

## Fishery Conservation and Management

## § 622.2

<sup>4</sup>Regulated area includes adjoining state waters for Gulf groupers and tilefishes harvested or possessed by a person aboard a vessel for which an IFQ vessel account for Gulf groupers and tilefishes has been established or possessed by a dealer with a Gulf IFQ dealer endorsement.

<sup>5</sup>Octocorals are managed by the FMP or regulated by this part only in the EEZ off North Carolina, South Carolina, and Georgia.

<sup>6</sup>Nassau grouper in the South Atlantic EEZ and the Gulf EEZ are managed under the FMP.

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

### § 622.2 Definitions and acronyms.

In addition to the definitions in the Magnuson Act and in §600.10 of this chapter, and the acronyms in §600.15 of this chapter, the terms and acronyms used in this part have the following meanings:

*Accountability measure* means a management control implemented such that overfishing is prevented, where possible, and mitigated if it occurs.

*Actual ex-vessel price* means the total monetary sale amount a fisherman receives per pound of fish for IFQ landings from a registered IFQ dealer before any deductions are made for transferred (leased) allocation and goods and services (e.g. bait, ice, fuel, repairs, machinery replacement, etc.).

*Allowable chemical* means a substance, generally used to immobilize marine life so that it can be captured alive, that, when introduced into the water, does not take Gulf and South Atlantic prohibited coral and is allowed by Florida for the harvest of tropical fish (e.g., quinaldine, quinaldine compounds, or similar substances).

*Allowable octocoral* means an erect, nonencrusting species of the subclass Octocorallia, except the seafans *Gorgonia flabellum* and *G. ventalina*, plus the attached substrate within 1 inch (2.54 cm) of an allowable octocoral. (NOTE: An erect, nonencrusting species of the subclass Octocorallia, except the seafans *Gorgonia flabellum* and *G. ventalina*, with attached substrate exceeding 1 inch (2.54 cm) is considered to be live rock and not allowable octocoral.)

*Annual catch limit (ACL)* means the level of catch that serves as the basis for invoking accountability measures.

*Annual catch target (ACT)* means an amount of annual catch of a stock or stock complex that is the management target of the fishery, and accounts for management uncertainty in control-

ling the actual catch at or below the ACL.

*Aquacultured live rock* means live rock that is harvested under a Federal aquacultured live rock permit, as required under §622.70(a)(2).

*Atlantic* means the North Atlantic, Mid-Atlantic, and South Atlantic.

*Authorized statistical reporting agent* means:

(1) Any person so designated by the SRD; or

(2) Any person so designated by the head of any Federal or State agency that has entered into an agreement with the Assistant Administrator to collect fishery data.

*Automatic reel* means a reel that remains attached to a vessel when in use from which a line and attached hook(s) are deployed. The line is payed out from and retrieved on the reel electrically or hydraulically.

*Bandit gear* means a rod and reel that remain attached to a vessel when in use from which a line and attached hook(s) are deployed. The line is payed out from and retrieved on the reel manually, electrically, or hydraulically.

*Bottom longline* means a longline that is deployed, or in combination with gear aboard the vessel, e.g., weights or anchors, is capable of being deployed to maintain contact with the ocean bottom.

*BRD* means bycatch reduction device.

*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.

*Buoy gear* means fishing gear that fishes vertically in the water column that consists of a single drop line suspended from a float, from which no more than 10 hooks can be connected between the buoy and the terminal end, and the terminal end contains a weight that is no more than 10 lb (4.5 kg). The drop line can be rope (hemp, manila, cotton or other natural fibers;

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nylon, polypropylene, spectra or other synthetic material) or monofilament, but must not be cable or wire. The gear is free-floating and not connected to other gear or the vessel. The drop line must be no greater than 2 times the depth of the water being fished. All hooks must be attached to the drop line no more than 30 ft (9.1 m) from the weighted terminal end. These hooks may be attached directly to the drop line; attached as snoods (defined as an offshoot line that is directly spliced, tied or otherwise connected to the drop line), where each snood has a single terminal hook; or as gangions (defined as an offshoot line connected to the drop line with some type of detachable clip), where each gangion has a single terminal hook.

*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 edge of the top part of the carapace, excluding any translucent membrane. (See Figure 1 in Appendix C of this part.)

