

**UNITED STATES COAST PILOT CORRECTIONS**

**COAST PILOT 5            32 Ed 2004            Change No. 1  
LAST NM 30/04**

Page 8—Paragraph 144, lines 14 to 16; read:  
fog signals, and electronic aids.  
(NOS/04)

31/04

Page 242—Paragraph 4282; read:

(ii) Groupers, combined, excluding jewfish and Nassau grouper—5 per person per day, but not to exceed 2 red grouper per person per day or 1 speckled hind or 1 Warsaw grouper per vessel per day.  
(FR 6/15/04)

31/04

Page 250—Paragraphs 4442 to 4443; read:

(ii) Deep-water groupers (i.e., yellowedge grouper, misty grouper, warsaw grouper, snowy grouper, and speckled hind), and, after the quota for shallow-water grouper is reached, scamp, combined—1.02 million lb (0.46 million kg), gutted weight, that is, eviscerated but otherwise whole.

(iii) Shallow-water groupers (i.e., all groupers other than deep-water groupers, jewfish, and Nassau grouper), including scamp before the quota for shallow-water groupers is reached, combined -8.80 million lb (3.99 million kg), gutted weight, that is eviscerated but otherwise whole. Within the shallow-water grouper quota there is a separate quota for red grouper—5.31 million lb (2.41 million kg), gutted weight. When either the shallow-water grouper quota or the red grouper quota is reached, the entire shallow-water grouper

fishery will be closed and the closure provisions of §622.43(a) introductory text and §622.43 (a)(1)(i) apply to the entire shallow-water grouper fishery.

(iv) Tilefishes (i.e., tilefish and goldface, blackline, anchor, and blue-line tilefish) combined—0.44 million lb (0.20 million kg), gutted weight, that is, eviscerated but otherwise whole.

(FR 6/15/04)

31/04

Page 426—Paragraph 162, line 26; read:

bridge with a clearance of 44 feet at the center crosses ...  
(NOS 11368)

31/04

**COAST PILOT 5            32 Ed 2004            Change No. 2**

Page 200—Paragraph 3542, lines 1 to 4; read:

(b) This part governs conservation and management of species included in the FMPs in or from the Caribbean, Gulf, Mid-Atlantic, South Atlantic, or Atlantic EEZ, as indicated in Table 1 of this section. For the FMPs noted ...

(FR 05/27/04; CL 787/04)

31/04

Page 201—Paragraph 3551, line 4; read:

retrieved on the reel electricity or hydraulically.

*Atlantic* means the North Atlantic, Mid-Atlantic, and South Atlantic.

(FR 05/27/04; CL 787/04)

31/04

Page 201—Table 1; read:

**Table 1.—FMPs IMPLEMENTED UNDER PART 622**

<b>FMP title</b>	<b>Responsible fishery management council(s)</b>	<b>Geographical area</b>
Atlantic Coast Red Drum FMP	SAFMC	Mid-Atlantic and South Atlantic
FMP for Coastal Migratory Pelagic Resources	GMFMC/ SAFMC	Gulf <sup>1</sup> , Mid-Atlantic <sup>1,2</sup> , and South Atlantic <sup>1,3</sup>
FMP for Coral and Coral Reefs of the Gulf of Mexico	GMFMC	Gulf
FMP for Coral, Coral Reefs, and Live/Hard Bottom Habitats of the South Atlantic region	SAFMC	South Atlantic
FMP for Corals and Reef Associated Plants and Invertebrates of Puerto Rico and the U.S. Virgin Islands	CFMC	Caribbean
FMP for the Dolphin and Wahoo Fishery off the Atlantic States	SAFMC	Atlantic
FMP for the Golden Crab Fishery of the South Atlantic Region	SAFMC	South Atlantic
FMP for Queen Conch Resources of Puerto Rico and the U.S. Virgin Islands	CFMC	Caribbean
FMP for the Red Drum Fishery of the Gulf of Mexico	GMFMC	Gulf <sup>1</sup>
FMP for the Reef Fish Fishery of Puerto Rico and the U.S. Virgin Islands	CFMC	Caribbean
FMP for the Reef Fish Resources of the Gulf of Mexico	GMFMC	Gulf <sup>1</sup>
FMP for the Shrimp Fishery of the Gulf of Mexico	GMFMC	Gulf <sup>1</sup>
FMP for the Shrimp Fishery of the South Atlantic Region	SAFMC	South Atlantic

FMP for the Snapper-Grouper Fishery of South Atlantic Region	SAFMC	South Atlantic <sup>1,4</sup>
FMP for the Spiny Lobster Fishery of Puerto Rico and the U.S. Virgin Islands	CFMC	Caribbean
<sup>1</sup> Regulated area includes adjoining state waters for purposes of data collection and quota monitoring. <sup>2</sup> Only king and Spanish mackerel are managed under the FMP in the Mid-Atlantic. <sup>3</sup> Bluefish are not managed under the FMP in the South Atlantic. <sup>4</sup> Bank, rock, and black sea bass and scup are not managed by the FMP or regulated by this part north of 35 15.3°N.lat., the latitude of Cape Hatteras Light, NC.		

