



**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
NATIONAL MARINE FISHERIES SERVICE  
NORTHEAST REGION  
One Blackburn Drive  
Gloucester, MA 01930-2298

June 27, 2005

## **SMALL ENTITY COMPLIANCE GUIDE**

Dear Northeast (NE) Multispecies Days-at-Sea Permit Holder:

This letter is to inform you that **no trips are authorized into the Closed Area (CA) II Yellowtail Flounder Special Access Program (SAP) for the 2005 fishing year** (i.e., through April 31, 2006). A notice explaining the details of this action will be published in the Federal Register on June 28, 2005.

Framework Adjustment 40-B to the NE Multispecies Fishery Management Plan allows me, as the Regional Administrator, to decide how many trips can be allowed into the CA II Yellowtail Flounder SAP for each fishing year after first consulting with the New England Fishery Management Council (Council). To do that, I must consider the yearly total allowable catch for Georges Bank (GB) yellowtail flounder, the potential catch of GB yellowtail flounder by vessels fishing outside of the SAP, recent discard estimates, and the expected number of SAP participants. If the available catch of GB yellowtail flounder, after considering the amount of GB yellowtail flounder caught outside of the SAP, is not enough to support 150 trips into the SAP with a possession limit of 15,000 lb of GB yellowtail flounder per trip (i.e., is less than 1,021 mt), I may choose not to authorize any trips into the SAP during a fishing year.

After consulting with the Council, because the amount of GB yellowtail flounder available to support the CA II Yellowtail Flounder SAP is only 260 mt for the 2005 fishing year, I have determined that there is not enough GB yellowtail flounder to support any trips into the CA II Yellowtail Flounder SAP during the 2005 fishing year.

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

Sincerely,

Patricia A. Kurkul  
Regional Administrator

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