*Caribbean* means the Caribbean Sea and Atlantic Ocean seaward of Puerto Rico, the U.S. Virgin Islands, and possessions of the United States in the Caribbean Sea.

*Caribbean coral reef resource* means one or more of the species, or a part thereof, listed in Table 1 in Appendix A of this part, whether living or dead.

*Caribbean prohibited coral* means, in the Caribbean; a gorgonian, that is, a Caribbean coral reef resource of the Class Anthozoa, Subclass Octocorallia, Order Gorgonacea; a live rock; or a stony coral, that is, a Caribbean coral reef resource of the Class Hydrozoa (fire corals and hydrocorals) or of the Class Anthozoa, Subclass Hexacorallia, Orders Scleractinia (stony corals) and Antipatharia (black corals); or a part thereof.

*Caribbean queen conch* or *queen conch* means the species, *Strombus gigas*, or a part thereof.

*Caribbean reef fish* means one or more of the species, or a part thereof, listed in Table 2 in Appendix A of this part.

*Caribbean spiny lobster* or *spiny lobster* means the species *Panulirus argus*, or a part thereof.

*CFMC* means the Caribbean Fishery Management Council.

*Charter vessel* means a vessel less than 100 gross tons (90.8 mt) that is subject to the requirements of the USCG to carry six or fewer passengers for hire and that engages in charter fishing at any time during the calendar year. A charter vessel with a commercial permit, as required under § 622.4(a)(2), is considered to be operating as a charter vessel when it carries a passenger who pays a fee or when there are more than three persons aboard, including operator and crew, except for a charter vessel with a commercial vessel permit for Gulf reef fish or South Atlantic snapper-grouper. A charter vessel that has a charter vessel permit for Gulf reef fish and a commercial vessel permit for Gulf reef fish or a charter vessel permit for South Atlantic snapper-grouper and a commercial permit for South Atlantic snapper-grouper (either a South Atlantic snapper-grouper unlimited permit or a 225-lb (102.1-kg) trip limited permit for South Atlantic snapper-grouper) is considered to be operating as a charter vessel when it carries a passenger who pays a fee or when there are more than four persons aboard, including operator and crew. A charter vessel that has a charter vessel permit for Gulf reef fish, a commercial vessel permit for Gulf reef fish, and a valid Certificate of Inspection (COI) issued by the USCG to carry passengers for hire will not be considered to be operating as a charter vessel provided—

(1) It is not carrying a passenger who pays a fee; and

(2) When underway for more than 12 hours, that vessel meets, but does not exceed the minimum manning requirements outlined in its COI for vessels underway over 12 hours; or when underway for not more than 12 hours, that vessel meets the minimum manning requirements outlined in its COI for vessels underway for not more than 12-hours (if any), and does not exceed the minimum manning requirements outlined in its COI for vessels that are underway for more than 12 hours.

*Circle hook* means a fishing hook designed and manufactured so that the point is turned perpendicularly back to the shank to form a generally circular, or oval, shape.

*Coastal migratory pelagic fish* means a whole fish, or a part thereof, of one or more of the following species:

- (1) Cobia, *Rachycentron canadum*.
- (2) King mackerel, *Scomberomorus cavalla*.
- (3) Spanish mackerel, *Scomberomorus maculatus*.

*Commercial fishing* means, for the purpose of subpart R of this part only, any fishing or fishing activities which result in the harvest of any marine or freshwater organisms, one or more of which (or parts thereof) is sold, traded, or bartered.

*Coral area* means marine habitat in the Gulf or South Atlantic EEZ where coral growth abounds, including patch reefs, outer bank reefs, deep water banks, and hard bottoms.

*Dealer*, in addition to the definition specified in § 600.10 of this chapter, means the person who first receives rock shrimp harvested from the EEZ or dolphin or wahoo harvested from the Atlantic EEZ upon transfer ashore.

*Deep-water grouper (DWG)* means, in the Gulf, yellowedge grouper, warsaw grouper, snowy grouper, and speckled hind. In addition, for the purposes of the IFQ program for Gulf groupers and tilefishes in § 622.22, scamp are also included as DWG as specified in § 622.22(a)(7).

*Deep-water snapper-grouper (DWSG)* means, in the South Atlantic, yellowedge grouper, misty grouper, warsaw grouper, snowy grouper, speckled hind, blueline tilefish, queen snapper, and silk snapper.

