

§ 660.219 Fixed gear identification and marking.

(a) Gear identification.

(1) Limited entry fixed gear (bottom longline, trap or pot) as defined at § 660.211 must be marked at the surface and on at least one terminal end, with a pole, flag, light, radar reflector, and a buoy (*i.e.* gear may be marked at either both terminal ends or at one terminal end).

(2) Any buoy used to mark limited entry fixed gear, as defined at § 660.11, subpart C, must be marked with a legible number clearly identifying the owner or operator of the vessel. This number must be marked directly on at least one buoy deployed with the fishing gear; all other buoys may have the number directly on the buoy or may have the number included on tags attached to the buoy, as specified in paragraph (b)(1) of this section. The number may be either:

(i) If required by applicable state law, the vessel's number, the commercial fishing license number, or buoy brand number; or

(ii) The vessel documentation number issued by the USCG, or, for an undocumented vessel, the vessel registration number issued by the state.

(b) *Gear marking.* Bottom longline and trap or pot gear, as defined at § 660.11, used in the groundfish limited entry fisheries must have gear-specific markings on any vertical lines (as defined at § 660.11, subpart C) and all buoy(s). These gear-specific markings are in addition to vessel identification requirements set out in paragraph (a) of this section and applicable gear restrictions in § 660.230.

(1) *Buoy marking.* All buoys attached to the surface line of the subject gears in this paragraph must have a gear-specific durable tag for each buoy. Each gear-specific buoy tag must be stamped or engraved, where there is a physical indentation along with a contrasting color. Prior to gear deployment, if the tags are not securely attached to each buoy, tags for each buoy must be shown, upon request, to authorized agents. On a trip where a vessel is declared to fish with the subject gear, all buoys deployed with fishing gear are required to be marked with a tag.

(i) Tags used to mark buoys attached to bottom longline gear must be brown and large enough to accommodate a letter "L" engraved that is at least 1 3/4 inches (4.4 centimeters) in height.

(ii) Tags used to mark buoys attached to pot/trap gear must be orange and large enough to accommodate a letter "P" engraved that is at least 1 3/4 inches (4.4 centimeters) in height.

(2) *Vertical line marking.* All vertical lines (as defined at § 660.11) of the subject gears in this paragraph must have gear specific marks. Marks must be continuous in at least the top 20 fm (37 m) of the vertical line, measured from the main buoy down towards the groundline.

(i) Line manufactured in a gear specific color scheme must be used for the marked portion of line. Lines must be both brown and blue for use with bottom longline gear. Lines must be both orange and blue for use with pot gear. At least one-third of strands in marked line should be one of the gear-specific colors specified here, and the remainder of the strands the other color. Presence of any third color, besides white, is prohibited in the portion of the line required to be marked.

(ii) Until [*date three years after the effective date of the final rule*], the colors specified in § 660.219(b)(2)(i) may be applied by temporary methods such that the colors are clearly visible and in continuous, alternating bands of 18-28 inches (46-71 cm) each, over the entire portion of the line required to be marked in this paragraph.

8. In § 660.230, revise paragraphs (b)(1) and (4) and add paragraph (b)(7) to read as follows:

§ 660.230 Fixed gear fishery - management measures.

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(b) * * *

(1) Bottom longline and pot or trap gear are authorized in the limited entry fixed gear fishery, providing the gear complies with the restrictions set forth in this section, and gear identification and marking requirements described in § 660.219 of this subpart.

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(4) Traps or pots must have escape panels.

(i) *General.* Traps or pots must have escape panels constructed with number 30 or smaller untreated cotton twine in such a manner that an opening at least 8 inches (20.3 cm) in diameter that is parallel to, and within 6 inches (15.2 cm) of the bottom of the pot, results when the twine deteriorates.

(ii) *Collapsible pots.* A collapsible pot (defined at § 660.11, subpart C) is exempt from the placement requirements for escape panels described in this section. Instead, a collapsible pot must have one of the following:

(A) An escape panel placed anywhere on the mesh of the collapsible pot, constructed with number 30 or smaller untreated cotton twine and in such a manner that an opening at least 8 inches (20.3 cm) in diameter results when the twine deteriorates.

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(B) One door on the pot must measure at least 8 inches (20.3 cm) in diameter and be attached with number 30 or smaller untreated cotton thread.

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(7) Surface line, defined at § 660.11, subpart C, that is used with bottom longline or pot gear may not exceed 10 fathoms (18.3 m) in length, measured from the terminal end to the main buoy.

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PRA Burden Statement:

We estimate that completing the gear marking will take 5 hours on average. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to NOAA, Gretchen Hanshew, 206-526-6147, gretchen.hanshew@noaa.gov. This collection has been approved by the Office of Management and Budget (OMB). The eight-digit OMB approval number that appears at the upper right of the form or login screen confirms this approval. If this number were not displayed, we could not conduct this collection.