

List of Subjects in 50 CFR Part 622

Fisheries, Fishing, Puerto Rico, Reporting and recordkeeping requirements, Virgin Islands.

Dated:

For the reasons set out in the preamble, 50 CFR part 622 is amended as follows:

PART 622--FISHERIES OF THE CARIBBEAN, GULF, AND SOUTH ATLANTIC

1. The authority citation for part 622 continues to read as follows:

Authority: 16 U.S.C. 1801 et seq.

2. In § 622.35, paragraphs (i) and (j) are added to read as follows:

§ 622.35 Atlantic EEZ seasonal and/or area closures.

* * * * *

(i) Seasonal closure of the recreational fishery for vermilion snapper. The recreational fishery for vermilion snapper in or from the South Atlantic EEZ is closed from January 1 through May 15. In addition, for a person on board a vessel for which a valid Federal charter vessel/headboat permit for South Atlantic snapper-grouper has been issued, this closure applies in the South Atlantic, regardless of where the fish are harvested, i.e., in state or Federal waters. During the closure, the bag and possession limit for vermilion snapper is zero.

(j) Seasonal closure of the recreational and commercial fisheries for red snapper, gag, black grouper, and red grouper. During January through April, no person may harvest or possess red snapper, gag, black grouper, or red grouper in or from the South Atlantic EEZ. In addition, for a person on board a vessel for which a valid Federal commercial or charter vessel/headboat permit for South Atlantic snapper-grouper has been issued, the provisions of this closure apply in the South Atlantic, regardless of where such fish are harvested, i.e., in state or Federal waters. See § 622.45(d)(9) regarding a related prohibition on sale or purchase of red snapper, gag, black grouper, or red grouper during this closure.

§ 622.36 [Amended]

3. In § 622.36, paragraph (b)(4) is suspended.

4. In § 622.39, paragraph (d) introductory text is added, paragraphs (d)(1)(ii)(A) and (d)(1)(iv) and (v) are suspended, and paragraphs (d)(1)(ii)(E) and (F) and (d)(1)(ix) and (x) are added to read as follows:

§ 622.39 Bag and possession limits.

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(d) South Atlantic snapper-grouper. If the bag limits, as specified in paragraphs (d)(1)(ii)(E) or (F) or paragraphs (d)(1)(ix) or (x) of this section, are more restrictive than state bag limits, a person aboard a vessel for which a charter vessel/headboat permit for South Atlantic snapper-grouper has been issued must comply with the more restrictive Federal bag limits regardless of where the fish are harvested in the South Atlantic, i.e., in state or Federal waters.

(1) * * *

(ii) * * *

(E) No more than one fish may be gag or black grouper, combined; and

(F) No more than three fish may be red grouper.

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(ix) Snappers, combined, excluding cubera snapper measuring 30 inches (76.2 cm), TL, or larger, in the South Atlantic off Florida, and excluding vermilion snapper—10, of which no more than 1 may be red snapper. (See § 622.32(c)(2) for limitations on cubera snapper measuring 30 inches (76.2 cm), TL, or larger, in or from the South Atlantic EEZ off Florida.)

(x) Vermilion snapper—4.

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5. In § 622.42, paragraph (e)(4) is suspended, and paragraphs (e)(7) and (8) are added to read as follows:

§ 622.42 Quotas.

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(e) * * *

(7) Vermilion snapper--168,501 lb (76,431 kg).

(8) Gag--352,940 lb (160,091 kg).

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6. In § 622.43, paragraph (a)(8) is added to read as follows:

§ 622.43 Closures.

* * * * *

(a) * * *

(8) South Atlantic gag, black grouper, and red grouper. When the quota for gag, as

specified in § 622.42(e)(8), is reached, or projected to be reached, commercial harvest and possession of gag, black grouper, or red grouper is prohibited. The applicable bag limits as specified in § 622.39(d)(1) and the possession limits specified in § 622.39(d)(2) for gag, black grouper, and red grouper apply to all harvest or possession of those species in or from the South Atlantic EEZ, and the sale or purchase of those species taken from the EEZ is prohibited. In addition, the bag and possession limits for those species and the prohibition on sale/purchase of those species apply in the South Atlantic on board a vessel for which a valid Federal commercial or charter vessel/headboat permit for South Atlantic snapper-grouper has been issued, without regard to where such species were harvested, i.e., in state or Federal waters.

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7. In § 622.45, paragraph (d)(7) is suspended, and paragraph (d)(9) is added to read as follows:

§ 622.45 Restrictions on sale/purchase.

* * * * *

(d) * * *

(9) During January through April, no person may sell or purchase a red snapper, gag, black grouper, or red grouper harvested from the South Atlantic EEZ or, if harvested by a vessel for which a valid Federal commercial or charter vessel/headboat permit for South Atlantic snapper-grouper has been issued, harvested from the South Atlantic, i.e., state or Federal waters.

The prohibition on sale/purchase during January through April does not apply to red snapper, gag, black grouper, or red grouper that were harvested, landed ashore, and sold prior to January 1 and were held in cold storage by a dealer or processor. This prohibition also does not apply to a

dealer's purchase or sale of red snapper, gag, black grouper, or red grouper harvested from an area other than the South Atlantic, provided such fish is accompanied by documentation of harvest outside the South Atlantic. Such documentation must contain:

(i) The information specified in 50 CFR part 300 subpart K for marking containers or packages of fish or wildlife that are imported, exported, or transported in interstate commerce;

(ii) The official number, name, and home port of the vessel harvesting the red snapper, gag, black grouper, or red grouper;

(iii) The port and date of offloading from the vessel harvesting the red snapper, gag, black grouper, or red grouper, and;

(iv) A statement signed by the dealer attesting that the red snapper, gag, black grouper, or red grouper was harvested from an area other than the South Atlantic.

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