(FR 05/27/04; CL 787/04)

31/04

Page 202—Paragraph 3581; read:

(4) Dolphin, *Coryphaena hippurus* (Gulf of Mexico only).

(FR 05/27/04; CL 787/04)

31/04

Page 202—Paragraph 3586; read:

Dealer, in addition to the definition specified in §600.10 of this chapter, means the person who first receives rock shrimp harvested from the EEZ or dolphin or wahoo harvested from the Atlantic EEZ upon transfer ashore.

*Dolphin* means the species *Coryphaena equiselis* or *C. hippurus*, or a part thereof, in the Atlantic. (See the definition of *Coastal migratory pelagic fish* for dolphin in the Gulf of Mexico.)

(FR 05/27/04; CL 787/04)

31/04

Page 203—Paragraph 3617, line 5; read:

outer limit of the EEZ.

*North Atlantic* means the Atlantic Ocean off the Atlantic coastal states from the boundary between the United States and Canada to the boundary between the New England Fishery Management Council and the MAFMC, as specified in §600.105(a) of this chapter.

(FR 05/27/04; CL 787/04)

31/04

Page 203—Paragraph 3620, line 4; read:

Naval Observatory.

*Pelagic longline* means a longline that is suspended by floats in the water column and that is not fixed to or in contact with the ocean bottom.

(FR 05/27/04; CL 787/04;

FR 10/03/03; CL 1616/03)

31/04

Page 204—Paragraph 3655, line 5; read:

seagrasses).

*Wahoo* means the species *Acanthocybium solandri*, or a part thereof, in the Atlantic.

(FR 05/27/04; CL 787/04)

31/04

**COAST PILOT 5                      32 Ed 2004                      Change No. 3**

Page 205—Paragraph 3671; read:

(1) *Charter vessel/headboat permits.* (i) For a person aboard a vessel that is operating as a charter vessel or headboat to fish for or possess, in or from the EEZ, species in any of the following species groups, a valid charter vessel/headboat permit for the species group must have been issued to

the vessel and must be on board—

(A) Gulf coastal migratory pelagic fish.

(B) South Atlantic coastal migratory pelagic fish.

(C) Gulf reef fish.

(D) South Atlantic snapper-grouper.

(ii) See paragraph (r) of this section regarding a moratorium on Gulf charter vessel/headboat permits and the associated provisions.

(iii) See paragraph (r)(12) of this section for an explanation of the requirement for the new charter vessel/headboat permit for South Atlantic coastal migratory pelagic fish and for procedures for initial application and issuance of that permit.

(iv) A charter vessel or headboat may have both a charter vessel/headboat permit and a commercial vessel permit. However, when a vessel is operating as a charter vessel or headboat, a person aboard must adhere to the bag limits. See the definitions of “Charter vessel” and “Headboat” in §622.2 for an explanation of when vessels are considered to be operating as a charter vessel or headboat, respectively.

(E) Atlantic dolphin and wahoo. (See paragraph (a)(5) of this section for the requirements for operator permits in the dolphin and wahoo fishery.)

(50 CFR 622.4; FR 05/27/04; CL 787/04)

31/04

Page 206—Paragraph 3682, line 13; read:

vessel permit for golden crab.

(xi) *Gulf Shrimp.* For a person aboard a vessel to fish for shrimp in the Gulf EEZ or possess shrimp in or from the Gulf EEZ, a valid commercial vessel permit for Gulf shrimp must have been issued to the vessel and must be on board.

(xii) *Atlantic dolphin and wahoo.* (A) For a person aboard a vessel to be eligible for exemption from the bag and possession limits for dolphin or wahoo in or from the Atlantic EEZ or to sell such dolphin or wahoo, a commercial vessel permit for Atlantic dolphin and wahoo must be issued to the vessel and must be on board, except as provided in paragraph (a)(2)(xii)(B) of the section. (See paragraph (a)(5) of this section for the requirements for operator permits in the Atlantic dolphin and wahoo fishery).

