



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

Small Entity Compliance Guide

Dear Northeast (NE) Multispecies Permit Holder:

This letter is to inform you that, pursuant to 50 CFR 648.85(b)(3)(vii), **the National Marine Fisheries Service (NOAA Fisheries) is closing the Closed Area II (CA II) Yellowtail Flounder Special Access Program (SAP) to all NE multispecies days-at-sea (DAS) vessels, effective September 3, 2004 at 2:49 PM. This action is being taken based upon Vessel Monitoring System (VMS) reports and other available information, which indicates that 320 trips, the maximum amount of trips allowed into this area, will have been taken by that date. Vessels that have not yet departed on a trip to fish in the SAP as of September 3, 2004 at 2:49 PM, may not begin a trip into the SAP. Vessels that have already declared their intent to fish in the special access program through VMS, departed on a trip and crossed the demarcation line as of September 3, 2004 at 2:49 may finish their trip into the Closed Area II Yellowtail Flounder SAP.**

The closure of the commercial CA II Yellowtail Flounder SAP is being enacted, in accordance with the NE multispecies regulations, to prevent over-harvesting of the yellowtail flounder total allowable catch in the U.S./Canada Management Area.

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.