*Dehooking device* means a device intended to remove a hook embedded in a fish to release the fish with minimum damage.

*Dolphin* means a whole fish, or a part thereof, of the species *Coryphaena equiselis* or *C. hippurus*.

*Drift gillnet*, for the purposes of this part, means a gillnet, other than a long gillnet or a run-around gillnet, that is unattached to the ocean bottom, regardless of whether attached to a vessel.

*Fish trap* means—

(1) In the Caribbean EEZ, a trap and its component parts (including the lines and buoys), regardless of the construction material, used for or capable of taking finfish.

(2) In the Gulf EEZ, a trap and its component parts (including the lines and buoys), regardless of the construction material, used for or capable of taking finfish, except a trap historically used in the directed fishery for crustaceans (that is, blue crab, stone crab, and spiny lobster).

(3) In the South Atlantic EEZ, a trap and its component parts (including the lines and buoys), regardless of the construction material, used for or capable of taking fish, except a sea bass pot, a golden crab trap, or a crustacean trap (that is, a type of trap historically used in the directed fishery for blue crab, stone crab, red crab, jonah crab, or spiny lobster and that contains at any time not more than 25 percent, by number, of fish other than blue crab, stone crab, red crab, jonah crab, and spiny lobster).

*Fork length* means the straight-line distance from the tip of the head (snout) to the rear center edge of the tail (caudal fin). (See Figure 2 in Appendix C of this part.)

*Golden crab* means the species *Chaceon feneri*, or a part thereof.

*Golden crab trap* means any trap used or possessed in association with a directed fishery for golden crab in the South Atlantic EEZ, including any trap that contains a golden crab in or from the South Atlantic EEZ or any trap on board a vessel that possesses golden crab in or from the South Atlantic EEZ.

*GMFMC* means the Gulf of Mexico Fishery Management Council.

*Gulf* means the Gulf of Mexico. The line of demarcation between the Atlantic Ocean and the Gulf of Mexico is specified in § 600.105(c) of this chapter.

*Gulf reef fish* means one or more of the species, or a part thereof, listed in Table 3 in Appendix A of this part.

*Gulf and South Atlantic prohibited coral* means, in the Gulf and South Atlantic, one or more of the following, or a part thereof:

- (1) Coral belonging to the Class Hydrozoa (fire corals and hydrocorals).

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(2) Coral belonging to the Class Anthozoa, Subclass Hexacorallia, Orders Scleractinia (stony corals) and Antipatharia (black corals).

(3) A seafan, *Gorgonia flabellum* or *G. ventalina*.

(4) Coral in a coral reef, except for allowable octocoral.

(5) Coral in an HAPC, including allowable octocoral.

*Handline* means a line with attached hook(s) that is tended directly by hand.

*HAPC* means habitat area of particular concern.

*Headboat* means a vessel that holds a valid Certificate of Inspection (COI) issued by the USCG to carry more than six passengers for hire.

(1) A headboat with a commercial vessel permit, as required under this part, is considered to be operating as a headboat when it carries a passenger who pays a fee or—

(i) In the case of persons aboard fishing for or possessing South Atlantic snapper-grouper, when there are more persons aboard than the number of crew specified in the vessel's COI; or

(ii) In the case of persons aboard fishing for or possessing coastal migratory pelagic fish, when there are more than three persons aboard, including operator and crew.

(2) However a vessel that has a headboat permit for Gulf reef fish, a commercial vessel permit for Gulf reef fish, and a valid COI issued by the USCG to carry passengers for hire will not be considered to be operating as a headboat provided—

(i) It is not carrying a passenger who pays a fee; and

(ii) When underway for more than 12 hours, that vessel meets, but does not exceed the minimum manning requirements outlined in its COI for vessels underway over 12 hours; or when underway for not more than 12 hours, that vessel meets the minimum manning requirements outlined in its COI for vessels underway for not more than 12-hours (if any), and does not exceed the minimum manning requirements outlined in its COI for vessels that are underway for more than 12 hours.

*Headrope length* means the distance, measured along the forwardmost webbing of a trawl net, between the points at which the upper lip (top edge) of the

mouth of the net are attached to sleds, doors, or other devices that spread the net.

*Hook-and-line gear* means automatic reel, bandit gear, buoy gear, handline, longline, and rod and reel.

