

Explanation and Revision to Golden Tilefish Endorsement

Regulations

May 30, 2014

Amendment 18B to the South Atlantic Snapper-Grouper FMP (78 FR 23858, April 23, 2013) included actions to establish a longline endorsement program for the commercial golden tilefish component of the snapper-grouper fishery and modify the golden tilefish commercial trip limits. Currently, one of the regulations regarding golden tilefish trip limits implemented by the final rule for Amendment 18B states, "Vessels with a golden tilefish longline endorsement are not eligible to fish for golden tilefish using hook-and-line gear under this 500-lb (227-kg) trip limit." Some fishermen apparently believe that either they can transfer their golden tilefish longline endorsement to another vessel and then fish for golden tilefish using hook-and-line gear or that they can renew their Federal commercial snapper-grouper vessel permit at one time but wait to renew their golden tilefish longline endorsement and then fish for golden tilefish using hook-and-line gear while their endorsement is not valid. Based on comments during the June 2012 Council meeting, neither scenario was the intent of the Council. For example, during that meeting, one of the Council members states, "Well, certainly that was the intent was not to have the

longliners fish [on the hook-and-line trip limit]. If you had landings under the longline endorsement in any year, you would be precluded from participating in the hook-and-line 500-lb [227-kg] quota." Another Council member states, "I think the way it is going to go is if the vessel has got the endorsement on it, then he can't fish [using hook-and-line gear]..."

Therefore, the Council's intent was clear that it does not want fishermen that fish under a golden tilefish longline endorsement to also be able to fish for golden tilefish using hook-and-line gear during the same fishing year. Therefore, to better state the Council's intent, NMFS proposes revising the statement in the regulations to read, "Vessels that have valid or renewable golden tilefish longline endorsements anytime during the fishing year, are not eligible to fish for golden tilefish using hook-and-line gear under this 500-lb (227-kg) trip limit." This means that if a vessel has a golden tilefish endorsement issued to the vessel, and that endorsement is in a valid or renewable status anytime during the fishing year, whether or not the vessel has golden tilefish landings that can be attributed to the endorsement, that vessel may not fish for golden tilefish using hook-and-line gear any time during that fishing year.

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 § 622.191, the second sentence in paragraph (a) (2) (ii) is revised to read as follows:

§ 622.191 Commercial trip limits.

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(a) * * *

(2) * * *

(ii) * * * Vessels that have valid or renewable ~~with~~ golden tilefish longline endorsements anytime during the fishing year, are not eligible to fish for golden tilefish using hook-and-line gear under this 500-lb (227-kg) trip limit.

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