



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

October 26, 2004

SMALL ENTITY COMPLIANCE GUIDE

Dear Permit Holder:

This letter is to inform you that the National Marine Fisheries Service (NOAA Fisheries) has implemented Framework Adjustment 5 (Framework 5) to the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan, which allows for multi-year specification of Total Allowable Landings for the summer flounder, scup, and black sea bass fisheries in any given year for the following 1, 2, or 3 years. Framework 5 is intended to relieve administrative demands on the Mid-Atlantic Fishery Management Council (Council) and NOAA Fisheries imposed by the annual specification process. The final rule will be published in the Federal Register on October 28, 2004.

The final rule also includes several administrative modifications to the existing regulations to:

1. Change the application process for a summer flounder small mesh exemption area Letter of Authorization (LOA) as follows:
 - a. Allow permit holders to request an LOA via a telephone call to the Northeast Region Permits Office (978-281-9370) rather than a written application; and
 - b. Reduce the minimum enrollment period to 7 days;
2. Require a vessel operator permit for the commercial summer flounder fishery; and
3. Clarify that the research set-aside quota for scup and black sea bass may be established at a level between 0 and 3 percent of the TALs for those fisheries.

You may also receive permit holder letters, including closure notices, by e-mail by clicking on "NOAA Fisheries News Releases" on our website at <http://www.nero.noaa.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. 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

