decision, if any, and such other consider-
ations as deemed appropriate. The
Regional Administrator will notify all
interested persons of the decision, and
the reasons therefor, in writing, nor-
mally within 30 days of the receipt of
sufficient information, unless addi-
tional time is needed for a hearing.

(iii) If a hearing is requested, or if
the Regional Administrator determines
that one is appropriate, the Regional
Administrator may grant an informal
hearing before a hearing officer des-
ignated for that purpose after first giv-
ing notice of the time, place, and sub-
ject matter of the hearing in the Fed-
eral Register. Such a hearing shall
normally be held no later than 30 days
following publication of the notice in the
Federal Register, unless the hearing officer extends the time for
reasons deemed equitable. The appel-
ant, the applicant (if different), and,
at the discretion of the hearing officer,
other interested parties, may appear
personally and/or be represented by
counsel at the hearing and submit in-
formation and present arguments as
determined appropriate by the hearing
officer. Within 30 days of the last day
of the hearing, the hearing officer shall
recommend in writing a decision to the
Regional Administrator.

(iv) The Regional Administrator may
adopt the hearing officer’s recom-
manded decision, in whole or in
part, or may reject or modify it. In any
event, the Regional Administrator
shall notify interested persons of the
decision, and the reason(s) therefore, in
writing, within 30 days of receipt of the
hearing officer’s recommended deci-
sion. The Regional Administrator’s ac-
tion constitutes final action for the
agency for the purposes of the Admin-
istrative Procedure Act.

(5) The Regional Administrator may,
for good cause, extend any time limit
prescribed in this section for a period
not to exceed 30 days, either upon his
or her own motion or upon written re-
quest from the Council, appellant or
applicant stating the reason(s) there-
fore.

§ 665.625 Prohibitions.

In addition to the general prohibi-
tions specified in § 600.725 of this chap-
ter and § 665.15, it is unlawful for any
person to do any of the following:

(a) [Reserved]

(b) Fish for, take, or retain any PRIA
coral reef ecosystem MUS species:
(1) That is determined overfished
with subsequent rulemaking by the Re-
gional Administrator.

(2) By means of gear or methods pro-
hibited under § 665.627.

(3) [Reserved]

(4) In violation of any permit issued
under §§ 665.13 or 665.624.

(c) Fish for, take, or retain any wild
live rock or live hard coral except
under a valid special permit for sci-
entific research, aquaculture seed
stock collection or traditional and cer-
emonial purposes by indigenous people.

§ 665.626 Notifications.

Any special permit holder subject to
the requirements of this subpart must
contact the appropriate NMFS enforce-
ment agent in American Samoa, Guam,
or Hawaii at least 24 hours before land-
ing any PRIA coral reef ecosystem
MUS unit species harvested under a
special permit, and report the port and
the approximate date and time at
which the catch will be landed.

§ 665.627 Allowable gear and gear re-
strictions.

(a) Coral reef ecosystem MUS may be
taken only with the following allow-
able gear and methods:

(1) Hand harvest;

(2) Spear;

(3) Slurp gun;

(4) Hand net/dip net;

(5) Hoop net for Kona crab;

(6) Throw net;

(7) Barrier net;

(8) Surround/purse net that is at-
tended at all times;

(9) Hook-and-line (includes handline
powered or not), rod-and-reel, and
trolling);

(10) Crab and fish traps with vessel ID
number affixed; and

(11) Remote-operating vehicles/
submersibles.

[75 FR 2285, Jan. 14, 2010, as amended at 78
FR 33003, June 3, 2013]
§ 665.628 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 665.624 or that is otherwise established to be fishing for PRIA coral reef ecosystem MUS in the PRIA fishery management area.

(b) Enforcement action. (1) Traps not marked in compliance with paragraph (a) of this section and found deployed in the PRIA fishery 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.

§ 665.629–665.639 [Reserved]

§ 665.640 PRIA crustacean fisheries. [Reserved]

§ 665.641 Definitions.

As used in §§ 665.640 through 665.659:

Crustacean Permit Area 4 (Permit Area 4) means the EEZ around Palmyra Atoll, Kingman Reef, Jarvis Island, Baker Island, Howland Island, Johnston Atoll, and Wake Island.

PRIA crustacean fishing permit means the permit required by § 665.642 to use a vessel to fish for PRIA crustacean MUS in the PRIA fishery management area, or to land crustacean MUS shoreward of the outer boundary of the PRIA fishery management area.

PRIA crustacean management unit species means the following crustaceans:

<table>
<thead>
<tr>
<th>English common name</th>
<th>Scientific name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Spiny lobster</td>
<td>Panulirus marginatus, Panulirus penicillatus.</td>
</tr>
<tr>
<td>Slipper lobster</td>
<td>Scyllaridae.</td>
</tr>
<tr>
<td>Kona crab</td>
<td>Ranina ranina.</td>
</tr>
<tr>
<td>Deepwater shrimp</td>
<td>Heterocarpus spp.</td>
</tr>
</tbody>
</table>

§ 665.642 Permits.

(a) Applicability. (1) The owner of any vessel used to fish for lobster in Permit Area 4 must have a permit issued for that vessel.

(2) The owner of any vessel used to fish for deepwater shrimp in Crustacean Permit Area 4 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.