Fishery Conservation and Management

§ 648.165 Framework specifications.

(a) Within season management action. The Council may, at any time, initiate action to add or adjust management measures if it finds that action is necessary to meet or be consistent with the goals and objectives of the Bluefish FMP.

(1) Adjustment process. After a management action has been initiated, the Council shall develop and analyze appropriate management measures over the span of at least two Council meetings. The Council shall provide the public with advance notice of the availability of both the proposals and the analysis and the opportunity to comment on them prior to and at the second Council meeting. The Council’s recommendation on adjustments or additions to management measures must come from one or more of the following sectors.

(b) Bluefish harvested by vessels subject to the possession limit with more than one person on board may be pooled in one or more containers. Compliance with the daily possession limit will be determined by dividing the number of bluefish on board by the number of persons on board, other than the captain and the crew. If there is a violation of the possession limit on board a vessel carrying more than one person, the violation shall be deemed to have been committed by the owner and operator.

[65 FR 45832, July 26, 2000, as amended at 66 FR 25327, May 9, 2001]

EFFECTIVE DATE NOTE: At 76 FR 60641, Sept. 29, 2011, § 648.164 was revised, effective October 31, 2011. For the convenience of the user, the revised text is set forth as follows:

§ 648.164 Bluefish possession restrictions.

(a) No person shall possess more than 15 bluefish in, or harvested from, the EEZ unless that person is the owner or operator of a fishing vessel issued a bluefish commercial permit or is issued a bluefish dealer permit. Persons aboard a vessel that is not issued a bluefish commercial permit are subject to the possession limit. The owner, operator, and crew of a charter or party boat issued a bluefish commercial permit are not subject to the possession limit when not carrying passengers for hire and when the crew size does not exceed five for a party boat and three for a charter boat.

(b) Bluefish harvested by vessels subject to the possession limit with more than one person on board a vessel that is issued a bluefish dealer permit. Persons aboard a vessel that is not issued a bluefish commercial permit or is issued a bluefish dealer permit. Persons aboard a vessel carrying more than one person, the violation shall be deemed to have been committed by the owner or operator of the vessel.