



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

October 20, 2004

SMALL ENTITY COMPLIANCE GUIDE

Dear Tilefish Permit Holder and
Federally Permitted Tilefish Dealer:

This letter is to inform you that the tilefish quota for the 2005 fishing year (November 1, 2004 - October 31, 2005) will be the same as the annual tilefish quota for the 2004 fishing year, with the exception of the Part-time permit category (Category C) as noted below. Accordingly, the overall total allowable landings (TAL) for the 2005 fishing year will remain at 1.995 million lb, with none of the quota being set aside to fund research. The trip limit for the Incidental permit category has also been adjusted to help ensure that the Incidental allocation of 5-percent of TAL (99,750 lb) for the 2005 fishing year is not exceeded.

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 specifications will remain effective for the following year. The regulations also state that any overages of the quota for any limited access permit category that occur in a given fishing year will be subtracted from the allocation for that category the following fishing year. Additionally, if the tilefish harvest attributed to the open access Incidental permit category exceeds 5-percent of TAL for a given fishing year, the trip limit for the Incidental category may be reduced the following year. A notification of the adjustment to the 2005 Part-time permit category quota and the 2005 trip limit for the Incidental permit category was published in the Federal Register on October 22, 2004. If final landings data for 2004 indicate that an adjustment of the quota for any of the other permit categories is necessary, a notification of the adjustment will be published in the Federal Register.

The following quota and trip limits are effective for the 2005 fishing year:



Permit Category	Total 2005 Quota-- 1.995 million lb
Full-time Tier 1 (Category A)	1,250,865
Full-time Tier 2 (Category B)	284,288
Part-time (Category C)	343,834*
Incidental (Category D)	133 lb trip limit

*Part-time quota of 360,098 lb - 16,264 lb (overage) = 343,834 lb

Therefore, effective 0001 hrs local time, **November 1, 2004**, vessels may fish for and land tilefish from within the tilefish management unit** through the end of the 2005 fishing year on **October 31, 2005**, 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 also receive permit holder letters, including closure notices, by e-mail by clicking on “NOAA Fisheries News Releases” on our website at <http://www.nero.nmfs.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.