



# Tilefish Fishery Information Sheet

## INTRODUCTION

This summary is not a substitute for the regulations; rather, it provides a broad overview of restrictions and requirements of NOAA's National Marine Fisheries Service (NMFS). Citations to the relevant sections of title 50 part 648 of the Code of Federal Regulations (CFR) are provided throughout this summary. You are strongly encouraged to read the regulations in conjunction with this information sheet to fully understand how this fishery is managed.

Individual states may set different regulations for the commercial tilefish fishery. In cases where state measures conflict with Federal regulations, fishery participants must adhere to the more restrictive state or Federal measure.

## GENERAL INFORMATION

Since 2001, the tilefish fishery from Virginia through Maine has been managed under the Tilefish Fishery Management Plan developed by the Mid-Atlantic Fishery Management Council. The commercial fishery has operated under an individual fishing quota (IFQ) program since 2009 and the stock is neither overfished nor is overfishing occurring.

For information on the tilefish fishery south of Virginia, contact the NMFS Southeast Regional Office at 727-824-5305.

## PERMITS (§ 648.291)

There are two categories of vessel permits in the tilefish fishery, as well as a separate IFQ allocation permit. Both vessel permits are open access permits, one for commercial/incidental vessels and one for charter/party vessels. The Commercial/Incidental Permit allows vessels to be in possession of tilefish for commercial sale. The separate IFQ Allocation Permit is required to be in possession of greater than the incidental limit of tilefish (see below) and is issued to an individual rather than a vessel. The Charter/Party Permit allows vessel operators to take passengers for hire to recreationally fish for tilefish. A charter/party vessel can have both a Federal Charter/Party Permit and a Commercial/Incidental Permit to catch and sell tilefish under an IFQ Allocation Permit. However, such a vessel must not fish under the IFQ Allocation Permit if it is carrying passengers for hire.

## RECREATIONAL FISHING (§ 648.295)

The recreational possession limit is eight tilefish per angler per trip, with no minimum fish length. This limit also applies to anglers fishing onboard a charter/party vessel.

## TRIP LIMITS (§ 648.293)

A vessel that holds a Commercial/Incidental Permit can possess up to 500 lb live weight (455 lb gutted) at one time without an IFQ Allocation Permit. Any tilefish landed by a vessel fishing under an IFQ Allocation Permit, on a given fishing trip, count as landings under the IFQ Allocation Permit. Commercial vessels are prohibited from discarding tilefish, unless fishing pursuant to the incidental catch limit.

## REPORTING REQUIREMENTS (§ 648.7)

A vessel fishing under a tilefish IFQ Allocation Permit must submit a tilefish catch report by using the interactive voice response (IVR) phone line system within 48 hours after returning to port and offloading. The IVR system will ask for the following information: Vessel permit number and PIN; vessel trip report (VTR) serial number; Federal dealer number; and pounds landed. The IVR number is 1-888-284-4904. To get your PIN or for IVR questions during business hours, call (978) 281-9133.

In addition, VTRs must be maintained on board the vessel and submitted to NMFS for all fishing trips (regardless of species retained). Instructions for completing the VTR can be found at: [www.nero.noaa.gov/ro/fso/vtr.htm](http://www.nero.noaa.gov/ro/fso/vtr.htm). VTRs must be received by NMFS or postmarked within 15 days after the end of the reporting month. For vessels that also hold a Northeast multispecies permit, VTRs must be submitted weekly by Tuesday of the week after the fishing trip ends. Copies of VTRs must be retained on board the vessel for 1 year after the date of the last entry on the log and otherwise retained for 3 years after the date of the last entry on the log.

If no fishing activity took place during a reporting period, then a VTR must be submitted stating that no fishing trips were taken (referred to as a 'Did Not Fish' (DNF) VTR). DNF VTRs may be submitted electronically online in place of paper VTRs. DNF VTRs can be submitted electronically up to 3 months in advance on the "Fish-On-Line" website at: <http://www.nero.noaa.gov/NMFSlogin/login/login>.

#### IFQ ALLOCATIONS (§ 648.291, § 648.292)

IFQ allocations are issued for the tilefish fishing year (November 1-October 31) and represent a percent of the annual total allowable landings after adjustments for incidental catch and any research set aside are deducted. IFQ allocations can also be reduced because of an overage in the previous year. Because of these factors, IFQ allocations can change on an annual basis. A vessel that was not initially issued an IFQ allocation, or does not currently own an allocation, can possess more than 500 lb of tilefish only by completing an allocation transfer with an IFQ allocation owner. See transfer section below for more details.