*Hoop net* means a frame, circular or otherwise, supporting a shallow bag of webbing and suspended by a line and bridles. The net is baited and lowered to the ocean bottom, to be raised rapidly at a later time to prevent the escape of lobster.

*IFQ* means individual fishing quota.

*Import* means—

(1) For the purpose of §622.1(c) and subpart T of this part only—To land on, bring into, or introduce into, or attempt to land on, bring into, or introduce into, Puerto Rico or the U.S. Virgin Islands, whether or not such landing, bringing, or introduction constitutes an importation within the meaning of the customs laws of the United States;

(2) For the purpose of §622.1(d) and subpart R of this part only—To land on, bring into, or introduce into, or attempt to land on, bring into, or introduce into, any place subject to the jurisdiction of the United States, whether or not such landing, bringing, or introduction constitutes an importation within the meaning of the customs laws of the United States;

(3) But does not include any activity described in paragraph (1) or (2) of this definition with respect to fish caught in the U.S. exclusive economic zone by a vessel of the United States.

*Live rock* means living marine organisms, or an assemblage thereof, attached to a hard substrate, including dead coral or rock (excluding individual mollusk shells).

*Live well* means a shaded container used for holding live lobsters aboard a vessel in which aerated seawater is continuously circulated from the sea. Circulation of seawater at a rate that replaces the water at least every 8 minutes meets the requirement for aeration.

*Long gillnet* means a gillnet that has a float line that is more than 1,000 yd (914 m) in length.

*Longline* means a line that is deployed horizontally to which gangions and hooks are attached. A longline

may be a bottom longline, *i.e.*, designed for use on the bottom, or a pelagic longline, *i.e.*, designed for use off the bottom. The longline hauler may be manually, electrically, or hydraulically operated.

*MAFMC* means the Mid-Atlantic Fishery Management Council.

*Mid-Atlantic* means the Atlantic Ocean off the Atlantic coastal states from the boundary between the New England Fishery Management Council and the MAFMC, as specified in §600.105(a) of this chapter, to the boundary between the MAFMC and the SAFMC, as specified in §600.105(b) of this chapter.

*Migratory group*, for king mackerel, Spanish mackerel, and cobia, means a group of fish that may or may not be a separate genetic stock, but that is treated as a separate stock for management purposes. King mackerel, Spanish mackerel, and cobia are divided into migratory groups—the boundaries between these groups are as follows:

(1) *King mackerel*—(i) *Summer separation*. From April 1 through October 31, the boundary separating the Gulf and Atlantic migratory groups of king mackerel is 25°48' N. lat., which is a line directly west from the Monroe/Collier County, FL, boundary to the outer limit of the EEZ.

(ii) *Winter separation*. From November 1 through March 31, the boundary separating the Gulf and Atlantic migratory groups of king mackerel is 29°25' N. lat., which is a line directly east from the Volusia/Flagler County, FL, boundary to the outer limit of the EEZ.

(2) *Spanish mackerel*. The boundary separating the Gulf and Atlantic migratory groups of Spanish mackerel is 25°20.4' N. lat., which is a line directly east from the Miami-Dade/Monroe County, FL, boundary to the outer limit of the EEZ.

(3) *Cobia*. The boundary separating the Gulf and Atlantic migratory groups of cobia is the line of demarcation between the Atlantic Ocean and the Gulf of Mexico, as specified in §600.105(c) of this chapter.

*MPA* means marine protected area.

*North Atlantic* means the Atlantic Ocean off the Atlantic coastal states from the boundary between the United

States and Canada to the boundary between the New England Fishery Management Council and the MAFMC, as specified in §600.105(a) of this chapter.

*Off Florida* means the waters in the Gulf and South Atlantic from 30°42'45.6" N. lat., which is a line directly east from the seaward terminus of the Georgia/Florida boundary, to 87°31'06" W. long., which is a line directly south from the Alabama/Florida boundary.

*Off Georgia* means the waters in the South Atlantic from a line extending in a direction of 104° from true north from the seaward terminus of the South Carolina/Georgia boundary to 30°42'45.6" N. lat., which is a line directly east from the seaward terminus of the Georgia/Florida boundary.

*Off Louisiana, Mississippi, and Alabama* means the waters in the Gulf other than off Florida and off Texas.

