



COMMONWEALTH of VIRGINIA

*Marine Resources Commission
2600 Washington Avenue
Third Floor
Newport News, Virginia 23607*

Douglas W. Domenech
Secretary of Natural Resources

Steven G. Bowman
Commissioner

April 19, 2010

MEMORANDUM

TO: Scup Industry

FROM: VMRC Fisheries Management Division

SUBJECT: Scup Winter I Trip Limit Reduction

Effective 12:01 A.M. (EST) on Wednesday, April, 21, 2010 the Virginia possession limit for scup will be reduced to 1,000 pounds per trip for the remainder of the 2010 Winter I period (through April 30, 2010) in state waters to avoid quota overages. The National Marine Fisheries Service has projected that 80 percent of the Winter I period commercial quota for the scup fishery has been harvested.

For more details, please see the enclosed memorandum from the National Marine Fisheries Service.

JDG
FM(PS)

An Agency of the Natural Resources Secretariat

www.mrc.virginia.gov

Telephone (757) 247-2200 (757) 247-2292 V/TDD Information and Emergency Hotline 1-800-541-4646 V/TDD



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

APR 19 2010

SMALL ENTITY COMPLIANCE GUIDE

Dear Scup Dealer and
Commercial Vessel Permit Holder:

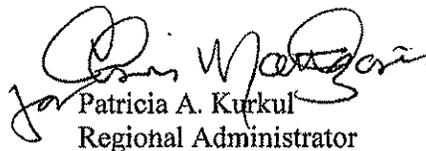
This letter is to inform you that NOAA's National Marine Fisheries Service is projecting that 80 percent of the Winter I period commercial quota for the scup fishery has been harvested. Therefore, in order to avoid quota overages that would have to be deducted from the 2011 Winter I period quota, effective **0001 hour on April 21, 2010**, fishing vessels issued a Federal moratorium permit for the scup fishery may not land more than 1,000 lb of scup per trip for the remainder of the Winter I period (through April 30, 2010).

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 are reminded that they may not purchase scup from federally permitted vessels that land more than 1,000 lb of scup per trip for the remainder of the Winter I period. 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 a Federal limited access permit is obtained in any given year, that permit may not be relinquished during that same year (for purposes of fishing for scup in state waters, for example). Should this occur, the limited access permit eligibility would be forfeit and could not be renewed in the following or subsequent permit years.

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>.¹

Sincerely,


Patricia A. Kurkul
Regional Administrator

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

