

**FINAL DRAFT – RECREATIONAL FISHING REGULATIONS**

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Division of Fish and Wildlife
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**Final Draft**

NOAA Project Number: WC133F06SE4002

Project Title : Creation of USVI Recreational Fishing Regulations

Task #1: Creation of USVI Recreational Fishing Regulations

Recreational sport fishing for reef fish, coastal pelagic and pelagic species is a popular pastime in the U.S. Virgin Islands. Random household telephone surveys conducted by Jennings 1992 and Mateo 2004 indicate that approximately 10% of Virgin Islanders recreationally fish. Although commercial fishing regulations were legislated in 1972, regulations specifically for recreational fishing are, for the most part, non-existent, except for conch and shrimp. Recreational fishery assessment surveys have been intermittent and the resource users and fishery are not well defined. The only long-term database maintained is on the recreational tournament fishery. Federal regulations now require a registration of all anglers and spearfishers fishing in federal waters (Marine Recreational Information Program–MRIP). The development of a territorial recreational fishing licensing program and recreational fishing regulations is needed.

The Fisheries Advisory Committees (FACs) are established by Virgin Islands Code and consist of representatives from government organizations (Departments of Planning and Natural Resources, Agriculture and Law), a marine scientist, a commercial fishing organization, commercial fishers, a recreational fishing organization, recreational fishers, sport charter fishing and diving charter operator. The FACs are responsible for making recommendations to the Commissioners of DPNR and Agriculture for the conservation and management of the marine resources. FAC members bring items of interest from the user groups they represent to be addressed at meetings and in turn disseminate information from the meetings back to their representative group at large. FAC members poll their constituency for guidance and recommendations and return with this information at monthly meetings.

The St. Croix and St. Thomas/St. John Fisheries Advisory Committees (STX-FAC and STT/STJ-FAC) identified the need

for recreational fishing regulations in 2004 with the development of draft recreational license requirements and regulations (See APPENDIX I). In 2007, the FACs formed sub-committees on commercial and recreational fisheries to revise the existing commercial fishing regulations and develop a recreational fishing licensing program and recreational fishing regulations for the Virgin Islands. Initial emphasis was placed on revising the existing commercial regulations. However, during this process, the commercial fishing regulations subcommittee identified the need to apply both uniform and separate regulations for commercial and recreational fishers. Uniform regulations such as closes seasons, closed areas, size limits and restricted species and separate regulations regarding harvest limits, gear and landing restrictions and recreational (catch and release) species.

The recreational fishing subcommittees met as required from July 2007 through March 2010 to review existing recreational regulations and licensing programs in the Pacific, Caribbean and southeastern United States (Hawaii, Guam, Puerto Rico, British Virgin Islands and Florida) and recommend options for a licensing program and regulations applicable to the Virgin Islands. The sub-committee meetings were held evenings from 7:00 – 10:00 pm and open to the public. Individuals from the commercial and recreational fishing communities and sport diving sectors attended the meetings and provided comments. Minutes from these meetings have been provided in previous progress report documents. Recreational fishing regulations requiring immediate promulgation during this period were publicized in the United States Virgin Islands Commercial and Recreational Fishers Information Booklet, which is updated annually (See APPENDIX I).

Due to staff shortages, Marine Resources Assessment Group Americas (MRAG), an international fisheries consulting firm familiar with fisheries resources in the Caribbean region, was contracted in July 2009 by the Department of Planning and Natural Resources (DPNR) to facilitate public and FAC joint meetings, prepare meeting summary reports and draft regulation documents, as required in the service contract, to fulfill the USVI Recreational Fishing Regulations Grant requirements (See APPENDIX I).

A joint FAC meeting was held at The Buccaneer Hotel, St. Croix, on October 17-18, 2009 to combine input from both the St. Croix and St. Thomas/St. John districts in addressing

recreational fishing regulations and licensing of recreational anglers. Based on previous FAC meeting discussions, recreational fisheries issues were prioritized for the meeting. Logistics information, meeting agenda, document and attendance lists, presentations, meeting minutes and draft options paper created from the meeting are shown in APPENDIX I.

