



UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
NATIONAL MARINE FISHERIES SERVICE  
NORTHEAST REGION  
55 Great Republic Drive  
Gloucester, MA 01930-2276

OCT - 8 2010

## SMALL ENTITY COMPLIANCE GUIDE

Dear Tilefish Permit Holder and  
Federally Permitted Tilefish Dealer:

This letter is to inform you that the overall annual tilefish quota for the 2011 fishing year (FY) (November 1, 2010-October 31, 2011) will remain the same as the FY 2010 overall annual tilefish quota of 1.995 million lb. None of the quota is being set aside to fund research.

The tilefish regulations at 50 CFR 648.290 specify that, in the absence of a new stock assessment or recommendation from the Tilefish Monitoring Committee, the previous year's tilefish specifications will remain effective for the following year.

Any FY 2010 IFQ holders that exceeded their allocated quota, including amounts of tilefish landed by a lessee in excess of a temporary transfer of IFQ allocation, will reduce their FY 2011 allocation by the amount of the overage. If an IFQ allocation overage is not deducted from the appropriate allocation before the IFQ Allocation permit is issued, a revised IFQ Allocation permit reflecting the deduction of the overage shall be issued by NOAA's National Marine Fisheries Service (NMFS). If the allocation cannot be reduced in FY 2011 because the full allocation has already been landed or transferred, the IFQ Allocation permit will indicate a reduced allocation for the amount of the overage in the next fishing year (i.e., FY 2012).

If the tilefish harvest attributed to the open access Incidental category exceeds 5 percent of the Total Available Landings (TAL) for a given fishing year, the trip limit for the Incidental category may be reduced the following year. Should final landings data for FY 2010 indicate that an adjustment of the FY 2011 quota for the tilefish IFQ program or the incidental trip limit is necessary, a notification of the adjustment will be published in the Federal Register, followed by a permit holder letter informing you of this adjustment.

All pounds expressed here are in live (whole) weight. Since the implementation of the Tilefish Fishery Management Plan in 2001, NMFS has monitored the overall tilefish TAL in live weight. However, the overwhelming majority of tilefish are sold to dealers in gutted form, and not as whole tilefish. As a result, NMFS must convert the dealer-reported gutted weight to live weight to correctly attribute tilefish landings to an IFQ Allocation permit. To determine live weight, NMFS has calculated that a whole tilefish weighs 9 percent more than a gutted tilefish (live weight = 1.09 x gutted weight). Therefore, an additional weight of 9 percent will be applied to the tilefish pounds reported through a dealer purchase report. All IFQ allocation permit holders should account for this additional 9 percent weight when keeping track of their allocation. Vessels operating under the incidental category may not land more than 273 pounds of gutted tilefish per trip.



The following quotas and trip limits for FY 2011 are effective 0001 hrs local time on November 1, 2010, through October 31, 2011:

<b>2011 TAL for vessels fishing for or landing tilefish within the tilefish management unit*</b>	<b>1.995 million lb</b>
<b>Remaining quota after TAL is reduced by 5% for incidental catch allocation</b>	<b>1,895,250 lb</b>
<b>Tilefish IFQ Program</b>	<b>1,610,963 lb</b>
<b>Incidental Catch Limit</b>	<b>300 lb trip limit (273 lb gutted tilefish trip limit)</b>

You may receive permit holder letters, including closure notices, by e-mail by clicking on "Permit Holder Letters" on our website at <http://www.nero.noaa.gov>, or via fax by providing a fax number through a written request to the above address, or by faxing your request to 978-281-9135.

Sincerely,



Patricia A. Kurkul  
Regional Administrator

\*The tilefish management unit is defined as an area of the Atlantic Ocean from the latitude of the VA and NC border (36°33.36' N. lat.), extending eastward from the shore to the outer boundary of the exclusive economic zone, and northward to the United States-Canada border.

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