#### IFQ TRANSFERS (§ 648.291)

IFQ allocations are fully transferable among persons or entities that are U.S. citizens or permanent resident aliens, or corporations eligible to own a U.S. Coast Guard documented vessel. An IFQ Allocation Transfer Form may be submitted anytime after the tilefish IFQ allocations have been issued for a given fishing year. To be processed for the current fishing year, a transfer form must be received prior to September 1.

IFQ transfers can either be temporary or permanent. A temporary IFQ transfer allows an IFQ allocation permit holder to lease out a temporary right to land a specified amount of tilefish to any other person or entity for the remainder of the fishing year. Temporary transfers may not be sub-leased.

A permanent IFQ transfer allows an IFQ allocation permit holder to permanently sell some or all of his/her tilefish IFQ allocation. Persons or entities receiving a permanent transfer of allocation in a given fishing year may not be able to fish all of that allocation if the prior owner had already landed tilefish under that year's allocation. The new owner would receive the full IFQ allocation in the following fishing year.

No person or entity may own, or have an interest in, more than 49 percent of the total tilefish IFQ allocation. Temporary and permanent IFQ transfers are monitored by NMFS to ensure that this cap is not exceeded at any point during a fishing year.

#### IFQ OVERAGES (§ 648.291)

If a permanent IFQ allocation is exceeded, including any overage that results from tilefish landed by a lessee in excess of the lease amount, the permanent allocation will be reduced by the amount of the overage in the subsequent fishing year. If a permanent IFQ allocation overage is not deducted from the appropriate allocation before the IFQ allocation permit is issued for the subsequent fishing year, a revised IFQ allocation permit reflecting the deduction of the overage will be issued. If the allocation cannot be reduced in the subsequent fishing year because the full allocation had already been landed or transferred, the IFQ allocation permit would indicate a reduced allocation for the amount of the overage in the next fishing year.

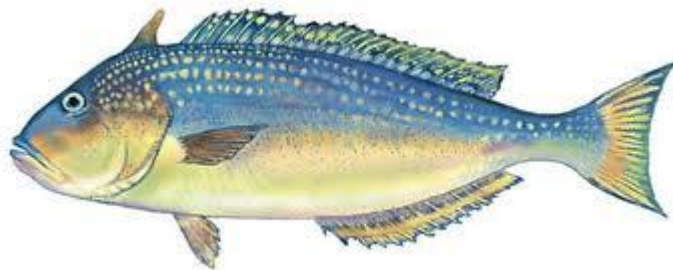
#### COST RECOVERY PROGRAM (§ 648.291)

The Magnuson-Stevens Act requires that NMFS recover the costs directly related to the management, data collection and analysis, and enforcement of an IFQ program. NMFS determines the recoverable costs in the fishery annually (based on the calendar year), and divides those costs by the ex-vessel value of the fishery to derive the IFQ fee percentage. During 2010, the IFQ fee percentage was 0.424 percent.

IFQ allocation permit holders are assessed a fee based on this percentage multiplied by the total ex-vessel value of tilefish landed under their permanent IFQ allocation.

