



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

September 20, 2001

Dear Permit Holder:

On November 1, 2001, the final rule implementing the Tilefish Fishery Management Plan (FMP) will take effect. This rule: Implements new permit and reporting requirements for commercial tilefish vessels, operators and dealers; establishes a limited entry program, tiered commercial quota, and research quota set-aside through the annual specification process; establishes an overfishing definition and stock rebuilding strategy; and establishes an annual specification process and framework adjustment process. The purpose of this rule is to control fishing mortality of golden tilefish (*Lopholatilus chamaeleonticeps*) and to rebuild the tilefish stock in the Atlantic Ocean north of the Virginia/North Carolina border.

Please read this letter carefully to determine how these new regulations affect you.

FISHING YEAR

The fishing year for tilefish is the 12-month period beginning on November 1, 2001, the effective date of the regulations.

GOLDEN TILEFISH MANAGEMENT UNIT

The golden tilefish management unit is the area north of the Virginia and North Carolina border (36E33.36' N. Lat.), to the United States-Canada border. Tilefish south of the VA/NC border are currently managed under the fishery management plan for the snapper-grouper fishery by the South Atlantic Fishery Management Council. (For information on these permits contact the Southeast Regional Office at (727) 570-5326.)

PERMITTING REQUIREMENTS - Effective November 1, 2001

< Commercial Vessel Permit

Beginning November 1, 2001, any vessel of the United States that fishes for, possesses, or lands golden tilefish in or from the EEZ portion of the tilefish management unit, except recreational fishing vessels (i.e., vessels that do not sell, barter, or trade fish), must have been issued and carry on board a Federal tilefish commercial vessel permit.

- L** Limited Access Permits - To fish for, possess, or land tilefish in excess of 300 lb (incidental catch limit) a vessel must have a limited access permit. There are three tilefish limited access permit categories: *A vessel issued a Federal tilefish limited access permit may not fish for tilefish with any gear other than longline gear.*



Category A (full-time tier 1) Permit - Any vessel that landed at least 250,000 lb of tilefish per year for any 3 years between 1993 and 1998, at least 1 lb of which was landed prior to June 15, 1993.

Category B (full-time tier 2) Permit - Any vessel that landed at least 30,000 lb per year for any of 3 years between 1993 and 1998, at least 1 lb of which was landed prior to June 15, 1993.

Category C (part-time) Permit - Any vessel that landed 10,000 lb of tilefish in any 1 year between 1988 and 1993, and 10,000 lb in any 1 year between 1994 and 1998, or landed 28,000 lb of tilefish in any 1 year between 1984 and 1993, at least 1 lb of which was landed prior to June 15, 1993.

L Open Access Permit - Vessels that fish for, possess, or land incidental catches of tilefish must obtain an incidental catch permit.

Category D (Incidental Catch) Permit - There are no eligibility criteria for this permit category. Vessels that obtain a Category D Permit may land up to 300 lb of tilefish per trip.

A vessel owner has up through November 1, 2002, to submit an initial permit application for a Federal limited access tilefish permit. If you have not already submitted an application and want to apply, contact the NMFS Permit Office at 978-281-9370.

A vessel may be issued a tilefish permit for only one category during each fishing year. Persons issued a Federal tilefish vessel permit must sell only to federally-permitted dealers.

< **Vessel Operator Permit**

Beginning November 1, 2001, any operator of a vessel fishing for tilefish, harvested in or from the EEZ portion of the tilefish management unit, and issued a Federal vessel permit for tilefish, must have been issued and carry on board a Federal vessel operator permit. You may obtain an application for an operator permit by contacting the NMFS Permit Office at 978-281-9370.

< **Dealer Permit**

Beginning November 1, 2001, tilefish dealers must have a Federal tilefish dealer permit in order to purchase fish caught from federally-permitted vessels. If you have not already submitted an application and want to apply, contact the NMFS Permit Office at 978-281-9370.

