

**Subpart K—Coral, Coral Reefs, and Live/Hard Bottom Habitats of the South Atlantic Region**

**§ 622.220 Permits.**

See § 622.4 for information regarding general permit procedures including, but not limited to fees, duration, transfer, renewal, display, sanctions and denials, and replacement.

(a) *Required permits*—(1) *Allowable chemical*. For an individual to take or possess fish or other marine organisms with an allowable chemical in a coral area, other than fish or other marine organisms that are landed in Florida, a Federal allowable chemical permit must have been issued to the individual. Such permit must be available when the permitted activity is being conducted and when such fish or other marine organisms are possessed, through landing ashore.

(2) *Allowable octocoral*. For an individual to take or possess allowable octocoral in the South Atlantic EEZ, other than allowable octocoral that is landed in Florida, a Federal allowable octocoral permit must have been issued to the individual. Such permit must be available for inspection when the permitted activity is being conducted and when allowable octocoral is possessed, through landing ashore.

(3) *Aquacultured live rock*. For a person to take or possess aquacultured live rock in the South Atlantic EEZ, a Federal aquacultured live rock permit must have been issued for the specific harvest site. Such permit, or a copy, must be on board a vessel depositing or possessing material on an aquacultured live rock site or harvesting or possessing live rock from an aquacultured live rock site.

(4) *Prohibited coral*. A Federal permit may be issued to take or possess South Atlantic prohibited coral only as scientific research activity, exempted fishing, or exempted educational activity. See § 600.745 of this chapter for the procedures and limitations for such activities and fishing.

(5) *Florida permits*. Appropriate Florida permits and endorsements are required for the following activities, without regard to whether they involve

activities in the EEZ or Florida's waters:

(i) Landing in Florida fish or other marine organisms taken with an allowable chemical in a coral area.

(ii) Landing allowable octocoral in Florida.

(iii) Landing live rock in Florida.

(b) *Application*. (1) The applicant for a coral permit must be the individual who will be conducting the activity that requires the permit. In the case of a corporation or partnership that will be conducting live rock aquaculture activity, the applicant must be the principal shareholder or a general partner.

(2) An applicant must provide the following:

(i) Name, address, telephone number, and other identifying information of the applicant.

(ii) Name and address of any affiliated company, institution, or organization.

(iii) Information concerning vessels, harvesting gear/methods, or fishing areas, as specified on the application form.

(iv) Any other information that may be necessary for the issuance or administration of the permit.

(v) If applying for an aquacultured live rock permit, identification of each vessel that will be depositing material on or harvesting aquacultured live rock from the proposed aquacultured live rock site, specification of the port of landing of aquacultured live rock, and a site evaluation report prepared pursuant to generally accepted industry standards that—

(A) Provides accurate coordinates of the proposed harvesting site so that it can be located using LORAN or Global Positioning System equipment;

(B) Shows the site on a chart in sufficient detail to determine its size and allow for site inspection;

(C) Discusses possible hazards to safe navigation or hindrance to vessel traffic, traditional fishing operations, or other public access that may result from aquacultured live rock at the site;

(D) Describes the naturally occurring bottom habitat at the site; and

(E) Specifies the type and origin of material to be deposited on the site

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and how it will be distinguishable from the naturally occurring substrate.

### § 622.221 Recordkeeping and reporting.

(a) *Individuals with coral or live rock permits.* (1) An individual with a Federal allowable octocoral permit must submit a report of harvest to the SRD. Specific reporting requirements will be provided with the permit.

(2) A person with a Federal aquacultured live rock permit must report to the RA each deposition of material on a site. Such reports must be postmarked not later than 7 days after deposition and must contain the following information:

(i) Permit number of site and date of deposit.

(ii) Geological origin of material deposited.

(iii) Amount of material deposited.

(iv) Source of material deposited, that is, where obtained, if removed from another habitat, or from whom purchased.

(3) A person who takes aquacultured live rock must submit a report of harvest to the RA. Specific reporting requirements will be provided with the permit. This reporting requirement is waived for aquacultured live rock that is landed in Florida.

(b) [Reserved]

### § 622.222 Prohibited gear and methods.

Also see § 622.9 for additional prohibited gear and methods that apply more broadly to multiple fisheries or in some cases all fisheries.

(a) *Power-assisted tools.* A power-assisted tool may not be used in the South Atlantic EEZ to take allowable octocoral, prohibited coral, or live rock.

(b) [Reserved]

### § 622.223 Prohibited species.

(a) *General.* The harvest and possession restrictions of this section apply without regard to whether the species is harvested by a vessel operating under a commercial vessel permit. The operator of a vessel that fishes in the EEZ is responsible for the limit applicable to that vessel.

(b) *Prohibited coral.* South Atlantic prohibited coral taken as incidental catch in the South Atlantic EEZ must be returned immediately to the sea in the general area of fishing. In fisheries where the entire catch is landed unsorted, such as the scallop and groundfish fisheries, unsorted prohibited coral may be landed ashore; however, no person may sell or purchase such prohibited coral.

(c) *Wild live rock.* Wild live rock may not be harvested or possessed in the South Atlantic EEZ.

(d) *Octocoral.* Octocoral may not be harvested or possessed in or from the portion of the South Atlantic EEZ managed under the FMP. Octocoral collected in the portion of the South Atlantic EEZ managed under the FMP must be released immediately with a minimum of harm.

