

Fishery Conservation and Management

§ 648.290

from parlor traps/pots when fishing under a red crab DAS.

(4) *Maximum trap/pot size.* The maximum allowable red crab trap/pot size of red crab traps/pots used or deployed on a red crab DAS is 18 cubic feet (0.51 cubic meters) in volume. Red crab traps/pots may be rectangular, trapezoidal or conical only, unless other red crab trap/pot designs whose volume does not exceed 18 cubic feet (0.51 cubic meters) are authorized by the Regional Administrator.

(5) *Gear markings.* The following is required on all buoys used at the end of each red crab trawl:

(i) The letters “RC” in letters at least 3 inches (7.62 cm) in height must be painted on top of each buoy.

(ii) The vessel’s permit number in numerals at least 3 inches (7.62 cm) in height must be painted on the side of each buoy to clearly identify the vessel.

(iii) The number of each trap trawl relative to the total number of trawls used by the vessel (i.e., “3 of 6”) must be painted in numerals at least 3 inches (7.62 cm) in height on the side of each buoy.

(iv) High flyers and radar reflectors are required on each trap trawl.

(6) *Additional gear requirements.* (i) Vessels must comply with the gear regulations found at §229.32 of this title.

(ii) Red crab traps/pots, fished in 200 fathoms (365.8 m) or less by a vessel issued a limited access lobster permit under §697.4(a), must comply with the trap tagging requirements specified at §697.19.

(b) [Reserved]

[67 FR 63233, Oct. 10, 2002, as amended at 72 FR 57194, Oct. 5, 2007; 76 FR 60384, Sept. 29, 2011]

Subpart N—Management Measures for the Golden Tilefish and Blueline Tilefish Fisheries

SOURCE: 66 FR 49145, Sept. 26, 2001, unless otherwise noted.

§ 648.290 Tilefish Annual Catch Limits (ACL).

(a) *Golden tilefish.* The Tilefish Monitoring Committee shall recommend to the MAFMC an ACL for the commer-

cial golden tilefish fishery, which shall be equal to the ABC recommended by the SSC.

(1) [Reserved]

(2) *Periodicity.* The tilefish commercial ACL may be established on an annual basis for up to three years at a time, dependent on whether the SSC provides single or multiple-year ABC recommendations.

(b) *Blueline tilefish.* The Tilefish Monitoring Committee shall recommend to the MAFMC separate ACLs for the commercial and recreational blueline tilefish fisheries, the sum total of which shall be equal to the ABC recommended by the SSC.

(1) *Sector allocations.* The ACL for the commercial sector of the blueline tilefish fishery shall be 27 percent of the ABC, and the ACL for the recreational sector of the fishery shall be 73 percent of the ABC.

(2) *Periodicity.* The blueline tilefish commercial and recreational ACLs may be established on an annual basis for up to three years at a time, dependent on whether the SSC provides single or multiple-year ABC recommendations.

(c) *Performance review.* The Tilefish Monitoring Committee shall conduct a detailed review of golden tilefish and blueline tilefish fishery performance relative to the appropriate sector ACLs at least every 5 years.

(1) If an ACL is exceeded with a frequency greater than 25 percent (i.e., more than once in 4 years or in any 2 consecutive years), the Tilefish Monitoring Committee will review fishery performance information and make recommendations to the MAFMC for changes in measures intended to ensure ACLs are not as frequently exceeded.

(2) The MAFMC may specify more frequent or more specific ACL performance review criteria as part of a stock rebuilding plan following a determination that either the golden tilefish or blueline tilefish stock has become overfished.

(3) Performance reviews shall not substitute for annual reviews that occur to ascertain if prior year ACLs have been exceeded, but may be conducted in conjunction with such reviews.

[82 FR 52857, Nov. 15, 2017]