



**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 6, 2009

### 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 adjusting both the Eastern Georges Bank (GB) cod landing limit and the GB yellowtail flounder trip limit for the remainder of the 2008 fishing year (through April 30, 2009).

#### **As of 0001 hours March 9, 2009:**

- **The Eastern GB cod landing limit is reduced to 500 lb per day-at-sea (DAS), or any part of a DAS, up to 5,000 lb per trip**, for limited access NE multispecies DAS vessels that have declared into the Eastern U.S./Canada Area (Area 2).
- **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 DAS vessels that have declared exclusively into the U.S./Canada Management Area.

NE multispecies DAS vessels that have declared a trip, through the Vessel Monitoring System (VMS), into the Eastern U.S./Canada Area and started the trip by crossing the VMS demarcation line prior to 12:01 AM local time on March 9, 2009, may possess and land Eastern GB cod under the previous, higher landing limit of 1,000 lb per DAS, or any part of a DAS, up to 10,000 lb per trip, on that trip.

NE multispecies DAS vessels that have declared a trip, through the VMS, exclusively into the U.S./Canada Management Area and have not yet finished that trip by crossing the VMS demarcation line prior to 12:01 AM local time on March 9, 2009, may possess and land GB yellowtail flounder up to the new, higher trip limit of 5,000 lb per trip.

NMFS is authorized to make changes to the Eastern GB cod and GB yellowtail flounder landing limits in the U.S./Canada Management Area to prevent under-harvest or over-harvest of the total allowable catch (TAC) allocations. Based upon VMS reports and other available information, the current rate of harvest will result in the complete harvest of the Eastern GB cod TAC before the end of the 2008 fishing year, and the under-harvest of the GB yellowtail flounder TAC in the 2008 fishing year. Therefore, the current Eastern GB cod landing limit of 1,000 lb per DAS, or any part of a DAS, up to 10,000 lb per trip when fishing in the Eastern U.S./Canada Area is being decreased to 500 lb per DAS, or any part of a DAS, up to 5,000 lb per trip. Conversely, 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 is being taken to prevent overharvest of the Eastern GB cod TAC and to provide additional opportunities to fully harvest the GB yellowtail flounder TAC.



Eastern GB cod and GB yellowtail flounder landings will continue to be closely monitored. Further inseason adjustments to increase or decrease these trip limits will be considered based upon updated catch data and projections. Should 100 percent of the TAC allocation for Eastern GB cod be projected to be harvested, the Eastern U.S./Canada Area will be closed to limited access NE multispecies DAS vessels for the remainder of the fishing year. Should 100 percent of the GB yellowtail flounder TAC allocation be projected to be harvested, the Eastern U.S./Canada Area will be closed to limited access NE multispecies DAS vessels and harvesting, possessing, or landing of yellowtail flounder from the Western U.S./Canada Area would be prohibited for the remainder of the fishing year. The rate of harvest of the TACs in the U.S./Canada Management Area is 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.*