(B) The provisions of paragraph (a)(2)(xii)(A) of this section notwithstanding, a fishing vessel, except a vessel operating as a charter vessel or headboat, that does not have a commercial vessel permit for Atlantic dolphin and wahoo but has a Federal commercial vessel permit in any other fishery, is exempt from the bag and possession limits for dolphin and wahoo and may sell dolphin and wahoo,

subject to the trip and geographical limits specified in §622.44(f)(2). (A charter vessel/headboat permit is not a commercial vessel permit.)  
(FR 05/27/04; CL 787/04; 50 CFR 622.4) 31/04

Page 207—Paragraphs 3691 to 3693; read:

(4) *Dealer permits.* For a dealer to receive Gulf reef fish, golden crab harvested from the South Atlantic EEZ, South Atlantic snapper-grouper, rock shrimp harvested from the South Atlantic EEZ, dolphin or wahoo harvested from the Atlantic EEZ, or wreckfish, a dealer permit for Gulf reef fish, golden crab, South Atlantic snapper-grouper, rock shrimp, Atlantic dolphin and wahoo, or wreckfish, respectively, must be issued to the dealer. 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 states(s), and must have physical facility at a fixed location in such state(s).

(5) *Operator permits.* (i) The following persons are required to have operator permits:

(A) An operator of a vessel that has or is required to have a valid permit for South Atlantic rock shrimp issued under this section.

(B) An operator of a vessel that has or is required to have a charter vessel/headboat or commercial permit for Atlantic dolphin and wahoo issued under this section.

(ii) A person required to have an operator permit under paragraph (a)(5)(i) of this section must carry on board such permit and one other form of personnel identification that includes a picture (driver's license, passport, etc.).

(iii) An owner of a vessel that is required to have a permitted operator under paragraph (a)(5)(i) of this section must ensure that at least one person with a valid operator permit is aboard while the vessel is at sea or offloading.

(iv) An owner of a vessel that is required to have a permitted operator under paragraph (a)(5)(i) of this section and the operator of such vessel are responsible for ensuring that a person whose operator permit is suspended, revoked, or modified pursuant to subpart D of 15 CFR part 904 is not aboard that vessel.

(FR 05/27/04; CL 787/04; CP4/03) 31/04

Page 209—Paragraph 3735, line 7; read:

endorsement. An operator of a vessel in a fishery in which an operator permit is required must present his/her operator permit and one other form of personal identification that includes a picture (driver's license, passport, etc.) for inspection upon the request of an authorized officer.

(FR 05/27/04; CL 787/04) 31/04

**COAST PILOT 5                      32 Ed 2004                      Change No. 4**

Page 216—Paragraph 3829, line 6 to Paragraph 3830, line 4; read:

from the SRD.

(vi) *Atlantic dolphin and wahoo.* The owner or operator of a vessel for which a commercial permit for Atlantic dolphin and wahoo has been issued, as required under §622.4(a)(2)(xii), or whose vessel fishes for or lands Atlantic dolphin or wahoo in or from state waters adjoining the Atlan-

tic EEZ, who is selected to report by the SRD must maintain a fishing record on a form available from the SRD and must submit such record as specified in paragraph (a)(2) of this section.

(2) *Reporting deadlines.*(i) Completed fishing records required by paragraphs (a)(1)(i), (ii), (iv), and (vi) of this section must be submitted to the SRD postmarked not later than 7 days after the end of each fishing trip. If ...

(FR 05/27/04; CL 787/04) 31/04

Page 216—Paragraph 3832; read:

(b) *Charter vessel/headboat owners and operators—(1) Coastal migratory pelagic fish, reef fish, snapper-grouper, and Atlantic dolphin and wahoo.* The owner or operator of a vessel for which a charter vessel/headboat permit for Gulf coastal migratory pelagic fish, South Atlantic coastal migratory pelagic fish, Gulf reef fish, South Atlantic snapper-grouper, or Atlantic dolphin and wahoo has been issued, as required under §622.4(a)(1), or whose vessel fishes for or lands such coastal migratory pelagic fish, reef fish, snapper-grouper, or Atlantic dolphin or wahoo in or from state waters adjoining the applicable Gulf, South Atlantic, or Atlantic EEZ, who is selected to report by the SRD must maintain a fishing record for each trip, or a portion of such trips as specified by the SRD, on forms provided by the SRD and must submit such record as specified in paragraph (b)(2) of this section.

