



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

October 7, 2008

## 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 2009 fishing year (FY) (November 1, 2008 - October 31, 2009) will remain the same as the FY 2008 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. The tilefish regulations also state that any overages of the quota for any limited access tilefish permit category that occur in a given fishing year will be subtracted from the allocation for that category the following fishing year. In FY 2008, there was an overage of 7,332 lb within the Full-time Tier 2 category. Therefore, the FY 2009 trip limit is reduced by 7,332 lb within that category. A notification of the adjustment to the 2009 Full-time Tier 2 permit category quota was published in the Federal Register on October 7, 2008. If final landings data for 2008 indicate that an adjustment of the quota for any of the other tilefish permit categories is necessary, including the open access Incidental catch permit category, 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 are effective for the FY 2009:

Permit Category and Percent of Quota	2009 TAL— <b>1.995 million lb</b>
	Remaining quota after TAL is reduced by 5% for incidental catch allocation— <b>1,895,250 lb</b>
<b>Full-time Tier 1 (Category A) 66%</b>	<b>1,250,865 lb</b>
<b>Full-time Tier 2 (Category B) 15%</b>	<b>276,956 lb*</b>
<b>Part-time (Category C) 19%</b>	<b>360,098 lb</b>
<b>Incidental (Category D)</b>	<b>300 lb trip limit</b>


\*Full-time Tier 2 quota of 284,288 lb – 7,332 lb (2008 overage) = 276,956 lb

Therefore, effective 0001 hrs local time, **November 1, 2008**, vessels may fish for and land tilefish from within the tilefish management unit\* through the end of FY 2009 on **October 31, 2009**, or until such time that the allocation for a specific tilefish limited access permit category is projected to be caught, if applicable, whichever is earlier.



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 by faxing your request to 978-281-9135.

Sincerely,

  
*for* 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.