### § 622.224 Area closures to protect South Atlantic corals.

(a) *Allowable octocoral closed area.* No person may harvest or possess allowable octocoral in the South Atlantic EEZ north of 28°35.1' N. lat. (due east of the NASA Vehicle Assembly Building, Cape Canaveral, FL).

(b) *Oculina Bank*—(1) *HAPC.* The Oculina Bank HAPC is bounded by rhumb lines connecting, in order, the following points:

Point	North lat.	West long.
Origin .....	29°43'29.82"	80°14'48.06"
1 .....	29°43'30"	80°15'48.24"
2 .....	29°34'51.66"	80°15'00.78"
3 .....	29°34'07.38"	80°15'51.66"
4 .....	29°29'24.9"	80°15'15.78"
5 .....	29°09'32.52"	80°12'17.22"
6 .....	29°04'45.18"	80°10'12"
7 .....	28°56'01.86"	80°08'53.64"
8 .....	28°52'44.40"	80°08'53.04"
9 .....	28°47'28.56"	80°07'07.44"
10 .....	28°46'13.68"	80°07'15.9"
11 .....	28°41'16.32"	80°05'58.74"
12 .....	28°35'05.76"	80°05'14.28"
13 .....	28°33'50.94"	80°05'24.6"

Point	North lat.	West long.
14 .....	28°30'51.36"	80°04'23.94"
15 .....	28°30'00"	80°03'57.3"
16 .....	28°30'	80°03'
17 .....	28°16'	80°03'
18 .....	28°04'30"	80°01'10.08"
19 .....	28°04'30"	80°00'
20 .....	27°30'	80°00'
21 .....	27°30'	79°54"—Point corresponding with intersection with the 100-fathom (183-m) contour, as shown on the latest edition of NOAA chart 11460
<b>Note:</b> Line between point 21 and point 22 follows the 100-fathom (183-m) contour, as shown on the latest edition of NOAA chart 11460		
22 .....	28°30'00"	79°56'56"— Point corresponding with intersection with the 100-fathom (183-m) contour, as shown on the latest edition of NOAA chart 11460
23 .....	28°30'00"	80°00'46.02"
24 .....	28°46'00.84"	80°03'28.5"
25 .....	28°48'37.14"	80°03'56.76"
26 .....	28°53'18.36"	80°04'48.84"
27 .....	29°11'19.62"	80°08'36.9"
28 .....	29°17'33.96"	80°10'06.9"
29 .....	29°23'35.34"	80°11'30.06"
30 .....	29°30'15.72"	80°12'38.88"
31 .....	29°35'55.86"	80°13'41.04"
Origin .....	29°43'29.82"	80°14'55.27"

(i) In the Oculina Bank HAPC, no person may:

(A) Use a bottom longline, bottom trawl, dredge, pot, or trap.

(B) If aboard a fishing vessel, anchor, use an anchor and chain, or use a grapple and chain.

(C) Fish for or possess rock shrimp in or from the Oculina Bank HAPC, except a shrimp vessel with a valid commercial vessel permit for rock shrimp that possesses rock shrimp may transit through the Oculina Bank HAPC if fishing gear is appropriately stowed. For the purpose of this paragraph, transit means a direct and non-stop continuous course through the area, maintaining a minimum speed of five knots as determined by an operating VMS and a VMS minimum ping rate of 1 ping per 5 minutes; fishing gear appropriately stowed means that doors and nets are out of the water.

(ii) [Reserved]

(2) *Experimental closed area.* Within the Oculina Bank HAPC, the experimental closed area is bounded on the north by 27°53' N. lat., on the south by 27°30' N. lat., on the east by 79°56' W. long., and on the west by 80°00' W. long. No person may fish for South Atlantic snapper-grouper in the experimental closed area, and no person may retain South Atlantic snapper-grouper in or from the area. In the experimental

closed area, any South Atlantic snapper-grouper taken incidentally by hook-and-line gear must be released immediately by cutting the line without removing the fish from the water.

(c) *Deepwater Coral HAPCs*—(1) *Locations.* The following areas are designated Deepwater Coral HAPCs:

(i) *Cape Lookout Lophelia Banks* is bounded by rhumb lines connecting, in order, the following points:

Point	North lat.	West long.
Origin .....	34°24'37"	75°45'11"
1 .....	34°10'26"	75°58'44"
2 .....	34°05'47"	75°54'54"
3 .....	34°21'02"	75°41'25"
4 .....	34°23'28.998"	75°43'58.002"
5 .....	34°27'00"	75°41'45"
6 .....	34°27'54"	75°42'45"
Origin .....	34°24'37"	75°45'11"

(ii) *Cape Fear Lophelia Banks* is bounded by rhumb lines connecting, in order, the following points:

Point	North lat.	West long.
Origin .....	33°38'49"	76°29'32"
1 .....	33°32'21"	76°32'38"
2 .....	33°29'49"	76°26'19"
3 .....	33°36'09"	76°23'37"
Origin .....	33°38'49"	76°29'32"

(iii) *Stetson Reefs, Savannah and East Florida Lithohierms, and Miami Terrace (Stetson-Miami Terrace)* is bounded by—

(A) Rhumb lines connecting, in order, the following points:

