

Subpart B—Management Measures

- 654.20 Seasons.
- 654.21 Harvest limitations.
- 654.22 Gear restrictions.
- 654.23 Southwest Florida seasonal trawl closure.
- 654.24 Shrimp/stone crab separation zones.
- 654.25 Prevention of gear conflicts.
- 654.26 Adjustment of management measures.
- 654.27 Specifically authorized activities.
- 654.28 Tortugas marine reserves.

APPENDIX A TO PART 654—FIGURES
 FIGURE 1—STONE CRAB CLAW
 FIGURE 2—SOUTHWEST FLORIDA SEASONAL TRAWL CLOSURE
 FIGURE 3—SHRIMP/STONE CRAB SEPARATION ZONES

AUTHORITY: 16 U.S.C. 1801 *et seq.*

SOURCE: 60 FR 13919, Mar. 15, 1995, unless otherwise noted.

Subpart A—General Measures

§ 654.1 Purpose and scope.

(a) The purpose of this part is to implement the Fishery Management Plan for the Stone Crab Fishery of the Gulf of Mexico, prepared by the Gulf of Mexico Fishery Management Council under the Magnuson Act.

(b) This part governs conservation and management of stone crab and restricts the trawl fishery in the management area.

(c) “EEZ” refers to the EEZ in the management area, unless the context clearly indicates otherwise.

§ 654.2 Definitions.

In addition to the definitions in the Magnuson Act and in § 620.2 of this chapter, the terms used in this part have the following meanings:

Management area means the EEZ off the coast of Florida from a line extending directly south from the Alabama/Florida boundary (87°31’06” W. long.) to a line extending directly east from the Dade/Monroe County, FL boundary (25°20.4’ N. lat.).

Regional Director means the Director, Southeast Region, NMFS, 9721 Executive Center Drive N., St. Petersburg, FL 33702, telephone: 813-570-5301; or a designee.

Stone crab means *Menippe mercenaria*, *M. adina* or the hybrid, *M. adina* X *M. mercenaria*, or a part thereof.

§ 654.3 Relation to other laws.

(a) The relation of this part to other laws is set forth in § 620.3 of this chapter and paragraphs (b), (c), and (d) of this section.

(b) The regulations in this part are intended to be compatible with, and do not supersede, similar regulations in effect for the Everglades National Park (36 CFR 7.45).

(c) The regulations in this part are intended to be compatible with similar regulations and statutes in effect in Florida’s waters.

(d) Under Amendment 6 to the Fishery Management Plan for the Stone Crab Fishery of the Gulf of Mexico, there is a temporary moratorium on the issuance by the Regional Director of Federal identification numbers and color codes for vessels and gear in the stone crab fishery in the management area. The moratorium will end not later than June 30, 2002. During the moratorium, fishermen must obtain identification numbers and color codes for these vessels and gear from the State of Florida. (See § 654.6(a).)

[60 FR 13919, Mar. 15, 1995, as amended at 63 FR 44595, Aug. 20, 1998]

§ 654.4 Permits and fees. [Reserved]

§ 654.5 Recordkeeping and reporting. [Reserved]

§ 654.6 Vessel and gear identification.

(a) An owner or operator of a vessel that is used to harvest stone crabs by traps in the management area must comply with the vessel and gear identification requirements applicable to the harvesting of stone crabs by traps in Florida’s waters in effect as of April 14, 1995, in Rule 62N-8.001 and Rule 46-

13.002(2) (e) and (f), Florida Administrative Code. This incorporation by reference was approved by the Director of the Office of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from the Florida Marine Fisheries Commission, 2540 Executive Center Circle West, Suite 106, Tallahassee, FL 32301; telephone: 904-487-0554. Copies may be inspected at the office of the Regional Director; the Office of Fisheries Conservation and Management, NMFS, 1315 East-West Highway, Silver

Fishery Conservation and Management

§ 654.20

Spring, MD 20910; or the Office of the Federal Register, 800 North Capitol Street, NW, Suite 700, Washington, DC.

(b) A stone crab trap or buoy in the EEZ that is not in compliance with the gear identification requirements specified in paragraph (a) of this section is illegal. Such trap or buoy, and any connecting lines, will be considered unclaimed or abandoned property and may be disposed of in any manner considered appropriate by the Assistant Administrator or an authorized officer. An owner of such trap or buoy remains subject to appropriate civil penalties. A stone crab trap will be presumed to be the property of the most recently documented owner.

[60 FR 13919, Mar. 15, 1995; 60 FR 20196, Apr. 28, 1995]

§ 654.7 Prohibitions.

In addition to the general prohibitions specified in § 620.7 of this chapter, it is unlawful for any person to do any of the following:

(a) Falsify or fail to display and maintain vessel and gear identification, as required by § 654.6(a).

(b) Possess a stone crab in the management area during the period specified in § 654.20(a).

(c) Possess a stone crab trap in the management area during the period specified in § 654.20(c).

(d) Remove from a stone crab in or from the management area, or possess in the management area, a claw that is less than the minimum size limit specified in § 654.21(a).

(e) Fail to return immediately to the water unharmed an egg-bearing stone crab, or strip eggs from or otherwise molest an egg-bearing stone crab; as specified in § 654.21(b).

(f) Hold a stone crab in or from the management area aboard a vessel other than as specified in § 654.21(c).

(g) Use or possess in the management area a stone crab trap that does not have a biodegradable panel, as specified in § 654.22(a).

(h) Pull or tend a stone crab trap in the management area other than during daylight hours, as specified in § 654.22(b).

(i) Willfully tend, open, pull, or otherwise molest another fisherman's

trap, buoy, or line in the management area, as specified in § 654.22(c).

(j) Trawl in a closed area or during a closed season, as specified in §§ 654.23 or 654.24, or as may be implemented under § 654.25(b).

(k) Place a stone crab trap in a closed area or during a closed season, as specified in § 654.24, or as may be implemented under § 654.25(b).

(l) Interfere with fishing or obstruct or damage fishing gear or the fishing vessel of another, as specified in § 654.25(a).

(m) Make any false statement, oral or written, to an authorized officer concerning the taking, catching, harvesting, landing, purchase, sale, possession, or transfer of stone crab.

(n) Interfere with, obstruct, delay, or prevent by any means an investigation, search, seizure, or disposition of seized property in connection with enforcement of the Magnuson Act.

(o) Fish for any species or anchor a fishing vessel in a marine reserve as specified in § 654.28.

[60 FR 13919, Mar. 15, 1995, as amended at 67 FR 47469, July 19, 2002]

§ 654.8 Facilitation of enforcement.

See § 620.8 of this chapter.

§ 654.9 Penalties.

See § 620.9 of this chapter.

Subpart B—Management Measures

§ 654.20 Seasons.

(a) *Closed season.* No person may possess a stone crab in the management area from 12:01 a.m., local time, May 16, through 12 p.m. midnight, local time, October 14, each year. Holding a stone crab in a trap in the water during a soak period or during a removal period (see paragraph (b) of this section), or during any extension thereto, is not deemed possession, provided that, if the trap is removed from the water during such period, such crab is returned immediately to the water with its claws unharvested.

(b) *Placement of traps.* (1) *Prior to the fishing season.* The period of October 5 through October 14 is established as a trap soak period. A stone crab trap