



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 11, 2010

## Small Entity Compliance Guide

Dear Limited Access Northeast (NE) Multispecies Permit Holder:

This letter is to inform you that, **as of 0001 hours local March 11, 2010, any vessel fishing under a NE multispecies Category A day-at-sea (DAS) is allowed to use all legal trawl net gear throughout the entire Western U.S./Canada Area.** Therefore, starting March 11, 2010, any NE multispecies DAS vessel that declares a trip through the Vessel Monitoring System (VMS) into the Western U.S./Canada Area may fish with any legal trawl gear, i.e. are not limited to using a haddock separator trawl or Ruhle trawl. Also, any vessel that has already started a trip into the Western U.S./Canada Area prior to March 11, 2010, is no longer limited to using either a haddock separator trawl or Ruhle trawl, but may use any legal trawl gear, for the remainder of that trip.

In addition, effective **0001 hours local April 13, 2010, vessels fishing under a NE multispecies Category A DAS will be allowed to use a flounder trawl net in the Eastern U.S./Canada Area.** Therefore, starting April 13, 2010, NE multispecies DAS trawl vessels may use a haddock separator trawl, a Ruhle trawl, or a flounder trawl net when fishing in the Eastern U.S./Canada Area. Any trawl vessel which declares a trip through the VMS into the Eastern U.S./Canada Area and starts that trip prior to April 13, 2010, may not deploy or fish with a flounder trawl net until after 0001 hours local April 13, 2010.

NOAA's National Marine Fisheries Service (NMFS) is authorized to modify the gear requirements for the U.S./Canada Management Area to prevent over- or under-harvesting the total allowable catch (TAC) allocations specified for the U.S./Canada Management Area. As of March 5, 2010, available catch and discard information indicated that 81% of the TAC for Georges Bank (GB) yellowtail flounder had been harvested. Therefore, to facilitate the harvest of the GB yellowtail flounder TAC, the Regional Administrator (RA) has removed the temporary gear restriction in the Western U.S./Canada Area south of 41°40' N. lat. that was initially implemented on November 20, 2009. In addition, as of March 5, 2010, 72% of the TAC for Eastern GB cod has been harvested. Projected catch rates indicate that lifting the current gear restriction in the Eastern U.S./Canada Area prior to April 13, 2010, would result in catch of Eastern GB cod exceeding the FY 2009 TAC. Therefore, removal of the gear restriction in the Eastern U.S./Canada Area is delayed until April 13, 2010.

If any of the U.S./Canada TACs are achieved, the RA is required to close the Eastern U.S./Canada Area for the remainder of the fishing year. Therefore, we will continue to closely monitor the harvest of GB cod, GB haddock, and GB yellowtail flounder in



the U.S./Canada Management Areas to prevent over- or under-harvesting the TAC allocations by April 30, 2010.

The rate of harvest of GB cod, GB haddock, and GB 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.