TILEFISH COMMERCIAL QUOTA - Effective November 1, 2001

The total tilefish quota is 1.995 million lb (unless otherwise adjusted through the annual specifications process). Of this total, 5 percent is allocated to the Incidental Catch permit category. The remaining quota is allocated among the three limited access permit categories as follows: Category A (full-time tier 1), 66 percent; Category B (full-time tier 2), 15 percent; and Category C (part-time), 19 percent.

<i>Permit Categories</i>	<i>Quota Allocations by Category for the period November 1, 2001, through October 31, 2002</i>
Category A - Full-time tier 1	1,250,865 lb
Category B - Full-time tier 2	284,288 lb
Category C - Part-time	360,098 lb

The commercial quota applies throughout the tilefish management unit in both state and Federal waters. A particular limited access permit category will close when the quota is projected to be taken and will be closed for the remainder of the fishing year.

MANDATORY REPORTING/RECORDKEEPING - Effective November 1, 2001

< **Vessel Logbook Reporting**

Beginning November 1, 2001, the owner or operator of any vessel issued a Federal tilefish permit must maintain on board the vessel, and submit, a fishing vessel trip report (FVTR) for each fishing trip. The report must include all species fished for or taken, regardless if they were harvested in the EEZ or state waters, on forms supplied by or approved by the Regional Administrator. If authorized in writing by the Regional Administrator, a vessel owner or operator may submit reports electronically, for example, by using a VMS or other media. FVTRs, including negative fishing reports, must be postmarked or received by the Regional Administrator within 15 days after the end of the reporting month. Vessel logbook request forms will be sent to owners or operators who have not previously been issued a Federal vessel permit with FVTR reporting requirements. Otherwise, a vessel logbook may be obtained by contacting the NMFS Fishery Statistics Office at 978-281-9246.

< **Dealer Logbook Reporting**

Beginning November 1, 2001, federally-permitted tilefish dealers must submit reports on forms supplied by or approved by the Regional Administrator of all fish purchases, regardless of whether the fish were harvested in the EEZ or state waters. If no fish are purchased during an entire calendar month, a report so stating must be submitted on the required form. A dealer logbook may be obtained by contacting the NMFS Fishery Statistics Office at 978-281-9246 or from a local NMFS Port Agent.

< **Per Trip Interactive Voice Response (IVR) Vessel Reports**

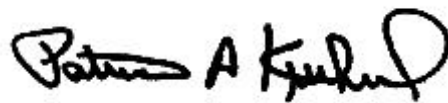
Beginning November 1, 2001, vessel owners/operators holding a Federal limited access tilefish permit must report tilefish landings for each fishing trip via the NMFS IVR system, within 24 hours after returning to port and offloading. If no tilefish are landed for a fishing trip, a negative report via the IVR is not required. The IVR report does not exempt the owner or operator from any other applicable reporting requirements. Information for submitting landings information via the IVR system will be sent to all owners/operators holding a Federal limited access tilefish permit.

< **Annual Processed Products Report**

Beginning November 1, 2001, tilefish dealers are required to submit annually the Annual Processed Products Report (NOAA Form 88-13). Each dealer will be sent NOAA Form 88-13, with instructions, including the address to which to submit it, shortly before the report is due.

I encourage you to keep this letter available for future reference. However, this letter is only a summary of the major regulatory measures implemented by the tilefish final rule and is not considered a substitute of the actual regulations. To read the requirements in their entirety, I strongly suggest that you request a complete copy of the regulations by calling the Sustainable Fisheries Division at 978-281-9315, or by accessing the Federal Register Online through our Internet home page at <http://www.nero.nmfs.gov/ro/doc/nero.html>.

Sincerely,

A handwritten signature in black ink, appearing to read "Patricia A. Kurkul". The signature is written in a cursive, flowing style with a large initial "P" and "K".

Patricia A. Kurkul
Regional Administrator