

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 OF MEXICO, 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 § 622.186, paragraph (b) is revised to read as follows:

§ 622.186 Landing fish intact.

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(b) In the South Atlantic EEZ, vessels that lawfully harvest snapper-grouper in Bahamian waters are exempt from the requirement that those snapper-grouper be maintained with head and fins intact, provided that valid Bahamian fishing and cruising permits are on board, all persons on the vessel have a valid government passport with current stamps and dates from the Bahamas, and the vessel is in transit through the South Atlantic EEZ with gear appropriately stowed. For the purpose of this paragraph, a vessel is in transit through the South Atlantic EEZ when it is on a direct and continuous course through the South Atlantic EEZ and no one aboard the vessel fishes in the EEZ. For the purpose of this paragraph, fishing gear appropriately

Comment [SS1]: current snapper-grouper exemption

Comment [SS2]: Action 4, Preferred Alt 2

stowed means that terminal gear (i.e., hook, leader, sinker, flasher, or bait) used with an automatic reel, bandit gear, buoy gear, handline, or rod and reel must be disconnected and stowed separately from such fishing gear. Sinkers must be disconnected from the down rigger and stowed separately. The skin must remain intact on any filleted carcasses of South Atlantic snapper-grouper. See § 622.187(a) (3) for the limit of snapper-grouper fillets lawfully harvested from Bahamian waters that may be transited through the South Atlantic EEZ.

3. In § 622.187, paragraph (a) (3) is added to read as follows:

§ 622.187 Bag and possession limits.

(a) * * *

(3) In the South Atlantic EEZ, vessels that lawfully harvest snapper-grouper in Bahamian waters must comply with the bag and possession limits specified in this section. For determining how many snapper-grouper are on board a vessel in fillet form when harvested lawfully in Bahamian waters, two fillets of snapper-grouper, regardless of the length of each fillet, is equivalent to one snapper-grouper. The skin must remain intact on any filleted carcasses. Vessels that lawfully harvest snapper-grouper in Bahamian waters and transit through the South Atlantic EEZ with the snapper-grouper on board must

Comment [SS3]: Action 4, Preferred Alt2, clarifies the stowage language for snapper-grouper.

Comment [SS4]: Skin on fillets. Action 3, Preferred Alt 3.

Comment [SS5]: This shows they are not exempt from US bag limit but can have fillets and this is how they can be counted. Action 5

Comment [SS6]: Action 3, Preferred Alt 2. Skin on fillets for snapper-grouper.

have valid Bahamian fishing and cruising permits on board, all persons on the vessels must have a valid government passport with current stamps and dates from the Bahamas, and the vessels must be in transit through the South Atlantic EEZ with gear appropriately stowed. For the purpose of this paragraph, a vessel is in transit through the South Atlantic EEZ when it is on a direct and continuous course through the South Atlantic EEZ and no one on board the vessel fishes in the EEZ. For the purpose of this paragraph, fishing gear appropriately stowed means that terminal gear (i.e., hook, leader, sinker, flasher, or bait) used with an automatic reel, bandit gear, buoy gear, handline, or rod and reel must be disconnected and stowed separately from such fishing gear. Sinkers must be disconnected from the down rigger and stowed separately. See § 622.186(b) regarding the exception for landing snapper-grouper intact that were lawfully harvested in Bahamian waters.

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4. In § 622.276, paragraphs (a) and (b) are revised to read as follows:

§ 622.276 Landing fish intact.

(a) Dolphin and wahoo in or from the Atlantic EEZ must be maintained with head and fins intact, except as specified in paragraph (b) of this section. Such fish may be eviscerated,

gilled, and scaled, but must otherwise be maintained in a whole condition. The operator of a vessel that fishes in the EEZ is responsible for ensuring that fish on that vessel in the EEZ are maintained intact and, if taken from the EEZ, are maintained intact through offloading ashore, as specified in this section.

(b) In the Atlantic EEZ, vessels that lawfully harvest dolphin and wahoo in Bahamian waters are exempt from the requirement that those dolphin and wahoo be maintained with head and fins intact, provided that valid Bahamian fishing and cruising permits are on board, all persons on the vessels have a valid government passport with current stamps and dates from the Bahamas, and the vessels are in transit through the Atlantic EEZ with gear appropriately stowed. For the purpose of this paragraph, a vessel is in transit through the Atlantic EEZ when it is on a direct and continuous course through the Atlantic EEZ and no one aboard the vessel fishes in the EEZ. For the purpose of this paragraph, fishing gear appropriately stowed means that terminal gear (i.e., hook, leader, sinker, flasher, or bait) used with an automatic reel, bandit gear, buoy gear, handline, or rod and reel must be disconnected and stowed separately from such fishing gear. Sinkers must be disconnected from the down rigger and stowed separately. The skin must remain intact on any filleted carcasses of dolphin and wahoo.