*Off Monroe County, Florida* means the area from the Florida coast to the outer limit of the EEZ between a line extending directly east from the Dade/Monroe County, Florida boundary (25°20.4' N. latitude) and a line extending directly west from the Monroe/Collier County, Florida boundary (25°48.0' N. latitude).

*Off North Carolina* means the waters in the South Atlantic from 36°34'55" N. lat., which is a line directly east from the Virginia/North Carolina boundary, to a line extending in a direction of 135°34'55" from true north from the North Carolina/South Carolina boundary, as marked by the border station on Bird Island at 33°51'07.9" N. lat., 78°32'32.6" W. long.

*Off South Carolina* means the waters in the South Atlantic from a line extending in a direction of 135°34'55" from true north from the North Carolina/South Carolina boundary, as marked by the border station on Bird Island at 33°51'07.9" N. lat., 78°32'32.6" W. long., to a line extending in a direction of 104° from true north from the seaward terminus of the South Carolina/Georgia boundary.

*Off Texas* means the waters in the Gulf west of a rhumb line from 29°32.1' N. lat., 93°47.7' W. long. to 26°11.4' N. lat., 92°53' W. long., which line is an extension of the boundary between Louisiana and Texas.

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*Off the Gulf states, other than Florida* means the area from the coast to the outer limit of the EEZ between the Texas/Mexico border to the Alabama/Florida boundary (87°31'06" W. long.).

*Off the southern Atlantic states, other than Florida* means the area from the coast to the outer limit of the EEZ between the Virginia/North Carolina boundary (36°34'55" N. lat.) to the Georgia/Florida boundary (30°42'45.6" N. lat.).

*Official sunrise or official sunset* means the time of sunrise or sunset as determined for the date and location in *The Nautical Almanac*, prepared by the U.S. Naval Observatory.

*Pelagic longline* means a longline that is suspended by floats in the water column and that is not fixed to or in contact with the ocean bottom.

*Pelagic sargassum* means the species *Sargassum natans* or *S. fluitans*, or a part thereof.

*Penaeid shrimp* means one or more of the following species, or a part thereof:

(1) Brown shrimp, *Farfantepenaeus aztecus*.

(2) Pink shrimp, *Farfantepenaeus duorarum*.

(3) White shrimp, *Litopenaeus setiferus*.

*Penaeid shrimp trawler* means any vessel that is equipped with one or more trawl nets whose on-board or landed catch of penaeid shrimp is more than 1 percent, by weight, of all fish comprising its on-board or landed catch.

*Powerhead* means any device with an explosive charge, usually attached to a speargun, spear, pole, or stick, that fires a projectile upon contact.

*Processor* means a person who processes fish or fish products, or parts thereof, for commercial use or consumption.

*Purchase* means the act or activity of buying, trading, or bartering, or attempting to buy, trade, or barter.

*Recreational fishing* means, for the purpose of subpart R of this part only, fishing or fishing activities which result in the harvest of fish, none of which (or parts thereof) is sold, traded, or bartered.

*Red drum*, also called redfish, means *Sciaenops ocellatus*, or a part thereof.

*Red snapper* means *Lutjanus campechanus*, or a part thereof, one of the Gulf reef fish species.

*Regional Administrator (RA)*, for the purposes of this part, means the Administrator, Southeast Region, NMFS, 263 13th Avenue South, St. Petersburg, FL 33701, or a designee.

*Reporting week* means the period of time beginning at 12:01 a.m., local time, on Sunday and ending at 11:59 p.m., local time, the following Saturday.

*Rod and reel* means a rod and reel unit that is not attached to a vessel, or, if attached, is readily removable, from which a line and attached hook(s) are deployed. The line is payed out from and retrieved on the reel manually, electrically, or hydraulically.

*Run-around gillnet* means a gillnet, other than a long gillnet, that, when used, encloses an area of water.

*SAFMC* means the South Atlantic Fishery Management Council.

*Sale or sell* means the act or activity of transferring property for money or credit, trading, or bartering, or attempting to so transfer, trade, or barter.

*Science and Research Director (SRD)*, for the purposes of this part, means the Science and Research Director, Southeast Fisheries Science Center, NMFS (see Table 1 of §600.502 of this chapter).

*Sea bass pot* means a trap has six rectangular sides and does not exceed 25 inches (63.5 cm) in height, width, or depth.

