

Fishery Conservation and Management

§ 665.221

§ 665.210 Hawaii restricted bottomfish species.

Hawaii restricted bottomfish species means the following species:

Local name	English common name	Scientific name
lehi	silver jaw jobfish	<i>Aphareus rutilans.</i>
ehu	squirrelfish snapper ..	<i>Etelis carbunculus.</i>
onaga	longtail snapper	<i>Etelis coruscans.</i>
opakapaka	Pink snapper	<i>Pristipomoides filamentosus.</i>
kalekale	snapper	<i>Pristipomoides sieboldii.</i>
gindai	snapper	<i>Pristipomoides zonatus.</i>
hapu'upu'u	sea bass	<i>Epinephelus quernus.</i>

§ 665.211 Total Allowable Catch (TAC) limit.

(a) TAC limits will be set annually for the fishing year by NMFS, as recommended by the Council, based on the best available scientific, commercial, and other information, and taking into account the associated risk of over-fishing.

(b) The Regional Administrator shall publish a notice indicating the annual TAC limit in the FEDERAL REGISTER by August 31 of each year, and shall use other means to notify permit holders of the TAC limit for the year.

(c) When the TAC limit specified in this section is projected to be reached based on analyses of available information, the Regional Administrator shall publish a notice to that effect in the FEDERAL REGISTER and shall use other means to notify permit holders. The notice will include an advisement that the fishery will be closed beginning at a specified date, which is not earlier than 14 days after the date of filing the closure notice for public inspection at the Office of the Federal Register, until the end of the fishing year in which the TAC is reached.

(d) On and after the date specified in § 665.211(c), no person may fish for or possess any Hawaii Restricted

Bottomfish Species as specified in § 665.210 in the MHI management sub-area, except as otherwise allowed in this section.

(e) On and after the date specified in § 665.211(c), no person may sell or offer for sale Hawaii Restricted Bottomfish Species as specified in § 665.210, except as otherwise authorized by law.

(f) Fishing for, and the resultant possession or sale of, Hawaii Restricted Bottomfish Species by vessels legally registered to Mau Zone, Ho'omaluu Zone, or PRIA bottomfish fishing permits and conducted in compliance with all other laws and regulations, is exempted from this section.

§ 665.212 Non-commercial bag limits.

No more than a total of five fish (all species combined) identified as Hawaii Restricted Bottomfish Species as specified in § 665.210, may be harvested, possessed, or landed by any individual participating in a non-commercial vessel-based fishing trip in the MHI management subarea. Charter boat customers are also subject to the bag limit.

§§ 665.213–665.219 [Reserved]

§ 665.220 Hawaii coral reef ecosystem fisheries. [Reserved]

§ 665.221 Definitions.

As used in §§ 665.220 through 665.239: *Hawaii coral reef ecosystem management unit species (Hawaii coral reef ecosystem MUS)* means all of the Currently Harvested Coral Reef Taxa and Potentially Harvested Coral Reef Taxa listed in this section and which spend the majority of their non-pelagic (post-settlement) life stages within waters less than or equal to 50 fathoms in total depth.

Hawaii Currently Harvested Coral Reef Taxa:

Family name	Local name	English common name	Scientific name
Acanthuridae (Surgeonfishes)	na'ena'e	orange-spot surgeonfish	<i>Acanthurus olivaceus.</i>
	Pualu	yellowfin surgeonfish	<i>Acanthurus xanthopterus.</i>
	Manini	convict tang	<i>Acanthurus triostegus.</i>
	Palani	eye-striped surgeonfish	<i>Acanthurus dussumieri.</i>
	Maiko	blue-lined surgeon	<i>Acanthurus nigroris.</i>
	maiko, maikoiko	whitebar surgeonfish	<i>Acanthurus leucopareius.</i>
		whitecheek surgeonfish	<i>Acanthurus nigricans.</i>
	'api	white-spotted surgeonfish	<i>Acanthurus guttatus.</i>
	Pualu	ringtail surgeonfish	<i>Acanthurus blochii.</i>
	mai'i'i	brown surgeonfish	<i>Acanthurus nigrofuscus.</i>
	Kole	yellow-eyed surgeonfish	<i>Ctenochaetus strigosus.</i>