Task #2:

Public Meetings with Stakeholders

Stakeholders were first introduced to the concept of a recreational fishing license program and fishing regulations by Dr. Robert Trumble, MRAG Americas, and DPNR at public meetings on October 6 and 7, 2009 in St. Thomas and St. Croix, respectively. Information on the national recreational fisher registry and MRIP were distributed and discussed. The need to identify the Virgin Islands recreational fishery in terms of registry of fishers involved, species pursued and annual landings was addressed, prompting active discussion. The general consensus was that the Virgin Islands should identify and manage recreational fishers and the fishery. Data required for compliance by federal agencies should be provided by the territorial government. Background information on these meetings and meeting summaries are provided in APPENDIX II.

Recommendations from the joint FAC meeting on October 17 and 18, 2009 were developed into a draft public meeting options document and distributed for public comment prior to the recreational fishing regulations meeting conducted on April 13 and 14, 2010 on St. Thomas and St. Croix, respectively. Documents pertaining to the April public meetings, meeting minutes and draft recreational fishing regulations document incorporating public meeting comments are shown in APPENDIX II.

Few individuals representing the recreational shoreline fishing sector were present at the public meetings, indicating that insufficient meeting notice were afforded to these individuals. The FAC suggested that a second round of public meetings be held and meeting announcements distributed to places frequented by shoreline anglers (gas stations, grocery stores, etc.), as well as more advanced and more frequent notice in the media.

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A second round of public stakeholder meetings was conducted on July 19 (St. Croix) and 20 (St. Thomas) (See APPENDIX II attached meeting announcement, attendance sheet and meeting report from the St. Croix meeting). The St. Thomas meeting had poor attendance due to inclement weather and was postponed until a future date.

### Task #3

### Completion of Final Draft of the Regulations

The draft recreational fishing regulations for the U.S. Virgin Islands are attached as APPENDIX III. Following legal counsel review, the draft regulations will be distributed to the FAC, appropriate local agencies, fishing associations and clubs and the public for additional written comments. After incorporating any additional comments, the final draft document will be submitted to the DPNR Commissioner. The final document will go before the 28<sup>th</sup> Legislature of the Virgin Islands for adoption.

### Significant Deviations:

Project completion was delayed by the turnover and loss of administrative staff and fisheries personnel. Legal counsel review of the working draft document and subsequent public review and comment is required for completeness.

### Literature Cited:

Jennings, C.A. 1992. Survey of non-charter boat recreational fishing in the U.S. Virgin Islands. *Bull. Mar. Sci.* 50(2):342-351.

Mateo, I. 2004. Survey of resident participation in recreational fisheries activities in the US Virgin Islands. *Proc. Gulf. Carib. Fish. Inst.* 55:205-222.

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## APPENDIX I.

### CREATION OF RECREATIONAL FISHING REGULATIONS

**ST. CROIX FISHERIES ADVISORY COMMITTEE**  
**RECREATIONAL LICENSE SUBCOMMITTEE RECOMMENDATIONS**  
**10 March 2004**

**1. Fee Structure (annual)**

<u>Category</u>	<u>Fee</u>
Resident:	
Vessel and Shoreline	\$25.00 + stamps
• line fishing, free diving, cast net, spear fishing	
• prohibited to use scuba gear to harvest marine resources	
Non-resident:	
Vessel and Shoreline	\$15.00 + stamps (7 days)
	\$25.00 + stamps (30 days)
	\$50.00 + stamps (one year)
• line fishing, free diving, cast net, spear fishing	
• prohibited to use scuba gear to harvest marine resources	
Stamps:	
Lobster	\$10.00
Conch/Whelk	\$10.00
Shrimp	\$10.00
Crab (marine/terrestrial)	\$10.00
Bivalve Shellfish	\$10.00

**2. Rules and Regulations**

- a. Residents must have proof of residency (valid Virgin Islands identification card, drivers license or voters identification card, green card).
- b. License required for all anglers age 16-62. An identification card is required for anglers less than 16 and greater than 62.
- c. License covers all legal finfish taken with hook and line, spear, cast net or by hand.
- d. License good for one calendar year from the date of purchase.
- e. Stamps required for lobster, conch/whelk, shrimp, crab (both marine and terrestrial), bivalve shellfish and other designated species.
- f. Upon purchase of license, person must sign form acknowledging that he/she has received a copy of the regulations for territorial and federal waters.
- g. Each license would have a voluntary catch report submitted annually when renewing license. A non-resident license would include an exit poll and catch report postage paid to DFW.

