



# Northeast Region Bulletin

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Date Issued: 8/12/2013

## **Tilefish Permit Holders**

### Change to Regulations

### Corrections and Clarifications to Tilefish Regulations

*Effective Date: September 12, 2013*

We have recently made some corrections, clarifications, and modifications to the regulations implementing the Individual Fishing Quota (IFQ) program. These changes should make the regulations clearer and easier to understand, with little to no immediate effect on your fishing. If you have a tilefish charter/party vessel permit, or if you have a commercial tilefish vessel permit but do not have IFQ allocation (i.e., you fish under the 500-pounds-per-trip incidental limit) these changes will not affect you.

### *Frequently Asked Questions*

<b>What changes does this rule make?</b>	<ol style="list-style-type: none"> <li>1) Clarifies the difference between quota share and quota pounds;</li> <li>2) Changes regulatory text regarding the Interactive Voice Response (IVR) call-in report;</li> <li>3) Extends the annual deadline for IFQ leases;</li> <li>4) Updates the regulations governing the cost recovery fee collection system;</li> <li>5) Corrects some cross references within the regulations.</li> </ol>
<b>What is the difference between quota share and quota pounds?</b>	<p>Quota Share is the amount of the Total Allowable Landings (TAL) that an IFQ holder is allocated each year. It is expressed as a percentage, and does not change from year to year, even if the TAL changes. Transfers of quota share are permanent.</p> <p>Quota Pounds is the actual weight of tilefish allocated to an individual in a given year. It is derived by multiplying the TAL by the quota share and can be transferred (leased) only within the fishing year. Quota pounds do not carry over from one fishing year to the next.</p>
<b>What changes are being made to the IVR call-in?</b>	<p>Nothing is changing to the IVR call-in right now. The new language allows for the future development of an on-line report of tilefish landings that might be more convenient than the current IVR call-in. Please continue to use the IVR call-in within 48 hours of each tilefish IFQ trip. If a new reporting option becomes available, we will notify you at that time.</p>

*For small entity compliance guides, this bulletin complies with section 212 of the Small Business Regulatory Enforcement and Fairness Act of 1996. This notice is authorized by the Regional Administrator of the National Marine Fisheries Service, Northeast Region.*

<p><b>Why is the transfer deadline changing?</b></p>	<p>Since the Tilefish IFQ Program started the deadline for both temporary (quota pounds) and permanent (quota share) transfers was September 1. We are now allowing additional time (until October 10) to allow you to lease IFQ quota pounds. This should give you additional flexibility to lease quota pounds later in the season, if you need it. We are keeping the September 1 deadline for permanent transfers of quota share so that transfers can be completed before we issue allocations for the next fishing year.</p>
<p><b>What changes were made to IFQ cost recovery?</b></p>	<p>When the tilefish IFQ program began in November 2009, some aspects of the cost recovery program were still being developed. Therefore, the regulations had to be updated to reflect the program as it was ultimately implemented. The regulations now more clearly describe the timeline each year for IFQ cost recovery, the process for appealing a cost recovery fee, and the potential consequences if someone does not pay the required fee. Specifically, if an IFQ allocation holder does not pay the cost recovery fee by the due date, the IFQ allocation permit may be suspended, preventing landing tilefish or transferring allocation. If the fee is appealed, the allocation holder may request a letter of authorization to continue fishing during the appeal process. Following an appeal, if the fee is found to be appropriate but is still not paid, it will be forwarded to the Department of Treasury for collection. If an overdue fee is not paid before the IFQ allocation permit must be renewed, the permit may be considered permanently relinquished.</p>