Comment [SS7]: Action 1, Preferred Alt 2

Comment [SS8]: Action 1, Preferred Alt 2

Comment [SS9]: Action 1, Preferred Alt 2.

Comment [SS10]: Action 1, Preferred Alt 2.

Comment [SS11]: Action 1, Preferred Alt 2, defines the stowage requirements for dolphin and wahoo.

Comment [SS12]: Skin on fillets. Action 3, Preferred Alt 2.

5. In § 622.277, paragraph (a) (1) and (a) (2) are revised to read as follows:

§ 622.277 Bag and possession limits.

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(a) * * *

(1) Dolphin. (i) In the Atlantic EEZ--10, not to exceed 60 per vessel, whichever is less, except on board a headboat, 10 per paying passenger.

Comment [SS13]: Current US bag limit.

(ii) In the Atlantic EEZ and lawfully harvested in Bahamian waters--10, not to exceed 60 per vessel, whichever is less, except on board a headboat, 10 per paying passenger. For the purposes of this paragraph, for determining how many dolphin are on board a vessel in fillet form, two fillets of dolphin, regardless of the length of each fillet, is equivalent to one dolphin. The skin must remain intact on any filleted carcasses of dolphin. Vessels that lawfully harvest dolphin in Bahamian waters and transit through the Atlantic EEZ with dolphin on board must have valid Bahamian fishing and cruising permits on board, all persons on the vessels must have a valid government passport with current stamps and dates from the Bahamas, and the vessels must transit through the Atlantic EEZ with gear appropriately stowed. For the purpose of this paragraph, a vessel is in transit through the Atlantic EEZ when it is on a

Comment [SS14]: This shows they are not exempt from US bag limit but can have fillets and this is how they can be counted. Action 1, Preferred Alt 2.

direct and continuous course through the Atlantic EEZ and no one on board the vessel fishes in the EEZ. For the purpose of this paragraph, fishing gear appropriately stowed means that terminal gear (i.e., hook, leader, sinker, flasher, or bait) used with an automatic reel, bandit gear, buoy gear, handline, or rod and reel must be disconnected and stowed separately from such fishing gear. Sinkers must be disconnected from the down rigger and stowed separately. See § 622.276(b) regarding the exception for landing dolphin and wahoo intact that were lawfully harvested in Bahamian waters.

(2) Wahoo. (i) In the Atlantic EEZ--2].

Comment [SS15]: Current US bag limit

(ii) Additional applicability provisions for Atlantic wahoo. In the Atlantic EEZ, wahoo lawfully harvested in Bahamian waters are exempt from the Atlantic EEZ bag and possession limits specified in paragraph (a)(2)(i) of this section. The limit of wahoo fillets harvested in Bahamian waters that may be transited through the South Atlantic EEZ must comply with Bahamian bag and possession limits. Two fillets of wahoo, regardless of the length of each fillet, is equivalent to one wahoo for purposes of complying with the applicable Bahamian bag and possession limits. The skin must remain intact on any filleted carcasses of wahoo. Vessels that lawfully harvest wahoo in Bahamian waters and transit through the Atlantic EEZ

Comment [SS16]: Action 2, Preferred Alt 3. Wahoo exempt from US bag limit

Comment [SS17]: Action 5, Alt 2. How to count fillets towards the bag limit.

with the wahoo on board must have valid Bahamian fishing and cruising permits on board, all persons on the vessels must have a valid government passport with current stamps and dates from the Bahamas, and the vessels must transit through the Atlantic EEZ with gear appropriately stowed. For the purpose of this paragraph, a vessel is in transit through the Atlantic EEZ when it is on a direct and continuous course through the Atlantic EEZ and no one on board the vessel fishes in the EEZ. For the purpose of this paragraph, fishing gear appropriately stowed means that terminal gear (i.e., hook, leader, sinker, flasher, or bait) used with an automatic reel, bandit gear, buoy gear, handline, or rod and reel must be disconnected and stowed separately from such fishing gear. Sinkers must be disconnected from the down rigger and stowed separately. See § 622.276(b) regarding the exception for landing dolphin and wahoo intact that were lawfully harvested in Bahamian waters.

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