- h. License holder must provide information to DFW during personal contact interviews.

### **3. Vendor Requirements**

- a. License sold by authorized vendors. DPNR may want to control licenses for picture Id's.
- b. Vendors are required to provide copies of local and federal regulations to all persons purchasing a license.
- c. Vendors must submit ticket books with used and unused licenses on the first Monday of each month.
- d. Wholesale costs of licenses to vendors:
  - Resident License - \$22.00/ stamps - \$8.00
  - Non-resident license
    - 7 day - \$13.00
    - 30 day - \$22.00
    - one year - \$45.00

### **4. Bag Limits (daily)**

- a. Lobster – 3 per person; not to exceed 12 per boat.
- b. Conch – 6 per person; not to exceed 12 per boat.
- c. Whelk – 12 per person.
- d. Shrimp – 1 gallon per person.
- e. Portunid (pan) crab – 12 per person.
- f. Queen crab – 2 per person.
- g. Spider crab – 1 per person.
- h. Land (calaloo) crab – 12 per person.
- i. Octopus – 4 per person.
- j. Reef fish – 12 inch total length all snapper  
**(NEED OTHER SIZE AND BAG LIMITS HERE!)**
- k. Pelagics ( tuna, dolphin, wahoo, kingfish) – 27 inch minimum length/ 3 fish per angler. Maximum of 5 fish per species per boat for recreational fishing tournaments.



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United States Virgin Islands  
COMMERCIAL & RECREATIONAL FISHER'S  
INFORMATION BOOKLET



**DEPARTMENT OF PLANNING AND NATURAL RESOURCES**

**DIVISION OF FISH & WILDLIFE AND**

**DIVISION OF ENVIRONMENTAL ENFORCEMENT**

**July 2009**

## Letter from the Commissioner

### Department of Planning and Natural Resources

To the Fishing Community of the U.S.V.I.:

I am sure that as a member of the fishing community you can appreciate that our marine and fisheries resources are valuable and important resources to the citizens of the U.S. Virgin Islands. Marine resources are an integral part of our daily lives, providing employment opportunities as well as food for our families. They also provide a source of pleasure for our local and visiting recreational fishers, snorkelers, divers, and tourists. My wish is that you will not only enjoy, but also respect these resources for generations to come.

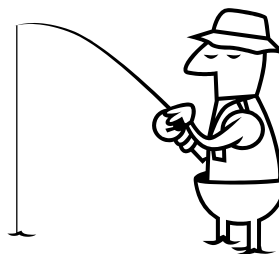
This booklet is intended to provide you with a brief outline of the various conservation measures taken to preserve the marine and fisheries resources of the U.S. Virgin Islands. From some species, such as sea turtles, all harvest is prohibited in order to preserve these endangered species. For other species, there are various limitations on harvest (such as closed seasons, catch quotas, size limits, or gear restrictions) to increase species reproduction stocks.

With your cooperation and assistance, we can enhance fishing opportunity while protecting these resources for generations to come.

Good Fishing!

Sincerely,

  
Robert S. Mathes  
Commissioner



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## TO ALL FISHERS OF THE U.S. VIRGIN ISLANDS

The Department of Planning and Natural Resources (DPNR) is responsible for the conservation and management of our fisheries and enforcement of boating and fisheries regulations (*V.I. Code Title 12 Conservation, Title 25 Navigation, and the Boating Safety Act of 1972*). The Division of Fish & Wildlife and the Division of Environmental Enforcement are two separate divisions within DPNR.