(FR 05/27/04; CL 787/04) 31/04

Page 218—Paragraph 3859, line 5; read:

rock shrimp.

(8) *Atlantic dolphin and wahoo.*(i) A dealer who has been issued a permit for Atlantic dolphin and wahoo, as required under §622.4(a)(4), and who is selected by the SRD must provide information on receipts of Atlantic dolphin and wahoo and prices paid on forms available from the SRD. The required information must be submitted to the SRD at monthly intervals postmarked not later than 5 days after the end of each month. Reporting frequencies and reporting deadlines may be modified upon notification by the SRD.

(ii) For the purposes of paragraph (c)(8)(i) of this section, in the states from Maine through Virginia, or in the waters off those states, "SRD" means the Science and Research Director, Northeast Fisheries Science Center, NMFS, (see Table 1 of §600.502 of this chapter), or a designee.

(iii) On demand, a dealer who has been issued a dealer permit for Atlantic dolphin and wahoo, as required under §622.4(a)(4), must make available to an authorized officer all records of offloadings, purchases, or sales of dolphin and wahoo.

(FR 05/27/04; CL 787/04) 31/04

Page 237—Paragraph 4164, line 19; read:

fish for or possess Gulf group king mackerel.

**§622.35 Atlantic EEZ seasonal and/or area closures.**

(FR 05/27/04; CL 787/04) 31/04

Page 239—Paragraph 4215, line 6; read:

prior to the closed period.

(h) *Dolphin/wahoo closed areas.* (1) If pelagic longline gear is on board a vessel, a person aboard such vessel may not fish for or retain a dolphin or wahoo—

(i) In the Northeastern United States closed area from June 1 through June 30 each year. The Northeastern United States closed area is that portion of the EEZ between 40°N. lat. and 39°N. lat. from 68°W. long. to 74°W. long.

(ii) In the Charleston Bump closed area from February 1 through April 30 each year. The Charleston Bump closed area is that portion of the EEZ off North Carolina, South Carolina, and Georgia between 34°N. lat. and 31°N. lat. and west of 76°W. long.

(iii) In the East Florida Coast closed area year round. The East Florida Coast closed area is that portion of the EEZ off Georgia and the east coast of Florida from the inner boundary of the EEZ at 31°N. lat.; thence due east to 78°W. long.; thence by a rhumb line to 28°17'N. lat., 79°12'W. long.; thence proceeding in a southerly direction along the outer boundary of the EEZ to 24°N. lat.; thence due west to 24°N. lat., 81°47'W. long; thence due north to the innermost boundary of the EEZ at 81°47'W. long.

(2) A vessel is considered to have pelagic longline gear on board when a power-operated longline hauler, a mainline, floats capable of supporting the mainline, and gangions with hooks are on board. Removal of any one of these elements constitutes removal of pelagic longline gear.

(3) If a vessel is in a closed area during a time specified in paragraph (h)(1) of this section with pelagic longline gear on board, it is a rebuttable presumption that fish on board such vessel were taken with pelagic longline gear in the closed area.

(FR 09/29/03; FR 05/27/04; CL 787/04) 31/04

**COAST PILOT 5                      32 Ed 2004                      Change No. 5**

Page 240—Paragraph 4254, line 6; read:

mm) is not undersized.

(h) *Dolphin in the Atlantic off Florida and off Georgia*—20 inches (50.8 cm), fork length.

(FR 05/27/04; CL 787/04) 31/04

Page 240—Paragraph 4256; read:

(a) The following must be maintained with head and fins intact: Cobia, king mackerel, and Spanish mackerel in or from the Gulf, Mid-Atlantic, or South Atlantic EEZ, except as specified for king mackerel in paragraph (g) of this section; dolphin and wahoo in or from the Atlantic EEZ; South Atlantic snapper-grouper in or from the South Atlantic EEZ, except as specified in paragraph (h) of this section; yellow-tail snapper in or from the Caribbean EEZ; and finfish in or from the Gulf EEZ; except as specified in paragraphs (c) and (d) of this section. Such fish may be eviscerated, gilled, and scaled, but must otherwise be maintained in a whole condition.

(FR 05/27/04; CL 787/04) 31/04

Page 243—Paragraph 4309, line 3; read:

4 persons are aboard, 12 per boat.

(f) *Atlantic dolphin and wahoo.* Bag and possession limits are as follows:

(1) Dolphin—10, not to exceed 60 per vessel, whichever is less, except, on board a headboat, 10 per paying passenger.