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Point	North lat.	West long.	Point	North lat.	West long.
Origin .....	at outer boundary of EEZ	79°00'00"	73 .....	31°04'40"	79°42'09"
1 .....	31°23'37"	79°00'00"	74 .....	31°02'58"	79°42'28"
2 .....	31°23'37"	77°16'21"	75 .....	31°01'03"	79°42'40"
3 .....	32°38'37"	77°16'21"	76 .....	30°59'50"	79°42'43"
4 .....	32°38'21"	77°34'06"	77 .....	30°58'27"	79°42'50"
5 .....	32°35'24"	77°37'54"	78 .....	30°57'15"	79°43'28"
6 .....	32°32'18"	77°40'26"	79 .....	30°56'09"	79°44'53"
7 .....	32°28'42"	77°44'10"	80 .....	30°54'49"	79°46'24"
8 .....	32°25'51"	77°47'43"	81 .....	30°53'44"	79°47'40"
9 .....	32°22'40"	77°52'05"	82 .....	30°52'47"	79°48'16"
10 .....	32°20'58"	77°56'29"	83 .....	30°51'45"	79°49'02"
11 .....	32°20'30"	77°57'50"	84 .....	30°48'36"	79°49'55"
12 .....	32°19'53"	78°00'49"	85 .....	30°45'24"	79°51'31"
13 .....	32°18'44"	78°04'35"	86 .....	30°41'36"	79°52'23"
14 .....	32°17'35"	78°07'48"	87 .....	30°38'38"	79°52'37.2"
15 .....	32°17'15"	78°10'41"	88 .....	30°37'00"	80°05'00"
16 .....	32°15'50"	78°14'09"	89 .....	30°37'00"	80°05'54.96"
17 .....	32°15'20"	78°15'25"	90 .....	30°34'6.42"	80°07'41.22"
18 .....	32°12'15"	78°16'37"	91 .....	30°26'59.94"	80°08'8.58"
19 .....	32°10'26"	78°18'09"	92 .....	30°23'53.28"	80°09'22.56"
20 .....	32°04'42"	78°21'27"	93 .....	30°19'22.86"	80°11'15.24"
21 .....	32°03'41"	78°24'07"	94 .....	30°13'17.58"	80°12'19.62"
22 .....	32°04'58"	78°29'19"	95 .....	30°07'55.68"	80°13'00"
23 .....	32°06'59"	78°30'48"	96 .....	30°00'00"	80°09'30"
24 .....	32°09'27"	78°31'31"	97 .....	30°00'9"	80°09'30"
25 .....	32°11'23"	78°32'47"	98 .....	30°03'00"	80°06'00"
26 .....	32°13'09"	78°34'04"	99 .....	30°03'00"	80°02'45.6"
27 .....	32°14'08"	78°34'36"	100 .....	30°04'00"	80°04'11"
28 .....	32°12'48"	78°36'34"	101 .....	29°59'16"	80°05'44"
29 .....	32°13'07"	78°39'07"	102 .....	29°49'12"	80°06'24"
30 .....	32°14'17"	78°40'01"	103 .....	29°43'59"	80°06'53"
31 .....	32°16'20"	78°40'18"	104 .....	29°38'37"	80°07'18"
32 .....	32°16'33"	78°42'32"	105 .....	29°36'54"	80°07'32"
33 .....	32°14'26"	78°43'23"	106 .....	29°31'59"	80°07'18"
34 .....	32°11'14"	78°45'42"	107 .....	29°29'14"	80°05'01"
35 .....	32°10'19"	78°49'08"	108 .....	29°21'48"	80°04'29"
36 .....	32°09'42"	78°52'54"	109 .....	29°20'25"	79°59'43"
37 .....	32°08'15"	78°56'11"	110 .....	29°08'00"	79°59'07"
38 .....	32°05'00"	79°00'30"	111 .....	29°06'56"	79°58'44"
39 .....	32°01'54"	79°02'49"	112 .....	29°05'59"	79°57'37"
40 .....	31°58'40"	79°04'51"	113 .....	29°03'34"	79°56'59"
41 .....	31°56'32"	79°06'48"	114 .....	29°02'11"	79°55'32"
42 .....	31°53'27"	79°09'18"	115 .....	29°00'00"	79°54'22"
43 .....	31°50'56"	79°11'29"	116 .....	28°56'55"	79°53'31"
44 .....	31°49'07"	79°13'35"	117 .....	28°55'00"	79°52'51"
45 .....	31°47'56"	79°16'08"	118 .....	28°53'35"	79°52'07"
46 .....	31°47'11"	79°16'30"	119 .....	28°51'47"	79°51'27"
47 .....	31°46'29"	79°16'25"	120 .....	28°50'25"	79°51'20"
48 .....	31°44'31"	79°17'24"	121 .....	28°49'53"	79°51'10"
49 .....	31°43'20"	79°18'27"	122 .....	28°49'01"	79°50'59"
50 .....	31°42'26"	79°20'41"	123 .....	28°48'19"	79°50'36"
51 .....	31°41'09"	79°22'26"	124 .....	28°47'13"	79°50'04"
52 .....	31°39'36"	79°23'59"	125 .....	28°43'30"	79°50'07"
53 .....	31°37'54"	79°25'29"	126 .....	28°41'05"	79°49'56"
54 .....	31°35'57"	79°27'14"	127 .....	28°40'27"	79°49'58"
55 .....	31°34'14"	79°28'24"	128 .....	28°39'50"	79°49'35"
56 .....	31°31'08"	79°29'59"	129 .....	28°39'04"	79°48'35"
57 .....	31°30'26"	79°29'52"	130 .....	28°36'43"	79°46'20"
58 .....	31°29'11"	79°30'11"	131 .....	28°35'01"	79°46'12"
59 .....	31°27'58"	79°31'41"	132 .....	28°30'37"	79°45'45"
60 .....	31°27'06"	79°32'08"	133 .....	28°14'00"	79°45'20"
61 .....	31°26'22"	79°32'48"	134 .....	28°11'41"	79°44'51"
62 .....	31°24'21"	79°33'51"	135 .....	28°08'02"	79°44'53"
63 .....	31°22'53"	79°34'41"	136 .....	28°01'20"	79°44'58"
64 .....	31°21'03"	79°36'01"	137 .....	27°58'13"	79°44'53"
65 .....	31°20'00"	79°37'12"	138 .....	27°56'23"	79°44'25"
66 .....	31°18'34"	79°38'15"	139 .....	27°49'40"	79°44'22"
67 .....	31°16'49"	79°38'36"	140 .....	27°46'27"	79°44'33"
68 .....	31°13'06"	79°38'19"	141 .....	27°42'00"	79°45'29"
70 .....	31°11'04"	79°38'39"	142 .....	27°36'08"	79°45'47"
70 .....	31°09'28"	79°39'09"	143 .....	27°30'00"	79°45'54"
71 .....	31°07'44"	79°40'21"	144 .....	27°29'04"	79°45'57"
72 .....	31°05'53"	79°41'27"	145 .....	27°27'05"	
			146 .....	27°25'47"	

