

Fishery Conservation and Management

§ 622.187

(c) *Other snapper-grouper species*—(1) *Black sea bass*.

(i) For a fish taken by a person subject to the bag limit specified in § 622.187(b)(7)—13 inches (33 cm), TL.

(ii) For a fish taken by a person not subject to the bag limit specified in § 622.187(b)(7)—11 inches (28 cm), TL.

(2) *Gray triggerfish in the South Atlantic EEZ off Florida*—12 inches (30.5 cm), TL.

(3) *Hogfish*—12 inches (30.5 cm), fork length.

(4) *Red porgy*—14 inches (35.6 cm), TL.

(5) *Greater amberjack*—28 inches (71.1 cm), fork length, for a fish taken by a person subject to the bag limit specified in § 622.187(b)(1) and 36 inches (91.4 cm), fork length, for a fish taken by a person not subject to the bag limit.

[78 FR 22952, Apr. 17, 2013, as amended at 78 FR 44465, July 24, 2013]

§ 622.186 Landing fish intact.

(a) South Atlantic snapper-grouper in or from the South 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 South Atlantic EEZ, snapper-grouper lawfully harvested in Bahamian waters are exempt from the requirement that they be maintained with head and fins intact, provided valid Bahamian fishing and cruising permits are on board the vessel and the vessel is in transit through the South Atlantic EEZ. 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.

§ 622.187 Bag and possession limits.

(a) *Additional applicability provisions for South Atlantic snapper-grouper*. Section 622.11(a) provides the general applicability for bag and possession lim-

its. However, § 622.11(a) notwithstanding:

(1) The bag and other limits specified in § 622.182(b) apply for South Atlantic snapper-grouper in or from the EEZ to a person aboard a vessel for which a commercial permit for South Atlantic snapper-grouper has been issued that has on board a longline in the longline closed area.

(2) A person aboard a vessel for which a commercial permit for South Atlantic snapper-grouper has been issued must comply with the bag limits specified in paragraph (b)(1) of this section for South Atlantic snapper-grouper taken with a powerhead, regardless of where taken, when such snapper-grouper are possessed in an SMZ specified in § 622.182(a)(1)(xii) through (a)(1)(xviii) or (a)(1)(xl) through (a)(1)(li).

(b) *Bag limits*—(1) *Greater amberjack*—1.

(2) *Grouper and tilefish, combined*—3. Within the 3-fish aggregate bag limit:

(i) No more than one fish may be gag or black grouper, combined;

(ii) No more than one fish per vessel may be a snowy grouper;

(iii) No more than one fish may be a golden tilefish; and

(iv) No goliath grouper or Nassau grouper may be retained.

(3) *Hogfish in the South Atlantic off Florida*—5.

(4) *Snappers, combined*—10. However, excluded from this 10-fish bag limit are cubera snapper, measuring 30 inches (76.2 cm), TL, or larger, in the South Atlantic off Florida, and red snapper and vermilion snapper. (See § 622.181(b)(2) for the prohibitions on harvest or possession of red snapper, except during a limited recreational fishing season, and § 622.181(c)(1) for limitations on cubera snapper measuring 30 inches (76.2 cm), TL, or larger, in or from the South Atlantic EEZ off Florida.)

(5) *Vermilion snapper*—5.

(6) *Red porgy*—3.

(7) *Black sea bass*—5.

(8) *South Atlantic snapper-grouper, combined*—20. However, excluded from this 20-fish bag limit are tomstate, South Atlantic snapper-grouper ecosystem component species (specified in Table 4 of Appendix A to part 622), and those specified in paragraphs (b)(1)

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through (7) and paragraphs (b)(9) and (10) of this section.

(9) *Red snapper*—0, except during a limited recreational fishing season, as specified in § 622.183(b)(5), during which time the bag limit is 1 fish.

(10) No more than one fish per vessel may be a wreckfish.

(11) *Longline bag limits.* Other provisions of this paragraph (b) notwithstanding, a person on a trip aboard a vessel for which the bag limits apply that has a longline on board is limited on that trip to the bag limit for South Atlantic snapper-grouper for which a bag limit is specified in this paragraph (b), and to zero for all other South Atlantic snapper-grouper. For the purposes of this paragraph (b)(11), a vessel is considered to have a longline on board when a power-operated longline hauler, a cable or monofilament of diameter and length suitable for use in the longline fishery, and gangions are on board. Removal of any one of these elements constitutes removal of a longline.

(c) *Possession limits.* (1) Provided each passenger is issued and has in possession a receipt issued on behalf of the vessel that verifies the duration of the trip—

(i) A person aboard a charter vessel or headboat on a trip that spans more than 24 hours may possess no more than two daily bag limits of species other than red porgy.

(ii) A person aboard a headboat on a trip that spans more than 48 hours and who can document that fishing was conducted on at least 3 days may possess no more than three daily bag limits of species other than red porgy.

(2) A person aboard a vessel may not possess red porgy in or from the EEZ in excess of three per day or three per trip, whichever is more restrictive.

[78 FR 22952, Apr. 17, 2013, as amended at 78 FR 44465, July 24, 2013; 78 FR 78775, Dec. 27, 2013]

§ 622.188 Required gear, authorized gear, and unauthorized gear.

(a) *Required gear.* For a person on board a vessel to harvest or possess South Atlantic snapper-grouper in or from the South Atlantic EEZ, the vessel must possess on board and such person must use the gear as specified in

paragraphs (a)(1) and (a)(2) of this section.

(1) *Dehooking device.* At least one dehooking device is required and must be used as needed to remove hooks embedded in South Atlantic snapper-grouper with minimum damage. The hook removal device must be constructed to allow the hook to be secured and the barb shielded without re-engaging during the removal process. The dehooking end must be blunt, and all edges rounded. The device must be of a size appropriate to secure the range of hook sizes and styles used in the South Atlantic snapper-grouper fishery.

(2) *Non-stainless steel circle hooks.* Non-stainless steel circle hooks are required to be used when fishing with hook-and-line gear and natural baits north of 28° N. lat.

(b) *Authorized gear.* Subject to the gear restrictions specified in § 622.180, the following are the only gear types authorized in a directed fishery for snapper-grouper in the South Atlantic EEZ: Bandit gear, bottom longline, buoy gear, handline, rod and reel, sea bass pot, and spearfishing gear.

(c) *Unauthorized gear.* All gear types other than those specified in paragraph (b) of this section are unauthorized gear and the following possession and transfer limitations apply.

(1) A vessel with trawl gear on board that fishes in the EEZ on a trip may possess no more than 200 lb (90.7 kg) of South Atlantic snapper-grouper, excluding wreckfish, in or from the EEZ on that trip. It is a rebuttable presumption that a vessel with more than 200 lb (90.7 kg) of South Atlantic snapper-grouper, excluding wreckfish, on board harvested such fish in the EEZ.

(2) Except as specified in paragraphs (d) through (f) of this section, a person aboard a vessel with unauthorized gear on board, other than trawl gear, that fishes in the EEZ on a trip is limited on that trip to:

(i) South Atlantic snapper-grouper species for which a bag limit is specified in § 622.187—the bag limit.

(ii) All other South Atlantic snapper-grouper—zero.

(3) South Atlantic snapper-grouper on board a vessel with unauthorized gear on board may not be transferred