(2) Wahoo—2.

(FR 05/27/04; CL 787/04) 31/04

Page 245—Paragraph 4367; read:

(v) Cobia in the Mid-Atlantic and South Atlantic EEZ and little tunny in the South Atlantic EEZ south of 34°37.3'N. lat.—automatic reel, bandit gear, handline, rod and reel, and pelagic longline.

(FR 05/27/04; CL 787/04) 31/04

Page 249—Paragraph 4436, line 8; read:

pelagic sargassum.

(1) *Atlantic dolphin and wahoo—(1) Authorized gear.* The following are the only authorized gear types in the fisheries for dolphin and wahoo in the Atlantic EEZ: Automatic reel, bandit gear, handline, pelagic longline, rod and reel, and spearfishing gear (including powerheads). A person aboard a vessel in the Atlantic EEZ that has on board gear types other than authorized gear types may not possess a dolphin or wahoo.

(2) *Sea turtle protection measures applicable to pelagic longliners.* The owner or operator of a vessel for which a commercial permit for Atlantic dolphin and wahoo has been issued, as required under §622.4(a)(2)(xii), and that has on board a pelagic longline must post inside the wheelhouse the sea turtle handling and release guidelines provided by NMFS. Such owner or operator must also comply with the sea turtle bycatch mitigation measures, including gear requirements and sea turtle handling requirements, as specified in §635.21(c)(5)(i) and (ii) of this chapter, respectively. For the purpose of this paragraph, a vessel is considered to have pelagic longline gear on board when a power-operated longline hauler, a mainline, floats capable of supporting the mainline, and leaders (gangions) with hooks are on board. Removal of any one of these elements constitutes removal of pelagic longline gear.

(FR 09/29/03; FR 05/27/04; CL 787/04) 31/04

Page 254—Paragraph 4529, line 4; read:

than 150 queen conch per day.

(f) *Atlantic dolphin and wahoo.* (1) The trip limit for wahoo in or from the Atlantic EEZ is 500 lb (227 kg). This trip limit applies to a vessel that has a Federal commercial permit for Atlantic dolphin and wahoo, provided that the vessel is not operating as a charter vessel or headboat.

(2) The trip limit for a vessel that does not have a Federal commercial vessel permit for Atlantic dolphin and wahoo but has a Federal commercial vessel permit in any other fishery is 200 lb (91 kg) of dolphin and wahoo, combined, provided that all fishing on and landings from that

trip are north of 39°N. lat. (A charter vessel/headboat permit is not a commercial vessel permit.)  
(FR 05/27/04; CL 787/04) 31/04

Page 256—Paragraph 4569, line 6; read:  
specified in §622.44(a) or (b), respectively.

(i) *Atlantic dolphin and wahoo*. (1) A person may sell dolphin or wahoo harvested in the Atlantic EEZ only if it is harvested by a vessel that has a commercial permit for Atlantic dolphin and wahoo, as required under §622.4(a)(2)(xii) (A), or by a vessel authorized a 200-lb (91-kg) trip limit for dolphin or wahoo, as specified in §622.44(f)(2), and only to a dealer who has a permit for Atlantic dolphin or wahoo, as required under §622.4(a)(4).

(2) In addition to the provisions of paragraph (i)(1) of this section, a person may not sell dolphin in excess of the bag limit or any wahoo harvested in the Atlantic EEZ by a vessel while it was operating as a charter vessel or headboat.

(3) Dolphin or wahoo harvested in the Atlantic EEZ may be purchased only by a dealer who has a permit for Atlantic dolphin and wahoo and only from a vessel authorized to sell dolphin or wahoo under paragraph (i)(1) or (i)(2) of this section.

(FR 05/27/04; CL 787/04) 31/04

Page 257—Paragraph 4593, line 3; read:  
and essential fish habitat HAPCs or Coral HAPCs.

(m) *Atlantic dolphin and wahoo*. Biomass levels, age-structured analyses, MSY, OY, ABC, TAC, trip limits, minimum sizes, gear regulations and restrictions, permit requirements, seasonal or area closures, sub-zones and their management measures, overfishing definitions and other status determination criteria, time frame for recovery of Atlantic dolphin or wahoo if overfished, fishing year (adjustment not to exceed 2 months), authority for the RA to close a fishery when a quota is reached or is projected to be reached or reopen a fishery when additional quota becomes available, definitions of essential fish habitat, and essential fish habitat HAPCs or Coral HAPCs.

(FR 05/27/04; CL 787/04) 31/04