Point	North lat.	West long.
147 .....	27°19'46"	79°45'14"
148 .....	27°17'54"	79°45'12"
149 .....	27°12'28"	79°45'00"
150 .....	27°07'45"	79°46'07"
151 .....	27°04'47"	79°46'29"
152 .....	27°00'43"	79°46'39"
153 .....	26°58'43"	79°46'28"
154 .....	26°57'06"	79°46'32"
155 .....	26°49'58"	79°46'54"
156 .....	26°48'58"	79°46'56"
157 .....	26°47'01"	79°47'09"
158 .....	26°46'04"	79°47'09"
159 .....	26°35'09"	79°48'01"
160 .....	26°33'37"	79°48'21"
161 .....	26°27'56"	79°49'09"
162 .....	26°25'55"	79°49'30"
163 .....	26°21'05"	79°50'03"
164 .....	26°20'30"	79°50'20"
165 .....	26°18'56"	79°50'17"
166 .....	26°16'19"	79°54'06"
167 .....	26°13'48"	79°54'48"
168 .....	26°12'19"	79°55'37"
169 .....	26°10'57"	79°57'05"
170 .....	26°09'17"	79°58'45"
171 .....	26°07'11"	80°00'22"
172 .....	26°06'12"	80°00'33"
173 .....	26°03'26"	80°01'02"
174 .....	26°00'35"	80°01'13"
175 .....	25°49'10"	80°00'38"
176 .....	25°48'30"	80°00'23"
177 .....	25°46'42"	79°59'14"
178 .....	25°27'28"	80°02'26"
179 .....	25°24'06"	80°01'44"
180 .....	25°21'04"	80°01'27"
181 .....	25°21'04"	at outer boundary of EEZ

(B) The outer boundary of the EEZ in a northerly direction from Point 181 to the Origin.

(iv) *Pourtales Terrace* is bounded by—

(A) Rhumb lines connecting, in order, the following points:

Point	North lat.	West long.
Origin .....	24°20'12"	80°43'50"
1 .....	24°33'42"	80°34'23"
2 .....	24°37'45"	80°31'20"
3 .....	24°47'18"	80°23'08"
4 .....	24°51'08"	80°27'58"
5 .....	24°42'52"	80°35'51"
6 .....	24°29'44"	80°49'45"
7 .....	24°15'04"	81°07'52"
8 .....	24°10'55"	80°58'11"

(B) The outer boundary of the EEZ in a northerly direction from Point 8 to the Origin.

(v) *Blake Ridge Diapir* is bounded by rhumb lines connecting, in order, the following points:

Point	North lat.	West long.
Origin .....	32°32'28"	76°13'16"
1 .....	32°30'44"	76°13'24"
2 .....	32°30'37"	76°11'21"
3 .....	32°32'21"	76°11'13"
Origin .....	32°32'28"	76°13'16"

(2) *Restrictions.* In the Deepwater Coral HAPCs specified in paragraph (c)(1) of this section, no person may:

(i) Use a bottom longline, trawl (mid-water or bottom), dredge, pot, or trap.

(ii) If aboard a fishing vessel, anchor, use an anchor and chain, or use a grapple and chain.

(iii) Fish for coral or possess coral in or from the Deepwater Coral HAPC on board a fishing vessel.

