

■ 13. In § 622.31, paragraph (c) is revised to read as follows:

**§ 622.31 Prohibited gear and methods.**

\* \* \* \* \*

(c) *Fish traps.* A fish trap may not be used or possessed in the Gulf or South Atlantic EEZ. A fish trap deployed in the Gulf or South Atlantic EEZ may be disposed of in any appropriate manner by the Assistant Administrator or an authorized officer.

\* \* \* \* \*

**§ 622.34 [Amended]**

■ 14. In § 622.34, paragraph (g)(3) is removed, and paragraph (n) is removed and reserved.

■ 15. In § 622.37, paragraphs (d)(1)(ii) and (e)(1)(ii) are revised to read as follows:

**§ 622.37 Size limits.**

\* \* \* \* \*

(d) \* \* \*  
(1) \* \* \*  
(ii) Vermilion snapper—10 inches (25.4 cm), TL.

\* \* \* \* \*

(e) \* \* \*  
(1) \* \* \*  
(ii) Vermilion snapper—12 inches (30.5 cm), TL.

\* \* \* \* \*

■ 16. In § 622.39, paragraphs (a)(2)(iv), and (b)(1)(ii) are revised; paragraph (b)(1)(ix) is removed and reserved; and paragraph (b)(1)(x) is added to read as follows:

**§ 622.39 Bag and possession limits.**

\* \* \* \* \*

(a) \* \* \*  
(2) \* \* \*  
(iv) When the vessel has on board or is tending any trap other than a stone crab trap or a spiny lobster trap.

\* \* \* \* \*

(b) \* \* \*  
(1) \* \* \*  
(ii) Groupers, combined, excluding goliath grouper and Nassau grouper—5 per person per day, but not to exceed 1 speckled hind or 1 warsaw grouper per vessel per day or 1 red grouper per person per day. However, no grouper may be retained by the captain or crew of a vessel operating as a charter vessel or headboat. The bag limit for such captain and crew is zero.

\* \* \* \* \*

(x) Gulf reef fish, combined, excluding those specified in paragraphs (b)(1)(i), (ii), (iv), (vi), (vii), and (viii) of this section and excluding dwarf sand perch and sand perch—20.

\* \* \* \* \*

**§ 622.40 [Amended]**

■ 17. In § 622.40, paragraphs (a)(2), (b)(2), (c)(2), and (d)(1) are removed;

paragraphs (a)(3), (b)(3), (c)(3), and (d)(2) are redesignated as paragraphs (a)(2), (b)(2), (c)(2), and (d)(1), respectively, and paragraph (d)(2) is added and reserved.

■ 18. In § 622.41, paragraphs (a)(4) and (i) are revised to read as follows:

**§ 622.41 Species specific limitations.**

(a) \* \* \*

(4) Not less than 24 hours prior to harvest of aquacultured live rock, the owner or operator of the harvesting vessel must provide the following information to the NMFS Office for Law Enforcement, Southeast Region, St. Petersburg, FL, by telephone (727-824-5344):

\* \* \* \* \*

(i) Gulf reef fish exhibiting trap rash. Possession of Gulf reef fish in or from the Gulf EEZ that exhibit trap rash is prima facie evidence of illegal trap use and is prohibited. For the purpose of this paragraph, trap rash is defined as physical damage to fish that characteristically results from contact with wire fish traps. Such damage includes, but is not limited to, broken fin spines, fin rays, or teeth; visually obvious loss of scales; and cuts or abrasions on the body of the fish, particularly on the head, snout, or mouth.

\* \* \* \* \*

**§ 622.42 [Amended]**

■ 19. In § 622.42, paragraph (e)(1)(i) is removed and paragraphs (e)(1)(ii) and (iii) are redesignated as (e)(1)(i) and (ii), respectively.

**§ 622.44 [Amended]**

■ 20. In § 622.44, paragraph (c)(3)(i) is removed and paragraphs (c)(3)(ii) through (iv) are redesignated as paragraphs (c)(3)(i) through (iii), respectively.

**§ 622.45 [Amended]**

■ 21. In § 622.45, paragraph (c)(5) is removed.

■ 22. In addition to the amendments set forth above, in 50 CFR part 622, revise all references to “NMFS, Office of Enforcement”; “NMFS Office of Enforcement”; “NMFS Office of Law Enforcement”; and “NMFS Law Enforcement Office” to read “NMFS Office for Law Enforcement” wherever they occur.

[FR Doc. E7-25584 Filed 1-2-08; 8:45 am]

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Part 648**

[Docket No. 061109296-7009-02]

RIN 0648-XE43

**Fisheries of the Northeastern United States; Atlantic Bluefish Fishery; Quota Transfer**

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Temporary rule; inseason quota transfer.

**SUMMARY:** NMFS announces that the State of Florida is transferring commercial bluefish quota to the State of New York from its 2007 quota. By this action, NMFS adjusts the quotas and announces the revised commercial quota for each state involved.

**DATES:** Effective December 28, 2007 through December 31, 2007.

**FOR FURTHER INFORMATION CONTACT:** Emily Bryant, Fishery Management Specialist, (978) 281-9244, fax (978) 281-9135.

**SUPPLEMENTARY INFORMATION:**

Regulations governing the Atlantic bluefish fishery are found at 50 CFR part 648. The regulations require annual specification of a commercial quota that is apportioned among the coastal states from Florida through Maine. The process to set the annual commercial quota and the percent allocated to each state is described in § 648.160.

Two or more states, under mutual agreement and with the concurrence of the Administrator, Northeast Region, NMFS (Regional Administrator), can transfer or combine bluefish commercial quota under § 648.160(f). The Regional Administrator is required to consider the criteria set forth in § 648.160(f)(1) in the evaluation of requests for quota transfers or combinations.

Florida has agreed to transfer 100,000 lb (45,359 kg) of its 2007 commercial quota to New York. The Regional Administrator has determined that the criteria set forth in § 648.160(f)(1) have been met. The revised bluefish quotas for calendar year 2007 are: New York, 1,334,278 lb (605,218 kg); and Florida, 453,488 lb (205,699 kg).

**Classification**

This action is taken under 50 CFR part 648 and is exempt from review under Executive Order 12866.

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

Dated: December 28, 2007.

**Alan D. Risenhoover**

*Director, Office of Sustainable Fisheries,  
National Marine Fisheries Service.*

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