permissibility of this gear type will be made by the Regional Administrator after consultation with the Council and the director of the affected state fishery management agency.

§ 665.128 Gear identification.

(a) The vessel number must be affixed to all fish and crab traps on board the vessel or deployed in the water by any vessel or person holding a permit under §§665.13 or 665.124 or that is otherwise established to be fishing for American Samoa coral reef ecosystem MUS in the management area.

(b) Enforcement action. (1) Traps not marked in compliance with paragraph (a) of this section and found deployed in the coral reef ecosystem management area will be considered unclaimed or abandoned property, and may be disposed of in any manner considered appropriate by NMFS or an authorized officer.

(2) Unattended surround nets or bait seine nets found deployed in the coral reef ecosystem management area will be considered unclaimed or abandoned property, and may be disposed of in any manner considered appropriate by NMFS or an authorized officer.

§§ 665.129–665.139 [Reserved]

§ 665.140 American Samoa Crustacean Fisheries. [Reserved]

§ 665.141 Definitions.

As used in §§665.140 through 665.159:

American Samoa crustacean management unit species means the following crustaceans:

<table>
<thead>
<tr>
<th>Samoan name</th>
<th>English common name</th>
<th>Scientific name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ula ..........</td>
<td>spiny lobster .......</td>
<td>Panulirus marginatus, Panulirus penicillatus.</td>
</tr>
<tr>
<td>Papata .......</td>
<td>slipper lobster ......</td>
<td>Scyllaridae.</td>
</tr>
<tr>
<td>pa’a ..........</td>
<td>Kona crab ...........</td>
<td>Ranina ranina.</td>
</tr>
<tr>
<td>deepwater shrimp ...</td>
<td></td>
<td>Heterocarpus spp.</td>
</tr>
</tbody>
</table>

Crustacean Permit Area 3 (Permit Area 3) includes the EEZ around American Samoa.

§ 665.142 Permits.

(a) Applicability. (1) The owner of any vessel used to fish for lobster in Permit Area 3 must have a permit issued for that vessel.

(2) The owner of any vessel used to fish for deepwater shrimp in Crustacean Permit Area 3 must have a permit issued for that vessel.

(b) General requirements. General requirements governing application information, issuance, fees, expiration, replacement, transfer, alteration, display, sanctions, and appeals for permits issued under this section, as applicable, are contained in §§665.13.

(c) Application. An application for a permit required under this section will be submitted to PIRO as described in §665.13. If the application for a limited access permit is submitted on behalf of a partnership or corporation, the application must be accompanied by a supplementary information sheet obtained from PIRO and contain the names and mailing addresses of all partners or shareholders and their respective percentage of ownership in the partnership or corporation.

§ 665.143 Prohibitions.

In addition to the general prohibitions specified in §600.725 of this chapter and §665.15, in Crustacean Permit Area 3, it is unlawful for any person to fish for, take, or retain deepwater shrimp without a permit issued under §665.142.

§ 665.144 Notifications.

(a) The operator of any vessel fishing subject to the requirements of this subpart must:

(1) Report, not less than 24 hours, but not more than 36 hours, before landing, the port, the approximate date and the approximate time at which spiny and slipper lobsters will be landed.

(2) Report, not less than 6 hours and not more than 12 hours before off-loading, the location and time that off-loading of spiny and slipper lobsters will begin.

(b) The Regional Administrator will notify permit holders of any change in the reporting method and schedule required in paragraphs (a)(1) and (a)(2) of this section at least 30 days prior to the opening of the fishing season.

§ 665.145 At-sea observer coverage.

All fishing vessels subject to §§665.140 through 665.145 and subpart A of this
part must carry an observer when requested to do so by the Regional Administrator.

§§ 665.146–665.159 [Reserved]

§ 665.160 American Samoa precious coral fisheries. [Reserved]

§ 665.161 Definitions.

As used in §§ 665.160 through 665.169:

American Samoa precious coral management unit species (American Samoa precious coral MUS) means any coral of the genus Corallium in addition to the following species of corals:

<table>
<thead>
<tr>
<th>Local name</th>
<th>English common name</th>
<th>Scientific name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amu pinki-mumu.</td>
<td>Pink coral (also known as red coral).</td>
<td>Corallium secundum, Corallium regale, Corallium lauense.</td>
</tr>
<tr>
<td>Amu auro ...</td>
<td>Gold coral ....</td>
<td>Gerardia spp., Callogorgia gilberti, Narella spp., Calyptrophora spp.</td>
</tr>
<tr>
<td>Amu ofe .....</td>
<td>Bamboo coral</td>
<td>Lepidisis olapa, Acanella spp.</td>
</tr>
<tr>
<td>Amu ofe .....</td>
<td>Black coral ....</td>
<td>Antipathes dichotoma, Antipathes grandis, Antipathes utes.</td>
</tr>
</tbody>
</table>

American Samoa precious coral permit area means the area encompassing the precious coral beds within the U.S. EEZ around American Samoa. Each bed is designated by a permit area code and assigned to one of the following four categories:

1. Established beds. [Reserved]
2. Conditional beds. [Reserved]
3. Refugia. [Reserved]
4. Exploratory Area. Permit Area X–P–AS includes all coral beds, other than established beds, conditional beds, or refugia, in the EEZ seaward of American Samoa.

§ 665.162 Permits.

(a) Any vessel of the United States fishing for, taking, or retaining American Samoa precious coral MUS in any American Samoa precious coral permit area must have a permit issued under § 665.13.

(b) Each permit will be valid for fishing only in the permit area specified on the permit. Precious Coral Permit Areas are defined in § 665.161.

(c) No more than one permit will be valid for any one vessel at any one time.

(d) No more than one permit will be valid for any one person at any one time.

(e) The holder of a valid permit to fish one permit area may obtain a permit to fish another permit area only upon surrendering to the Regional Administrator any current permit for the precious coral fishery issued under § 665.13.

(f) General requirements governing application information, issuance, fees, expiration, replacement, transfer, alteration, display, sanctions, and appeals for permits for the precious coral fishery are contained in § 665.13.

§ 665.163 Prohibitions.

In addition to the general prohibitions specified in § 600.725 of this chapter and in § 665.15, it is unlawful for any person to:

(a) Use any vessel to fish for, take, retain, possess or land precious coral in any precious coral permit area, unless a permit has been issued for that vessel and area as specified in § 665.13 and that permit is on board the vessel.

(b) Fish for, take, or retain any species of American Samoa precious coral MUS in any precious coral permit area:

1. By means of gear or methods prohibited by § 665.164.
3. In a bed for which the quota specified in § 665.167 has been attained.
4. In violation of any permit issued under § 665.13 or § 665.17.
5. In a bed that has been closed pursuant to §§ 665.166 or 665.169.

(c) Take and retain, possess, or land any live pink coral or live black coral from any precious coral permit area that is less than the minimum height specified in § 665.165 unless:

1. A valid EFP was issued under § 665.17 for the vessel and the vessel was operating under the terms of the permit; or
2. The coral originated outside coral beds listed in this paragraph, and this can be demonstrated through receipts of purchase, invoices, or other documentation.

§ 665.164 Gear restrictions.

Only selective gear may be used to harvest coral from any precious coral permit area.