(3) *Shrimp fishery access areas.* The provisions of paragraph (c)(2)(i) of this section notwithstanding, an owner or operator of a vessel for which a valid commercial vessel permit for rock shrimp (South Atlantic EEZ) has been issued may trawl for shrimp in the following portions of the Stetson-Miami Terrace Deepwater Coral HAPC:

(i) *Shrimp access area 1* is bounded by rhumb lines connecting, in order, the following points:

Point	North lat.	West long.
Origin .....	30°06'30"	80°02'2.4"
1 .....	30°06'30"	80°05'39.6"
2 .....	30°03'00"	80°09'30"
3 .....	30°03'00"	80°06'00"
4 .....	30°04'00"	80°02'45.6"
5 .....	29°59'16"	80°04'11"
6 .....	29°49'12"	80°05'44"
7 .....	29°43'59"	80°06'24"
8 .....	29°38'37"	80°06'53"
9 .....	29°36'54"	80°07'18"
10 .....	29°31'59"	80°07'32"
11 .....	29°29'14"	80°07'18"
12 .....	29°21'48"	80°05'01"
13 .....	29°20'25"	80°04'29"
14 .....	29°20'25"	80°03'11"
15 .....	29°21'48"	80°03'52"
16 .....	29°29'14"	80°06'08"
17 .....	29°31'59"	80°06'23"
18 .....	29°36'54"	80°06'00"
19 .....	29°38'37"	80°05'43"
20 .....	29°43'59"	80°05'14"
21 .....	29°49'12"	80°04'35"
22 .....	29°59'16"	80°03'01"
23 .....	30°06'30"	80°00'53"
Origin .....	30°06'30"	80°02'2.4"

(ii) *Shrimp access area 2* is bounded by rhumb lines connecting, in order, the following points:

Point	North lat.	West long.
Origin .....	29°08'00"	79°59'43"
1 .....	29°06'56"	79°59'07"
2 .....	29°05'59"	79°58'44"
3 .....	29°03'34"	79°57'37"
4 .....	29°02'11"	79°56'59"
5 .....	29°00'00"	79°55'32"
6 .....	28°56'55"	79°54'22"
7 .....	28°55'00"	79°53'31"
8 .....	28°53'35"	79°52'51"
9 .....	28°51'47"	79°52'07"
10 .....	28°50'25"	79°51'27"

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Point	North lat.	West long.
11 .....	28°49'53"	79°51'20"
12 .....	28°49'01"	79°51'20"
13 .....	28°48'19"	79°51'10"
14 .....	28°47'13"	79°50'59"
15 .....	28°43'30"	79°50'36"
16 .....	28°41'05"	79°50'04"
17 .....	28°40'27"	79°50'07"
18 .....	28°39'50"	79°49'56"
19 .....	28°39'04"	79°49'58"
20 .....	28°36'43"	79°49'35"
21 .....	28°35'01"	79°49'24"
22 .....	28°30'37"	79°48'35"
23 .....	28°30'37"	79°47'27"
24 .....	28°35'01"	79°48'16"
25 .....	28°36'43"	79°48'27"
26 .....	28°39'04"	79°48'50"
27 .....	28°39'50"	79°48'48"
28 .....	28°40'27"	79°48'58"
29 .....	28°41'05"	79°48'56"
30 .....	28°43'30"	79°49'28"
31 .....	28°47'13"	79°49'51"
32 .....	28°48'19"	79°50'01"
33 .....	28°49'01"	79°50'13"
34 .....	28°49'53"	79°50'12"
35 .....	28°50'25"	79°50'17"
36 .....	28°51'47"	79°50'58"
37 .....	28°53'35"	79°51'43"
38 .....	28°55'00"	79°52'22"
39 .....	28°56'55"	79°53'14"
40 .....	29°00'00"	79°54'24"
41 .....	29°02'11"	79°55'50"
42 .....	29°03'34"	79°56'29"
43 .....	29°05'59"	79°57'35"
44 .....	29°06'56"	79°57'59"
45 .....	29°08'00"	79°58'34"
Origin .....	29°08'00"	79°59'43"

(iii) *Shrimp access area 3* is bounded by rhumb lines connecting, in order, the following points:

Point	North lat.	West long.
Origin .....	28°14'00"	79°46'20"
1 .....	28°11'41"	79°46'12"
2 .....	28°08'02"	79°45'45"
3 .....	28°01'20"	79°45'20"
4 .....	27°58'13"	79°44'51"
5 .....	27°56'23"	79°44'53"
6 .....	27°49'40"	79°44'25"
7 .....	27°46'27"	79°44'22"
8 .....	27°42'00"	79°44'33"
9 .....	27°36'08"	79°44'58"
10 .....	27°30'00"	79°45'29"
11 .....	27°29'04"	79°45'47"
12 .....	27°27'05"	79°45'54"
13 .....	27°25'47"	79°45'57"
14 .....	27°19'46"	79°45'14"
15 .....	27°17'54"	79°45'12"
16 .....	27°12'28"	79°45'00"
17 .....	27°07'45"	79°46'07"
18 .....	27°04'47"	79°46'29"
19 .....	27°00'43"	79°46'39"
20 .....	26°58'43"	79°46'28"
21 .....	26°57'06"	79°46'32"
22 .....	26°57'06"	79°44'52"
23 .....	26°58'43"	79°44'47"
24 .....	27°00'43"	79°44'58"
25 .....	27°04'47"	79°44'48"
26 .....	27°07'45"	79°44'26"
27 .....	27°12'28"	79°43'19"
28 .....	27°17'54"	79°43'31"
29 .....	27°19'46"	79°43'33"