The Division of Fish and Wildlife handles the scientific side of the fishery. The Division of Fish & Wildlife monitors the commercial and recreational fisheries and provides advice and guidance to the Commissioner of DPNR on management of the fisheries. Working with fishers to obtain accurate catch reports is a big part of our job. Accurate and honest reports are essential to help us ensure that the fishery resources of the Virgin Islands will remain sustainable for generations to come.

The Division of Environmental Enforcement is responsible for explaining and enforcing regulations in matters of boating, fishing and the environment in general.

### **RECREATIONAL FISHING (PERSONAL USE)**

General recreational fishing permits are presently not required for recreational fishers. This includes persons who engage in fishing for the sole purpose of providing food for themselves or their families and those who catch and release fish. **Sale of catch by recreational fishers is not allowed.** Also, recreational fishers cannot use the following fishing gear: pots, traps, haul seines, and set-nets (set-nets are a type of net consisting of a wall of fine mesh held up by a float line and anchored on the sea floor). However, recreational fishers are required to have permits to fish in three locations:

1. A recreational shrimp fishing permit is required for the harvesting of shrimp from **Altona Lagoon and Great Pond, St. Croix**. This \$10 one-year permit is available at the Division of Environmental Enforcement St. Croix office (address on back cover).
2. A permit is required to collect baitfish with a cast net within 50 feet of the shoreline or fish with a hook and line in the **St. James Reserve** (Section C, see Appendix 2 map). All other fishing and harvest of other animals and plants is prohibited in this area (see pages 11-12 of this handbook). The line fishing permit is \$2.00 a month, and the bait fishing permit is \$5.00 a month. Both permits may be purchased for a maximum of two months from the Division of Environmental Enforcement St. Thomas office (address on back cover).
3. A permit is required to collect baitfish using only a cast net within 50 ft of the north and west shorelines of Cas Cay in the **Cas Cay/Mangrove Lagoon Marine Reserves**. All other fishing and harvest of other animals and plants is prohibited in this area (see pages 11-12 of this handbook). The bait fishing permit is \$5.00 a month and may be purchased

for a maximum of two months from the Division of Environmental Enforcement St. Thomas office (address on back cover). All fishing is prohibited in the **Inner Mangrove Lagoon** (see page 12).

## COMMERCIAL FISHING

### WHO NEEDS A COMMERCIAL FISHING PERMIT?

A commercial fishing permit costing \$5.00 annually is needed by:

1. All commercial fishers.
2. “Helpers” do not need a commercial fishing permit. However, each commercial fisher must obtain a helper’s permit for each helper used or employed by him/her. The permitted commercial fisher **must be onboard** when the “helper” is fishing.
3. Any person who uses a pot, trap, set-net or haul seine, even for personal consumption.
4. Any person who sells or trades any part of his catch, **including charter boat operators who sell or trade their catch.**

Permits shall be issued only to U.S. citizens, permanent residents and aliens bonded as fishers who have lived in the Territory for at least one year. No permit shall be issued to a minor under 17 years old, except with the written consent of his parent or guardian.

All vessels used for commercial fishing, which are owned in whole or in part by an alien or non-resident of the Territory, shall pay a registration tax of \$50.00. The tax shall be deposited in the Fish and Game Fund.

On August 24, 2001, the Department of Planning and Natural Resources implemented a moratorium on issuance of new commercial fishing permits. At the time of printing this booklet, the moratorium was still in place. Permit renewals will only be issued to fishermen who have held a commercial fishing permit within 3 years of June 2001 and have complied with catch reporting requirements.