*Shallow-water grouper (SWG)* means, in the Gulf, gag, red grouper, black grouper, scamp, yellowfin grouper, and yellowmouth grouper. Other shallow-water grouper (Other SWG) means, in the Gulf, SWG excluding gag and red grouper (*i.e.*, black grouper, scamp, yellowfin grouper, and yellowmouth grouper). In addition, for the purposes of the IFQ program for Gulf groupers and tilefishes in §622.22, speckled hind and warsaw grouper are also included as Other SWG as specified in §622.22(a)(6).

*Shrimp* means one or more of the following species, or a part thereof:

(1) Brown shrimp, *Farfantepenaeus aztecus*.

(2) White shrimp, *Litopenaeus setiferus*.

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(3) Pink shrimp, *Farfantepenaeus duorarum*.

(4) Royal red shrimp, *Hymenopenaeus robustus*.

(5) Rock shrimp, *Sicyonia brevirostris*.

*Shrimp trawler* means any vessel that is equipped with one or more trawl nets whose on-board or landed catch of shrimp is more than 1 percent, by weight, of all fish comprising its on-board or landed catch.

*Smalltooth sawfish* means the species *Pristis pectinata*, or a part thereof.

*SMZ* means special management zone.

*South Atlantic* means the Atlantic Ocean off the Atlantic coastal states from the boundary between the MAFMC and the SAFMC, as specified in §600.105(b) of this chapter, to the line of demarcation between the Atlantic Ocean and the Gulf of Mexico, as specified in §600.105(c) of this chapter.

*South Atlantic shallow-water grouper (SASWG)* means, in the South Atlantic, gag, black grouper, red grouper, scamp, red hind, rock hind, yellowmouth grouper, yellowfin grouper, graysby, and coney.

*South Atlantic snapper-grouper* means one or more of the species, or a part thereof, listed in Table 4 in Appendix A of this part.

*Stab net* means a gillnet, other than a long gillnet, or trammel net whose weight line sinks to the bottom and submerges the float line.

*Tail length* means the lengthwise measurement of the entire tail (segmented portion), not including any protruding muscle tissue, of a spiny lobster along the top middorsal line (middle of the back) to the rearmost extremity. The measurement is made with the tail in a flat, straight position with the tip of the tail closed.

*Total length (TL)*, for the purposes of this part, means the straight-line distance from the tip of the snout to the tip of the tail (caudal fin), excluding any caudal filament, while the fish is lying on its side. The mouth of the fish may be closed and/or the tail may be squeezed together to give the greatest overall measurement. (See Figure 2 in Appendix C of this part.)

*Toxic chemical* means any substance, other than an allowable chemical, that,

when introduced into the water, can stun, immobilize, or take marine life.

*Trammel net* means two or more panels of netting, suspended vertically in the water by a common float line and a common weight line, with one panel having a larger mesh size than the other(s), to entrap fish in a pocket of netting.

*Trip* means a fishing trip, regardless of number of days duration, that begins with departure from a dock, berth, beach, seawall, or ramp and that terminates with return to a dock, berth, beach, seawall, or ramp.

*Try net*, also called test net, means a net pulled for brief periods by a shrimp trawler to test for shrimp concentrations or determine fishing conditions (e.g., presence or absence of bottom debris, jellyfish, bycatch, sea grasses).

*Venting device* means a device intended to deflate the abdominal cavity of a fish to release the fish with minimum damage.

*Wahoo* means the species *Acanthocybium solandri*, or a part thereof, in the Atlantic.

*Wild live rock* means live rock other than aquacultured live rock.

*Wreckfish* means the species *Polypriion americanus*, or a part thereof, one of the South Atlantic snapper-grouper species.

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### § 622.3 Relation to other laws and regulations.

(a) The relation of this part to other laws is set forth in §600.705 of this chapter and paragraphs (b) through (e) of this section.

(b) Except for regulations on allowable octocoral, Gulf and South Atlantic prohibited coral, and live rock, this part is intended to apply within the EEZ portions of applicable National Marine Sanctuaries and National Parks, unless the regulations governing such sanctuaries or parks prohibit their application. Regulations on allowable octocoral, Gulf and South Atlantic prohibited coral, and live rock do not apply within the EEZ portions of the following National Marine Sanctuaries and National Parks: