



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

June 14, 2005

SMALL ENTITY COMPLIANCE GUIDE

Dear Permit Holder:

This letter is to inform you that the National Marine Fisheries Service (NOAA Fisheries Service) has approved the final 2005 recreational measures for the summer flounder, scup, and black sea bass fisheries. The final rule implementing these measures will be published in the Federal Register on June 16, 2005, 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 the process was described in the proposed rule, i.e., each vessel is required to abide by the regulations in effect for the state in which it lands summer flounder (see Table 1). The recreational measures for scup and black sea bass contained in the final rule are unchanged from those published in the proposed rule. 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 60 fish for scup, a federally permitted party/charter vessel is required to abide by the 50-fish per person possession limit when landing recreationally caught fish in that state.

You may also receive permit holder letters, including closure notices, by e-mail by clicking on "Permit Holder Letters" 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,

Patricia A. Kurkul
Regional Administrator



Table 1 - 2005 State Recreational Management Measures for Summer Flounder

State	Minimum Fish Size	Possession Limit	Fishing Season
MA	17 inches	7 fish	January 1 through December 31
RI	17.5 inches	7 fish	April 1 through December 31
CT	17.5 inches	6 fish	April 30 through December 31
NY	17.5 inches	5 fish	April 29 through October 31
NJ	16.5 inches	8 fish	May 7 through October 10
DE	17.5 inches	4 fish	January 1 through December 31
MD*	15.5 inches	4 fish	January 1 through December 31
VA	16.5 inches	6 fish	January 1 through December 31
NC	14 inches	8 fish	January 1 through December 31

* Measures for the ocean waters off MD in the Atlantic Ocean and coastal bays; for the Chesapeake Bay, a 15-inch minimum fish size, a 2-fish possession limit, and a fishing season of January 1 through December 31 applies.

Table 2 - 2005 Scup and Black Sea Bass Recreational Management Measures

Fishery	Minimum Fish Size	Possession Limit	Fishing Season
Scup	10 inches	50 fish	January 1 through last day of February, and September 18 through November 30
Black Sea Bass	12 inches	25 fish	January 1 through December 31