



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

March 24, 2010

## Small Entity Compliance Guide

Dear Limited Access Northeast (NE) Multispecies Permit Holder:

This letter is to inform you that NOAA's National Marine Fisheries Service (NMFS) is increasing the Georges Bank (GB) yellowtail flounder trip limit for the remainder of the 2009 fishing year and to clarify groundfish trip limits in the U.S./Canada Management Area. **As of March 24, 2010, the GB yellowtail flounder trip limit is increased from 2,500 lb per trip to 5,000 lb per trip for limited access NE multispecies days-at-sea (DAS) vessels fishing in the U.S./Canada Management Area.**

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 is set at 1,617 mt, in accordance with the regulations implemented by the 2009 interim final rule.

Based on Vessel Monitoring System (VMS) data and other available information, the current rate of harvest will result in the under-harvest of the GB yellowtail flounder for the 2009 fishing year. Therefore, the current GB yellowtail flounder trip limit of 2,500 lb per trip when fishing in the U.S./Canada Management Area is being increased to 5,000 lb per trip. This action will provide additional opportunities to fully harvest the GB yellowtail flounder TAC.

Should 100 percent of the TAC allocation for GB yellowtail flounder be projected to be harvested before the end of the fishing year on April 30, 2010, the Eastern U.S./Canada Area (Eastern Area) will be closed to limited access NE multispecies DAS vessels, and all vessels will 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, additional 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 letter also clarifies fish possession and landing limits for limited access NE multispecies DAS vessels fishing in the Eastern Area and the Western U.S./Canada Area (Western Area) on the same trip.

Between now and April 13, 2010, vessels that fish in the Eastern Area are required to fish with a haddock separator trawl or Ruhle trawl and are restricted to the following gear performance *possession* limits, as required at 50 CFR 648.85(a)(3)(iv)(D): Possession of flounders (all



species combined), monkfish, and skates is limited to 500 lb/trip (whole weight) each (i.e., no more than 500 lb/trip of *all* flounders, no more than 500 lb/trip of monkfish, and no more than 500 lb/trip of skates), and possession of lobsters is prohibited. Therefore, a vessel that declares through VMS its intention to fish in the Eastern Area, and is therefore subject to fishing with a haddock separator trawl or Ruhle trawl, is held to the gear performance *possession* limits for the remainder of that trip. As of April 13, 2010, when the flounder trawl net is no longer prohibited in the Eastern Area, the gear performance *possession* limits will no longer apply.

Additionally, the current *landing* limit for GB cod in the Eastern Area is 500 lb/DAS to 5,000 lb/trip, while the current *landing* limit for GB cod in the Western Area is 1,000 lb/DAS to 10,000 lb/trip. Depending on where a vessel declares to fish, it is held to the most restrictive *landing* limit for the entire trip.

A vessel that declares its intention to fish in the Eastern Area through the VMS may utilize the flounder trawl net upon *exiting* the Eastern Area, however, the vessel must adhere to the most restrictive possession and landing limits for the entire trip including the gear performance possession limits and the more restrictive GB cod landing limits of the Eastern Area.

If you have any questions, please contact the Sustainable Fisheries Division at (978) 281-9315.

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.*