Point	North lat.	West long.
30 .....	27°25'47"	79°44'15"
31 .....	27°27'05"	79°44'12"
32 .....	27°29'04"	79°44'06"
33 .....	27°30'00"	79°43'48"
34 .....	27°30'00"	79°44'22"
35 .....	27°36'08"	79°43'50"
36 .....	27°42'00"	79°43'25"
37 .....	27°46'27"	79°43'14"
38 .....	27°49'40"	79°43'17"
39 .....	27°56'23"	79°43'45"
40 .....	27°58'13"	79°43'43"
41 .....	28°01'20"	79°44'11"
42 .....	28°04'42"	79°44'25"
43 .....	28°08'02"	79°44'37"
44 .....	28°11'41"	79°45'04"
45 .....	28°14'00"	79°45'12"
Origin .....	28°14'00"	79°46'20"

(iv) *Shrimp access area 4* is bounded by rhumb lines connecting, in order, the following points:

Point	North lat.	West long.
Origin .....	26°49'58"	79°46'54"
1 .....	26°48'58"	79°46'56"
2 .....	26°47'01"	79°47'09"
3 .....	26°46'04"	79°47'09"
4 .....	26°35'09"	79°48'01"
5 .....	26°33'37"	79°48'21"
6 .....	26°27'56"	79°49'09"
7 .....	26°25'55"	79°49'30"
8 .....	26°21'05"	79°50'03"
9 .....	26°20'30"	79°50'20"
10 .....	26°18'56"	79°50'17"
11 .....	26°18'56"	79°48'37"
12 .....	26°20'30"	79°48'40"
13 .....	26°21'05"	79°48'08"
14 .....	26°25'55"	79°47'49"
15 .....	26°27'56"	79°47'29"
16 .....	26°33'37"	79°46'40"
17 .....	26°35'09"	79°46'20"
18 .....	26°46'04"	79°45'28"
19 .....	26°47'01"	79°45'28"
20 .....	26°48'58"	79°45'15"
21 .....	26°49'58"	79°45'13"
Origin .....	26°49'58"	79°46'54"

(4) *Golden crab fishery access areas.* The provisions of paragraphs (c)(2)(i) and (ii) of this section notwithstanding, an owner or operator of a vessel for which a valid commercial permit for South Atlantic golden crab has been issued may use a trap to fish for golden crab and use a grapple and chain while engaged in such fishing in the following portions of the Stetson-Miami Terrace and the Pourtales Terrace Deepwater Coral HAPCs. Access to an area specified in paragraph (c)(4)(i) through (v) of this section is contingent on that zone being authorized on the vessel's permit for South Atlantic golden crab. See § 622.241(b) for specification of zones.

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(i) *Golden crab northern zone access area* is bounded by rhumb lines connecting, in order, the following points:

Point	North lat.	West long.
Origin .....	29°00'00"	79°54'24"
1 .....	28°56'55"	79°53'14"
2 .....	28°55'00"	79°52'22"
3 .....	28°53'35"	79°51'43"
4 .....	28°51'47"	79°50'58"
5 .....	28°50'25"	79°50'17"
6 .....	28°49'53"	79°50'12"
7 .....	28°49'01"	79°50'13"
8 .....	28°48'19"	79°50'01"
9 .....	28°47'13"	79°49'51"
10 .....	28°43'30"	79°49'28"
11 .....	28°41'05"	79°48'56"
12 .....	28°40'27"	79°48'58"
13 .....	28°39'50"	79°48'48"
14 .....	28°39'04"	79°48'50"
15 .....	28°36'43"	79°48'27"
16 .....	28°35'01"	79°48'16"
17 .....	28°30'37"	79°47'27"
18 .....	28°30'37"	79°42'12"
19 .....	28°14'00"	79°40'54"
20 .....	28°14'00"	79°45'12"
21 .....	28°11'41"	79°45'04"
22 .....	28°08'02"	79°44'37"
23 .....	28°04'42"	79°44'25"
24 .....	28°01'20"	79°44'11"
25 .....	28°00'00"	79°43'59"
26 .....	28°00'00"	79°38'16"
27 .....	28°11'42"	79°38'13"
28 .....	28°23'02"	79°38'57"
29 .....	28°36'50"	79°40'25"
30 .....	28°38'33"	79°41'33"
31 .....	28°38'20"	79°43'04"
32 .....	28°41'00"	79°43'39"
33 .....	28°48'16"	79°44'32"
34 .....	28°54'29"	79°45'55"
35 .....	29°00'00"	79°45'50"
Origin .....	29°00'00"	79°54'24"

(ii) *Golden crab middle zone access area A* is bounded by—

(A) Rhumb lines connecting, in order, the following points:

