



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

May 24, 2010

Small Entity Compliance Guide

Dear Common Pool Northeast (NE) Multispecies Permit Holder:

This letter is to inform you that, as of 0001 hours local May 27, 2010, the trip limits for Gulf of Maine (GOM) haddock, Georges Bank (GB) haddock, GOM winter flounder, GB winter flounder, and GB yellowtail flounder are reduced as shown in the table below for vessels fishing in the common pool fishery under a NE multispecies day-at-sea (DAS), or fishing under a NE multispecies Small Vessel or Handgear A or B category permit.

Species	Broad Stock Areas	Old Landing Limit	New Landing Limit
Haddock	GOM	Unlimited	1,000 lb/trip
Haddock	Offshore GB, Inshore GB, SNE/MA*	Unlimited	10,000 lb/trip
Winter Flounder	GOM	Unlimited	250 lb/trip
Winter Flounder	Offshore GB	5,000 lb/trip	1,000 lb/trip
Yellowtail Flounder	Offshore GB	2,500 lb/trip	1,000 lb/trip

*SNE/MA=Southern New England/Mid-Atlantic

NE multispecies common pool vessels that have submitted required 48-hour Pre-Trip Notification, declared a trip through the vessel monitoring system (VMS), and crossed the VMS demarcation line prior to 0001 hours May 27, 2010, will not be subject to these new limits and are subject to the old landing limits for that trip.

This action does not change the species-specific possession limits for vessels with Handgear A, Handgear B, or Small Vessel category permits (i.e., 300 lb of cod; 75 lb of cod; or 300 lb of cod, haddock, and yellowtail flounder combined, respectively) but may affect the limits for other stocks that can be caught and retained by these vessels.

NOAA's National Marine Fisheries Service (NMFS) is taking this action in order to slow the catch of some NE multispecies stocks to maximize the availability of fish throughout the course of the fishing year. NMFS is authorized to make changes to the trip limits in the common pool to prevent over- and under-harvesting the common pool sub-Annual Catch Limit (sub-ACL). For fishing year 2010, the common pool sub-ACLs for these stocks are: 57,320 lb for GOM haddock; 559,974 lb for GB haddock; 55,116 lb for GOM winter flounder;



63,934 lb for GB winter flounder; and 50,706 for GB yellowtail flounder. Based on available information and data, a projection of harvest rate in the fishery indicates that the current trip limits would result in the over-harvest of the common pool sub-ACL for each of these five stocks before the end of FY 2010.

As of May 20, 2010, approximately 33.4% of the GOM winter flounder, 13.7% of the GB haddock, 11.2% of the GB winter flounder, and 34.4% of the GB yellowtail flounder common pool sub-ACLs has been harvested. Very little GOM haddock has been harvested; however, the sub-ACL for this stock is small enough that it could be harvested by a few large trips, given that there is no current possession limit. Therefore, this action will reduce the trip limits as detailed above to prevent the common pool sub-ACLs from being exceeded and provide opportunities to fully harvest the common pool sub-ACLs for all NE multispecies stocks.

Should 100 percent of the common pool sub-ACL for any stock be exceeded by the end of FY 2010 (April 30, 2011), accountability measures (AM) would be put in place for FY 2011 beginning May 1, 2011. This could result in even less common pool sub-ACL being available for that stock, and differential DAS counting in that stock area.

If a common pool sub-ACL is projected to be under-harvested by the end of FY 2010, in-season adjustments to increase the trip limit will be considered. The rates of harvest of all NE multispecies stocks 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.