



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

SEP 30 2009

SMALL ENTITY COMPLIANCE GUIDE

Dear Permit Holder:

This letter is to inform you that NOAA's National Marine Fisheries Service (NMFS) is projecting that the 2009 recreational harvest limit established for black sea bass has been exceeded. Therefore, effective on Monday, October 5, 2009, NMFS is prohibiting the possession or retention of black sea bass in the Federal waters of the Exclusive Economic Zone (EEZ) from 3 to 200 nautical miles offshore, north of Cape Hatteras, NC, by persons other than those that possess a Federal moratorium or dealer permit applicable to commercial fishing operations. This action closes the recreational fishery for black sea bass in the EEZ for 180 days.

The black sea bass recreational harvest limit for 2009 is 1.14 million lb. Data from the Marine Recreational Fisheries Statistics Survey (MRFSS), through Wave 3 (January-June), indicate the 2009 recreational harvest limit established for black sea bass has been exceeded by a substantial amount. NMFS has determined that closure of the recreational black sea bass fishery in Federal waters is necessary to help mitigate continued fishing in excess of the 2009 recreational harvest limit. This action is consistent with the goals and objectives of NMFS and the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan (FMP).

Persons aboard a vessel for which a Federal charter/party permit for black sea bass has been issued must also abide by these closure provisions in state waters for the extent of the closure.

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>. 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

