



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 22 2009

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 2010 fishing year (FY) (November 1, 2009-October 31, 2010) will remain the same as the FY 2009 overall annual tilefish quota, i.e., 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. As described in the regulations, during the first year (FY 2010) of the Individual Fishing Quota (IFQ) program, any quota overage for a limited access tilefish permit category in the FY 2009 will be deducted from the allocations of all IFQ Allocation permit holders that fished in that category. Additionally, if the tilefish harvest attributed to the open access Incidental catch permit 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 2009 indicate that an adjustment of the FY 2010 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.

The following quota and trip limits for FY 2010 are effective 0001 hrs local time on November 1, 2009, through October 31, 2010:

2010 TAL for vessels fishing for or landing tilefish within the tilefish management unit*	1.995 million lb
Remaining quota after TAL is reduced by 5% for incidental catch allocation	1,895,250 lb
Tilefish IFQ Program	1,610,963 lb⁺
Incidental Catch Limit	300 lb trip limit

⁺ In the first year of the IFQ Program, the IFQ TAL is reduced by 15 percent to handle potential appeals of Tilefish IFQ Allocation permits. Please review the permit holder letter sent on August 25, 2009, concerning Amendment 1 to the Tilefish Fishery Management Plan for more information.



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.