



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

June 3, 2009

Small Entity Compliance Guide

Dear Limited Access Northeast (NE) Multispecies Permit Holder:

This letter is to inform you that **as of 0001 hours local June 5, 2009, the Georges Bank (GB) yellowtail flounder trip limit is reduced from 5,000 lb per trip to 2,500 lb per trip for limited access NE multispecies days-at-sea (DAS) vessels fishing in the U.S./Canada Management Area.** NE multispecies DAS vessels that have declared a trip, through the Vessel Monitoring System, (VMS), into the U.S./Canada Management Area and started the trip by crossing the VMS demarcation line prior to 0001 hours June 5, 2009, will be subject to the less restrictive, 5,000 lb trip limit for that trip.

NOAA's National Marine Fisheries Service (NMFS) is authorized to make changes to the trip limits in the U.S./Canada Management Area to prevent over- and under-harvesting the total allowable catch (TAC) allocation. The TAC for GB yellowtail flounder for the 2009 fishing year (FY) is set at 1,617 mt. A projection of harvest rate in the fishery indicates that, because of an unusually high discard rate, the current trip limit of 5,000 lb would result in the over-harvest of the GB yellowtail flounder TAC before the end of the 2009 fishing year. Therefore, this action will reduce the GB yellowtail flounder trip limit to prevent the TAC from being exceeded and to prevent the Eastern U.S./Canada Area from closing relatively early in the fishing year. NMFS' objective is to provide opportunities to fully harvest the TACs for GB cod, haddock, and yellowtail flounder in the U.S./Canada Management Area, while providing access to other stocks.

Should 100 percent of the TAC allocation for GB yellowtail flounder be projected to be harvested, the Eastern U.S./Canada Area would close to limited access NE multispecies DAS vessels, and all vessels would be prohibited from harvesting, possessing, or landing yellowtail flounder from the entire U.S./Canada Management Area for the remainder of the fishing year. If the TAC is projected to be either over-harvested or under-harvested by the end of the fishing year, in-season adjustments to the trip limit are possible. The rate of harvest of the GB cod, haddock, and yellowtail flounder TACs in the U.S./Canada Management Area are updated weekly on the internet 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.

This notice is authorized by the Administrator of the National Marine Fisheries Service, Northeast Region.