Point	North lat.	West long.
Origin .....	26°58'45"	79°35'05"
1 .....	27°00'39"	79°36'26"
2 .....	27°07'55"	79°37'52"
3 .....	27°14'52"	79°37'09"
4 .....	27°29'21"	79°37'15"
5 .....	28°00'00"	79°38'16"
6 .....	28°00'00"	79°43'59"
7 .....	27°58'13"	79°43'43"
8 .....	27°56'23"	79°43'45"
9 .....	27°49'40"	79°43'17"
10 .....	27°46'27"	79°43'14"
11 .....	27°42'00"	79°43'25"
12 .....	27°36'08"	79°43'50"
13 .....	27°30'00"	79°44'22"
14 .....	27°30'00"	79°43'48"
15 .....	27°29'04"	79°44'06"
16 .....	27°27'05"	79°44'12"
17 .....	27°25'47"	79°44'15"
18 .....	27°19'46"	79°43'33"
19 .....	27°17'54"	79°43'31"
20 .....	27°12'28"	79°43'19"
21 .....	27°07'45"	79°44'26"
22 .....	27°04'47"	79°44'48"

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Point	North lat.	West long.
23 .....	27°00'43"	79°44'58"
24 .....	26°58'43"	79°44'47"
25 .....	26°57'06"	79°44'52"
26 .....	26°57'06"	79°42'34"
27 .....	26°49'58"	79°42'34"
28 .....	26°49'58"	79°45'13"
29 .....	26°48'58"	79°45'15"
30 .....	26°47'01"	79°45'28"
31 .....	26°46'04"	79°45'28"
32 .....	26°35'09"	79°46'20"
33 .....	26°33'37"	79°46'40"
34 .....	26°27'56"	79°47'29"
35 .....	26°25'55"	79°47'49"
36 .....	26°21'05"	79°48'08"
37 .....	26°20'30"	79°48'40"
38 .....	26°18'56"	79°48'37"
39 .....	26°03'38"	79°48'16"
40 .....	26°03'35"	79°46'09"
41 .....	25°58'33"	79°46'08"
42 .....	25°54'27"	79°45'37"
43 .....	25°46'55"	79°44'14"
44 .....	25°38'04"	79°45'58"
45 .....	25°38'05"	79°42'27"

(B) The outer boundary of the EEZ in a northerly direction from Point 45 to Point 46.

(C) Rhumb lines connecting, in order, the following points:

Point	North lat.	West long.
46 .....	26°07'49"	79°36'07"
47 .....	26°17'36"	79°36'06"
48 .....	26°21'18"	79°38'04"
49 .....	26°50'46"	79°35'12"
50 .....	26°50'40"	79°33'45"

(D) The outer boundary of the EEZ in a northerly direction from Point 50 to the Origin.

(iii) *Golden crab middle zone access area B* is bounded by rhumb lines connecting, in order, the following points:

Point	North lat.	West long.
Origin .....	25°49'10"	80°00'38"
1 .....	25°48'30"	80°00'23"
2 .....	25°46'42"	79°59'14"
3 .....	25°27'28"	80°02'26"
4 .....	25°24'06"	80°01'44"
5 .....	25°21'04"	80°01'27"
6 .....	25°21'04"	79°58'12"
7 .....	25°23'25"	79°58'19"
8 .....	25°32'52"	79°54'48"
9 .....	25°36'58"	79°54'46"
10 .....	25°37'20"	79°56'20"
11 .....	25°49'11"	79°56'00"
Origin .....	25°49'10"	80°00'38"

(iv) *Golden crab middle zone access area C* is bounded by—

(A) Rhumb lines connecting, in order, the following points:

Point	North lat.	West long.
Origin .....	25°33'32"	79°42'18"

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Point	North lat.	West long.
1 .....	25°33'32"	79°47'14"
2 .....	25°21'04"	79°53'45"
3 .....	25°21'04"	79°42'04"

(B) The outer boundary of the EEZ in a northerly direction from Point 3 to the Origin.

(v) *Golden crab southern zone access area* is bounded by—

(A) Rhumb lines connecting, in order, the following points:

Point	North lat.	West long.
Origin .....	24°14'07"	80°53'27"
1 .....	24°13'46"	81°04'54"
2 .....	24°10'55"	80°58'11"

(B) The outer boundary of the EEZ in a northerly direction from Point 2 to the Origin.

[78 FR 22952, Apr. 17, 2013, as amended at 80 FR 42431, July 17, 2015; 80 FR 46205, Aug. 4, 2015; 80 FR 60566, Oct. 7, 2015; 81 FR 7715, Feb. 16, 2016]

### § 622.225 Harvest limitations.

(a) *Aquacultured live rock*. In the South Atlantic EEZ:

(1) Aquacultured live rock may be harvested only under a permit, as required under § 622.220(a)(3), and aquacultured live rock on a site may be harvested only by the person, or his or her employee, contractor, or agent, who has been issued the aquacultured live rock permit for the site. A person harvesting aquacultured live rock is exempt from the prohibition on taking prohibited coral for such prohibited coral as attaches to aquacultured live rock.

(2) The following restrictions apply to individual aquaculture activities:

(i) No aquaculture site may exceed 1 acre (0.4 ha) in size.

(ii) Material deposited on the aquaculture site—

(A) May not be placed over naturally occurring reef outcrops, limestone ledges, coral reefs, or vegetated areas.

(B) Must be free of contaminants.

(C) Must be nontoxic.

(D) Must be placed on the site by hand or lowered completely to the bottom under restraint, that is, not allowed to fall freely.

(E) Must be placed from a vessel that is anchored.

(F) Must be geologically distinguishable from the naturally occurring substrate and, in addition, may be indelibly marked or tagged.

