

Atlantic rock shrimp. A person who acquires a vessel or dealership who desires to conduct activities for which a permit, license, or endorsement is required must apply for a permit, license, or endorsement in accordance with the provisions of this section. If the acquired vessel or dealership is currently permitted, the application must be accompanied by the original permit and a copy of a signed bill of sale or equivalent acquisition papers.

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(i) * * * 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.

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(s) *Commercial vessel permits for Atlantic dolphin and wahoo*—(1) *Eligibility.* (i) An owner of a vessel may obtain a commercial vessel permit for Atlantic dolphin and wahoo if his/her vessel has a Federal commercial permit for king mackerel, South Atlantic snapper-grouper, or Atlantic swordfish.

(ii) An owner may also obtain a commercial vessel permit for Atlantic dolphin and wahoo if he/she—

(A) Derived at least 25 percent of his/her earned income, or at least \$10,000, from commercial fishing (i.e., harvest and first sale of fish) or from charter vessel/headboat fishing during one of the 3 calendar years 1996, 1997, or 1998; and

(B) Owned a vessel that landed and sold at least 250 lb (113 kg) of dolphin and/or wahoo harvested from the Atlantic during one of the 3 calendar years 1996, 1997, 1998, or during the period January 1, 1999, through May 21, 1999.

(2) *Applications based on permits for king mackerel, South Atlantic snapper-grouper, or Atlantic swordfish.* A vessel owner who desires a commercial vessel permit for Atlantic dolphin and wahoo based on having one of the permits specified in paragraph (s)(1)(i) of this section must submit a request for the addition of Atlantic dolphin and wahoo to his/her permit to the RA.

(3) *Applications based on earned income/landings.* (i) A vessel owner who desires a commercial vessel permit for Atlantic dolphin and wahoo based on the earned income and landings criteria in paragraph (s)(1)(ii) of this section must submit an application for such permit to the RA. Application forms are available from the RA.

(ii) Information requested on the application includes the standard

information required in paragraph (b)(3)(ii) of this section and documentation of earned income and landings, as specified in paragraph (s)(1)(ii) of this section. The landings requirement must be documented by a listing of landings by date, species, amount, and dealer. Only qualifying landings verified by reports received or dealer records dated on or before June 21, 1999, by the following would qualify: (1) Fishing vessel logbooks received by the Science and Research Director of either the NMFS' Southeast or Northeast Fisheries Science Centers; (2) state trip ticket systems; or (3) for landings not covered by vessel logbook or state trip ticket system requirements, dealer records accompanied by signed affidavits. Dealer records must definitively show dates and amounts of landings of the species known as dolphin and/or wahoo and the vessel's name, official number, or other reference that clearly identifies the vessel. Dealer records must contain a sworn affidavit by the dealer confirming the accuracy and authenticity of the records. A sworn affidavit is a written statement wherein the individual signing the affidavit affirms that the information presented is accurate and can be substantiated, under penalty of law. Only landings that were harvested, landed, and sold in compliance with state and Federal regulations will be used to establish eligibility.

(4) *Transfer.* An owner of a vessel that has a commercial vessel permit for Atlantic dolphin and wahoo may request that the RA transfer the permit to another vessel owned by the same entity or he/she may request that the RA transfer the permit to a new owner of the vessel when he/she transfers ownership of the vessel. Such request must be accompanied by the existing permit and an application for a permit for the replacement vessel.

8. In § 622.5, paragraphs (a)(1)(vi) and (c)(8) are added, and the first sentence of paragraph (a)(2)(i) and paragraph (b)(1) are revised to read as follows:

§ 622.5 Recordkeeping and reporting.

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(a) * * *

(1) * * *

(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 Atlantic 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. * * *

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(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.

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(c) * * *

(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.

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9. In § 622.7, paragraph (b) is revised to read as follows: