

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 proposed to be 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 § 622.32, paragraph (b)(3)(vii) is added to read as follows:

§ 622.32 Prohibited and limited-harvest species.

(b)***

(3)***

(vii) Red snapper may not be harvested or possessed in or from the South Atlantic EEZ. Such fish caught in the South Atlantic EEZ must be released immediately with a minimum of harm. These restrictions also 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, i.e., in state or Federal

waters.

3. In § 622.35, paragraph (1) is revised to read as follows:

§ 622.35 Atlantic EEZ seasonal and/or area closures.

(1) Area closure for South Atlantic snapper-grouper. (1) No person may fish for or possess a South Atlantic snapper-grouper in or from the South Atlantic EEZ in the closed area defined in paragraph (1)(2) of this section, except a person harvesting South Atlantic snapper-grouper (except for red snapper) with spearfishing gear. The prohibition on possession does not apply to a person aboard a vessel that is transiting through the closed area with fishing gear appropriately stowed as specified in paragraph (1)(3) of this section.

(2) The area closure for South Atlantic snapper-grouper is bounded by rhumb lines connecting, in order, the following points:

Point	North lat.	West long.
A	28°00'00"	80°00'00"
B	28°00'00"	80°10'57"
C	29°31'40"	80°30'34"
D	30°02'03"	80°50'45"
E	31°00'00"	80°35'19"
F	31°47'00"	80°12'15"

G	31°55'55"	80°00'00"
H	30°52'54"	80°00'00"
I	30°27'19"	80°11'41"
J	29°54'31"	80°15'51"
K	29°24'24"	80°13'32"
L	28°27'20"	80°00'00"
A	28°00'00"	80°00'00"

(3) For the purpose of paragraph (1)(1) of this section, continuous transiting or transit through means that a fishing vessel crosses the area closure on a constant heading, along a continuous straight line course, while making way by means of a source of power at all times, other than drifting by means of the prevailing water current or weather conditions. Fishing gear appropriately stowed means—

(i) A longline may be left on the drum if all gangions and hooks are disconnected and stowed below deck. Hooks cannot be baited. All buoys must be disconnected from the gear; however, bouys may remain on deck.

(ii) A trawl or try net may remain on deck, but trawl doors must be disconnected from such net and must be secured.

(iii) A gillnet, stab net, or trammel net must be left on the drum. Any additional such nets not attached to the drum must be stowed below deck.

(iv) Terminal gear (i.e., hook, leader, sinker, flasher, or bait) used with an automatic reel, bandit gear, buoy gear, trolling gear, handline, or rod and reel must be disconnected and stowed separately from such fishing gear. A rod and reel must be removed from the rod

holder and stowed securely on or below deck.

(v) A crustacean trap, golden crab trap, or sea bass pot cannot be baited. All buoys must be disconnected from the gear; however, buoys may remain on deck.

(vi) Other stowage methods may be authorized by the Regional Administrator in the future. These would be published in the Federal Register and become effective at that time.

4. In § 622.41, the introductory text in paragraph (n) is revised and paragraph (n)(2) is added to read as follows:

§ 622.41 Species specific limitations.

(n)*** For a person on board a vessel to fish for South Atlantic snapper-grouper in the South Atlantic EEZ, the vessel must possess on board and such person must use the gear as specified in paragraphs (n)(1) and (n)(2) of this section.

(2) Non-stainless steel, non-off set circle hooks. Non-stainless steel, non-off set circle hooks are required when fishing with hook-and-line gear and natural baits north of 28° N. lat.

5. In § 622.45, paragraph (d)(10) is added to read as follows:

§ 622.45 Restrictions on sale and purchase.

(d)***

(10) A red snapper in or from the South Atlantic EEZ may not be sold or purchased.