(iii) A minimum setback of at least 50 ft (15.2 m) must be maintained from natural vegetated or hard bottom habitats.

(3) Mechanically dredging or drilling, or otherwise disturbing, aquacultured live rock is prohibited, and aquacultured live rock may be harvested only by hand.

(4) The following activities are also prohibited: Chipping of aquacultured live rock in the EEZ, possession of chipped aquacultured live rock in or from the EEZ, removal of allowable octocoral or prohibited coral from aquacultured live rock in or from the EEZ, and possession of prohibited coral not attached to aquacultured live rock or allowable octocoral, while aquacultured live rock is in possession. See the definition of “Allowable octocoral” for clarification of the distinction between allowable octocoral and live rock. For the purposes of this paragraph (a)(4), chipping means breaking up reefs, ledges, or rocks into fragments, usually by means of a chisel and hammer.

(5) Not less than 24 hours prior to harvest of aquacultured live rock, the owner or operator of the harvesting vessel must provide the following information to the NMFS Office for Law Enforcement, Southeast Region, St. Petersburg, FL, by telephone (727-824-5344):

(i) Permit number of site to be harvested and date of harvest.

(ii) Name and official number of the vessel to be used in harvesting.

(iii) Date, port, and facility at which aquacultured live rock will be landed.

(b) [Reserved]

### § 622.226 Restrictions on sale/purchase.

(a) *South Atlantic wild live rock*. Wild live rock in or from the South Atlantic EEZ may not be sold or purchased. The prohibition on sale or purchase does not apply to wild live rock from the South Atlantic EEZ that was harvested and landed prior to January 1, 1996.

(b) [Reserved]



**§ 622.227 Adjustment of management measures.**

In accordance with the framework procedures of the FMP for Coral, Coral Reefs, and Live/Hard Bottom Habitats of the South Atlantic Region, the RA may establish or modify the following:

- (a) *South Atlantic coral, coral reefs, and live/hard bottom habitats.* Definitions of essential fish habitat and essential fish habitat HAPCs or Coral HAPCs.
- (b) [Reserved]

**Subpart L—Golden Crab Fishery of the South Atlantic Region**

**§ 622.240 Permits.**

(a) *Commercial vessel permits.* For a person aboard a vessel to fish for golden crab in the South Atlantic EEZ, possess golden crab in or from the South Atlantic EEZ, off-load golden crab from the South Atlantic EEZ, or sell golden crab in or from the South Atlantic EEZ, a commercial vessel permit for golden crab must be issued to the vessel and must be on board. It is a rebuttable presumption that a golden crab on board a vessel in the South Atlantic or off-loaded from a vessel in a port adjoining the South Atlantic was harvested from the South Atlantic EEZ. See § 622.241 for limitations on the use, transfer, and renewal of a commercial vessel permit for golden crab.

(b) *Dealer permits and conditions—(1) Permits.* For a dealer to first receive South Atlantic golden crab harvested in or from the EEZ, a Gulf and South Atlantic dealer permit must be issued to the dealer.

(2) *State license and facility requirements.* To obtain a dealer permit, the applicant must have a valid state wholesaler's license in the state(s) where the dealer operates, if required by such state(s), and must have a physical facility at a fixed location in such state(s).

(c) *Permit procedures.* See § 622.4 for information regarding general permit procedures including, but not limited to application, fees, duration, transfer, renewal, display, sanctions and denials, and replacement.

[78 FR 22952, Apr. 17, 2013, as amended at 79 FR 19496, Apr. 9, 2014]

**§ 622.241 South Atlantic golden crab controlled access.**

(a) *General.* In accordance with the procedures specified in the Fishery Management Plan for the Golden Crab Fishery of the South Atlantic Region, initial commercial vessel permits have been issued for the fishery. All permits in the fishery are issued on a fishing-year (calendar-year) basis. No additional permits may be issued except for the northern zone as follows:

(1) The RA will issue up to two new vessel permits for the northern zone. Selection will be made from the list of historical participants in the South Atlantic golden crab fishery. Such list was used at the October 1995 meeting of the South Atlantic Fishery Management Council and was prioritized based on pounds of golden crab landed, without reference to a specific zone. Individuals on the list who originally received permits will be deleted from the list.

(2) The RA will offer in writing an opportunity to apply for a permit for the northern zone to the individuals highest on the list until two individuals accept and apply in a timely manner. An offer that is not accepted within 30 days after it is received will no longer be valid.

(3) An application for a permit from an individual who accepts the RA's offer must be received by the RA no later than 30 days after the date of the individual's acceptance. Application forms are available from the RA.

(4) A vessel permit for the northern zone issued under paragraph (a)(1) of this section, and any successor permit, may not be changed to another zone. A successor permit includes a permit issued to that vessel for a subsequent owner and a permit issued via transfer from that vessel to another vessel.

(b) *Fishing zones—(1) Designation of fishing zones.* The South Atlantic EEZ is divided into three fishing zones for golden crab as follows:

(i) Northern zone—the South Atlantic EEZ north of 28° N. lat.

(ii) Middle zone—the South Atlantic EEZ from 28° N. lat. to 25° N. lat.

(iii) Southern zone—the South Atlantic EEZ south of 25° N. lat.

(2) *Authorization to fish in zones.* Each vessel permit indicates one of the zones