

Pt. 635, App. A

50 CFR Ch. VI (10–1–12 Edition)

(10) Fish for, catch, possess, retain, or land an Atlantic swordfish using, or captured on, “buoy gear” as defined at §635.2, unless the vessel owner has been issued a swordfish directed limited access permit or a swordfish handgear limited access permit in accordance with §635.4(f) or a valid HMS Commercial Caribbean Small Boat permit in accordance with §635.4(o).

(11) As the owner of a vessel permitted, or required to be permitted, in the swordfish directed, swordfish handgear limited access permit category, or issued a valid HMS Commercial Caribbean Small Boat permit and utilizing buoy gear, to possess or deploy more than 35 individual floatation devices, to deploy more than 35 individual buoy gears per vessel, or to deploy buoy gear without affixed monitoring equipment, as specified at §635.21(e)(4)(iii).

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(16) Possess any HMS, other than Atlantic swordfish, harvested with buoy gear as specified at §635.21(e) unless issued a valid HMS Commercial Caribbean Small Boat permit and operating within the U.S. Caribbean as defined at §622.2.

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APPENDIX A TO PART 635—SPECIES TABLES

TABLE 1 OF APPENDIX A TO PART 635—OCEANIC SHARKS

- A. Large Coastal Sharks
 - 1. Ridgeback sharks:
 - Sandbar, *Carcharhinus plumbeus*
 - Silky, *Carcharhinus falciformis*
 - Tiger, *Galeocerdo cuvier*
 - 2. Non-ridgeback sharks:
 - Blacktip, *Carcharhinus limbatus*
 - Bull, *Carcharhinus leucas*
 - Great hammerhead, *Sphyrna mokarran*
 - Lemon, *Negaprion brevirostris*
 - Nurse, *Ginglymostoma cirratum*
 - Scalloped hammerhead, *Sphyrna lewini*
 - Smooth hammerhead, *Sphyrna zygaena*
 - Spinner, *Carcharhinus brevipinna*
- B. Small Coastal Sharks
 - Atlantic sharpnose, *Rhizoprionodon terraenovae*
 - Blacknose, *Carcharhinus acronotus*
 - Bonnethead, *Sphyrna tiburo*
 - Finetooth, *Carcharhinus isodon*
- C. Pelagic Sharks
 - Blue, *Prionace glauca*

TABLE 1 OF APPENDIX A TO PART 635—OCEANIC SHARKS—Continued

- Oceanic whitetip, *Carcharhinus longimanus*
- Porbeagle, *Lamna nasus*
- Shortfin mako, *Isurus oxyrinchus*
- Thresher, *Alopias vulpinus*
- D. Prohibited Sharks
 - Atlantic angel, *Squatina dumerili*
 - Basking, *Cetorhinus maximus*
 - Bigeye sand tiger, *Odontaspis noronhai*
 - Bigeye sixgill, *Hexanchus nakamurai*
 - Bigeye thresher, *Alopias superciliosus*
 - Bignose, *Carcharhinus altimus*
 - Caribbean reef, *Carcharhinus perezii*
 - Caribbean sharpnose, *Rhizoprionodon porosus*
 - Dusky, *Carcharhinus obscurus*
 - Galapagos, *Carcharhinus galapagensis*
 - Longfin mako, *Isurus paucus*
 - Narrowtooth, *Carcharhinus brachyurus*
 - Night, *Carcharhinus signatus*
 - Sand tiger, *Carcharias taurus*
 - Sevengill, *Heptranchias perlo*
 - Sixgill, *Hexanchus griseus*
 - Smalltail, *Carcharhinus porosus*
 - Whale, *Rhincodon typus*
 - White, *Carcharodon carcharias*
- E. [Reserved]

TABLE 2 OF APPENDIX A TO PART 635—PELAGIC SPECIES

- Albacore tuna, *Thunnus alalunga*
- Bigeye tuna, *Thunnus obesus*
- Blue shark, *Prionace glauca*
- Bluefin tuna, *Thunnus thynnus*
- Dolphin fish, *Coryphaena hippurus*
- Oceanic whitetip shark, *Carcharhinus longimanus*
- Porbeagle shark, *Lamna nasus*
- Shortfin mako shark, *Isurus oxyrinchus*
- Skipjack tuna, *Katsuwonus pelamis*
- Swordfish, *Xiphias gladius*
- Thresher shark, *Alopias vulpinus*
- Wahoo, *Acanthocybium solandri*
- Yellowfin tuna, *Thunnus albacares*

TABLE 3 OF APPENDIX A TO PART 635—DEMERSAL SPECIES

- Atlantic sharpnose shark, *Rhizoprionodon terraenovae*
- Black grouper, *Mycteroperca bonaci*
- Blackfin snapper, *Lutjanus buccanella*
- Blacknose shark, *Carcharhinus acronotus*
- Blacktip shark, *Carcharhinus limbatus*
- Blue line tilefish, *Caulolatilus microps*
- Bonnethead shark, *Sphyrna tiburo*
- Bull shark, *Carcharhinus leucas*
- Cubera snapper, *Lutjanus cyanopterus*
- Dog snapper, *Lutjanus jocu*
- Finetooth shark, *Carcharhinus isodon*

Fishery Conservation and Management

§ 640.2

Gag grouper, *Mycteroperca microlepis*
Lane snapper, *Lutjanus synagris*
Lemon shark, *Negaprion brevirostris*
Mangrove snapper, *Lutjanus griseus*
Marbled grouper, *Dermatolepis inermis*
Misty grouper, *Epinephelus mystacinus*
Mutton snapper, *Lutjanus analis*
Nurse shark, *Ginglymostoma cirratum*
Queen snapper, *Etelis oculatus*
Red grouper, *Epinephelus morio*
Red hind, *Epinephelus guttatus*
Red snapper, *Lutjanus campechanus*
Rock hind, *Epinephelus adscensionis*
Sand tilefish, *Malacanthus plumieri*
Sandbar shark, *Carcharhinus plumbeus*
Schoolmaster snapper, *Lutjanus apodus*
Silk snapper, *Lutjanus vivanus*
Snowy grouper, *Epinephelus niveatus*
Speckled hind, *Epinephelus drummondhayi*
Spinner shark, *Carcharhinus brevipinna*
Tiger shark, *Galeocerdo cuvieri*
Tilefish, *Lopholatilus chamaeleonticeps*
Vermilion snapper, *Rhomboplites aurorubens*
Warsaw grouper, *Epinephelus nigritus*
Yellowedge grouper, *Epinephelus flavolimbatus*
Yellowfin grouper, *Mycteroperca venenosa*
Yellowtail snapper, *Ocyurus chrysurus*

[64 FR 29135, May 28, 1999 as amended at 71 FR 58174, Oct. 2, 2006; 75 FR 30528, June 1, 2010; 76 FR 70066, Nov. 10, 2011]

PART 640—SPINY LOBSTER FISHERY OF THE GULF OF MEXICO AND SOUTH ATLANTIC

Subpart A—General Provisions

Sec.
640.1 Purpose and scope.
640.2 Definitions.
640.3 Relation to other laws.
640.4 Permits and fees.
640.5 Recordkeeping and reporting. [Reserved]
640.6 Vessel and gear identification.
640.7 Prohibitions.
640.8 Facilitation of enforcement.
640.9 Penalties.

Subpart B—Management Measures

640.20 Seasons.
640.21 Harvest limitations.
640.22 Gear and diving restrictions.
640.23 Bag/possession limits.
640.24 Authorized activities.
640.25 Adjustment of management measures.
640.26 Tortugas marine reserves.
640.27 Spiny lobster import prohibitions.
640.28 Annual catch limits (ACLs) and accountability measures (AMs).
640.29 Incorporation by reference.

FIGURE 1 TO PART 640

AUTHORITY: 16 U.S.C. 1801 *et seq.*

EDITORIAL NOTE: Nomenclature changes to part 640 appear at 74 FR 1152, Jan. 12, 2009.

Subpart A—General Provisions

§ 640.1 Purpose and scope.

(a) The purpose of this part is to implement the Fishery Management Plan for the Spiny Lobster Fishery of the Gulf of Mexico and South Atlantic prepared by the South Atlantic and Gulf of Mexico Fishery Management Councils under the Magnuson-Stevens Act.

(b) This part governs the conservation and management of Caribbean spiny lobster (spiny lobster) in the EEZ in the Atlantic Ocean and Gulf of Mexico off the Atlantic and Gulf of Mexico states from the Virginia/North Carolina border south and through the Gulf of Mexico. This part also governs importation of spiny lobster into any place subject to the jurisdiction of the United States.

(c) An owner or operator of a vessel that has legally harvested spiny lobsters in the waters of a foreign nation and possesses spiny lobster, or separated tails, in the EEZ incidental to such foreign harvesting is exempt from the requirements of this part 640, except for § 640.27 with which such an owner or operator must comply, provided proof of lawful harvest in the waters of a foreign nation accompanies such lobsters or tails.

[74 FR 1151, Jan. 12, 2009, as amended at 76 FR 75490, Dec. 2, 2011]

§ 640.2 Definitions.

In addition to the definitions in the Magnuson-Stevens Act and in § 620.2 of this chapter, the terms used in this part have the following meanings:

Bully net means a circular frame attached at right angles to the end of a pole and supporting a conical bag of webbing. The webbing is usually held up by means of a cord which is released when the net is dropped over a lobster.

Carapace length means the measurement of the carapace (head, body, or front section) of a spiny lobster from the anteriormost edge (front) of the groove between the horns directly above the eyes, along the middorsal line (middle of the back), to the rear