75° 53.4916' W long. near Marker "171" at the mouth of North River; running northwesterly to a point 36°09.9093' N lat.-75 54.6601' W long. on Camden Point.

Browns Inlet South, NC - No person may possess flounder less than 14.0 in (35.56 cm) TL in internal and Atlantic Ocean fishing waters for recreational purposes west and south of a line beginning at a point 34°37.0000' N lat.-77°15.000' W long.; running southeasterly to a point 34°32.0000' N lat.-77°10.0000' W long.

Table 2 - 2010 Recreational Management Measures for Scup and Black Sea Bass

Fishery	Minimum Fish Size (Inches)	Possession Limit (Number of fish)	Fishing Season
Scup	10.5	10	June 6 through September 26
Black Sea Bass	12.5	25	May 22-October 11 and November 1-December 31