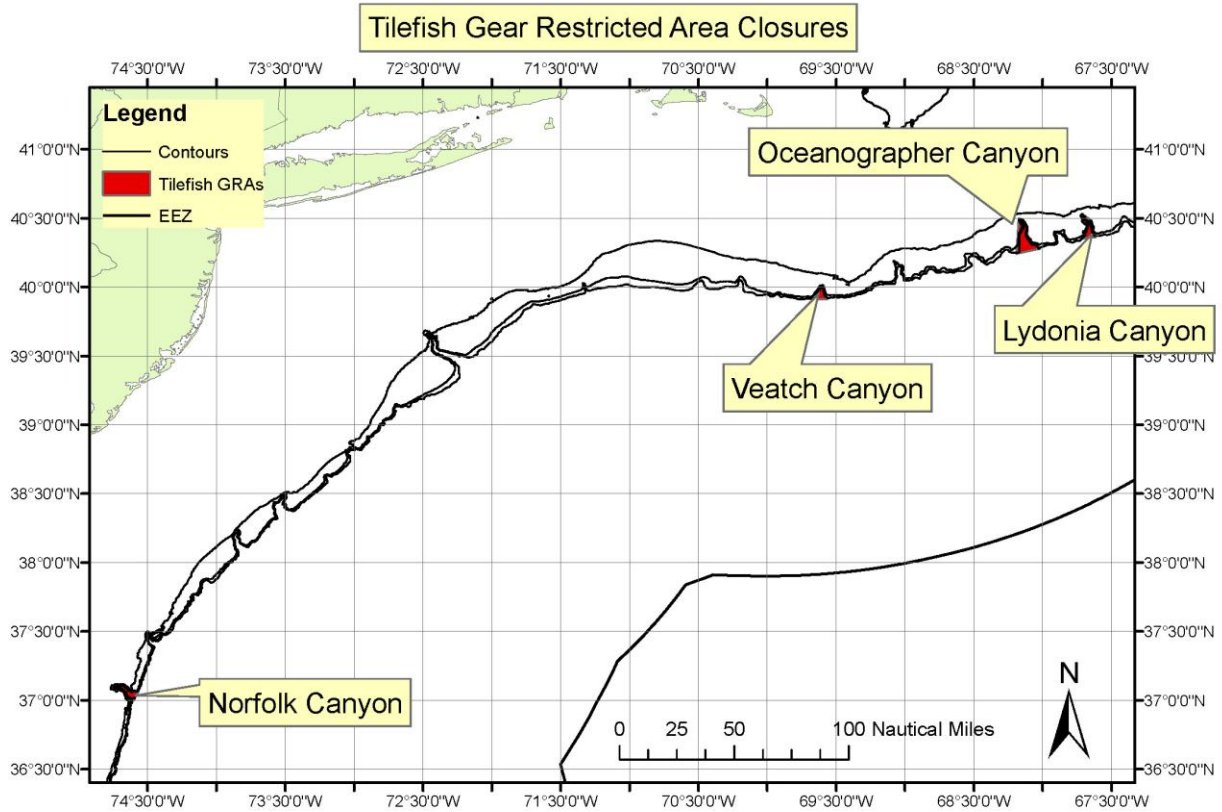
Fees are assessed at the conclusion of each calendar year, and are due within 45 days after the date of the NMFS bill. If an IFQ allocation permit holder does not pay his/her cost-recovery fee, or pays less than the full amount due, within 45 days of the date on the bill, his/her IFQ allocation permit will not be renewed for the subsequent fishing year, and no transfers that are associated with the permit will be approved by NMFS.

Cost-recovery payments must be made electronically via the cost recovery section of the NMFS Fish-On-Line website. Instructions for electronic payment are available on both the payment website and the paper bill. Electronic payment options include payment via a credit card or direct automated clearing house withdrawal from a designated checking account.



**GEAR RESTRICTED AREAS (§ 648.296)**

No vessel of the United States may fish with bottom-tending mobile gear (otter trawls, beam trawls, hydraulic dredges, non-hydraulic dredges, and seines) within the areas below.



This chart is not a substitute for the complete regulations. All Federal permit holders and federally permitted dealers should see 50 CFR 648.296 for the area coordinates of these gear restricted areas.

Lydonia Canyon		
Point	N Lat.	W Long.
1	40°31'55.2"	67°43'1.2"
2	40°28'52"	67°38'43"
3	40°21'39.6"	67°37'4.8"
4	40°21'39.6"	67°37'4.8"
5	40°21'4"	67°43'1"
6	40°28'31"	67°43'

Veatch Canyon		
Point	N Lat.	W Long.
1	40°0'40"	69°37'8"
2	40°41'69"	69°35'25"
3	39°54'43"	69°33'54"
4	39°54'43"	69°40'52"

Norfolk Canyon		
Point	N Lat.	W Long.
1	37°5'50"	74°45'34"
2	37°6'58"	74°40'48"
3	37°4'31"	74°37'46"
4	37°4'1"	74°33'50"
5	36°58'37"	74°36'58"
6	37°4'26"	74°41'2"

Oceanographer Canyon		
Point	N Lat.	W Long.
1	40°29'50"	68°10'30"
2	40°29'30"	68°8'34.8"
3	40°25'51.6"	68°6'36"
4	40°22'22.8"	68°6'50.4"
5	40°19'40.8"	68°4'48"
6	40°19'5"	68°2'19"
7	40°16'41"	68°1'16"
8	40°14'28"	68°11'28"