### FOUR EASY STEPS TO FOLLOW WHEN APPLYING FOR A COMMERCIAL FISHING

### PERMIT RENEWAL IN THE U.S.V.I.

1. Any person who wants to obtain or renew a commercial fishing permit must first register in person at Division of Fish and Wildlife (address on back cover), and obtain a copy of this booklet and catch report forms (see Commercial Fisher Catch Report Forms section pages 3-4).
2. Proceed to the Division of Environmental Enforcement (address on back cover). Please present your DFW Registration Form in order to receive your commercial fishing permit. Most fees are waived for commercial fishers. If you are obtaining a commercial fishing permit to use traps, pots, set-nets or haul seines but will not sell your catch, there is no need to continue to step 3 or 4 below.
3. Commercial fishers who plan to sell their catch must also obtain a Farmers' & Fishermen's Certificate of Eligibility. The applications for these certificates can be obtained at the Division of Fish and Wildlife (address on back cover) or the Department of Agriculture (#7944 Estate Dorothea Office, St. Thomas; or Estate Lower Love, St. Croix). Once the application is completed and notarized (a \$5.00 fee is charged), the application is transmitted to the Commissioner's Office at the Department of Agriculture in St. Thomas or St. Croix for his signature. **Please allow 48 hours for approval prior to pickup.**
4. If you plan to sell your catch, you must also obtain a business license (a \$1 fee is charged) from the Department of Licensing and Consumer Affairs (DLCA) (St. Thomas (340) 774-3130 or St. Croix (340) 773-2226). Take all completed forms to the DLCA for processing. You should take your scale in to be certified as well.

Fishers who possess a business license for fishing, issued by the Department of Licensing and Consumer Affairs (DLCA), are entitled to some fee waivers and tax exemptions. Boat Registration Fees are waived provided that the vessel is used to conduct commercial fishing, and all monthly catch reports are turned in on time. **Remember to turn in your catch reports no later than the 15<sup>th</sup> of the following month.**

## COMMERCIAL FISHER CATCH REPORT FORMS

The Division of Fish & Wildlife monitors the health of fishery resources in the Virgin Islands through the use of commercial fisher catch report forms. From these reports, information is collected about fishing activities and is maintained in a confidential database. The accuracy of this information depends upon the cooperation of all commercial fishers. All catch reports are strictly confidential, so please take the time to honestly and completely record all of your fishing activities. Accurate catch reports are essential to fishery management. False catch reports may be misleading and cause undue concern over a fishery resource.

Each year, commercial fishers will receive a packet of 12 forms plus 2 pages of illustrations and instructions. The first 2 pages include maps and instructions on how to report catch and effort.

The remaining twelve forms are the catch report forms for the months of July through June. Keep the forms close at hand and record your catch and effort every day that you fish. If you have any questions about completing the form, please call or visit the Division of Fish and Wildlife (address on back cover).

The monthly reports must reach the Division of Fish & Wildlife (address on back cover) no later than 15 days after the end of the month for which the report was prepared. Monthly catch reports may be mailed or submitted in person.

All reports must be completely filled out. If you do not catch any fish, lobster, conch or whelk on a fishing trip, your trip information and effort must still be reported (columns 1-7). If reports are not completely filled out, they do not fulfill the reporting requirement. Incomplete reports will be returned to you for completion. Remember to sign and date your report. Reports submitted in person will be immediately reviewed for completeness. Additional instructions can be provided at this time. All catch report forms received will be stamped with a date and data will be entered into our confidential database. **If even one catch report is not submitted to the Division of Fish and Wildlife, you will not be issued a fishing permit for the following year.**

Any fisher at any time may request a certified summary of his/her own catch records on file. Requests must be made in person because catch records are strictly confidential and may not be revealed to anyone other than the person reporting them. Photo identification must be presented prior to release of any information. If anyone besides the fisher wants information, a notarized letter from the fisher is required before release of any information.

#### LOST OR DESTROYED PERMIT

If a permit is lost or destroyed, the permitted fisher may apply to the Division of Environmental Enforcement to receive a duplicate. A fee of \$2.00 will be assessed.

## **RULES AND REGULATIONS**

The remainder of this booklet summarizes the rules and regulations for fishing in the U.S. Virgin Islands and adjacent Federal waters. **Unless otherwise stated, these rules and regulations apply to both commercial and recreational (personal use) fishers.** As these are only summaries and as regulations can change, fishers **MUST** watch newspapers, listen to news broadcasts for notice of changes, and contact the Division of Environmental Enforcement (address on back cover) for current and specific Virgin Islands fishing regulations. For current and specific regulations for fishing in Federal waters, fishers **MUST** contact the NOAA-Fisheries at (727) 824-5344 in St. Petersburg, Florida.

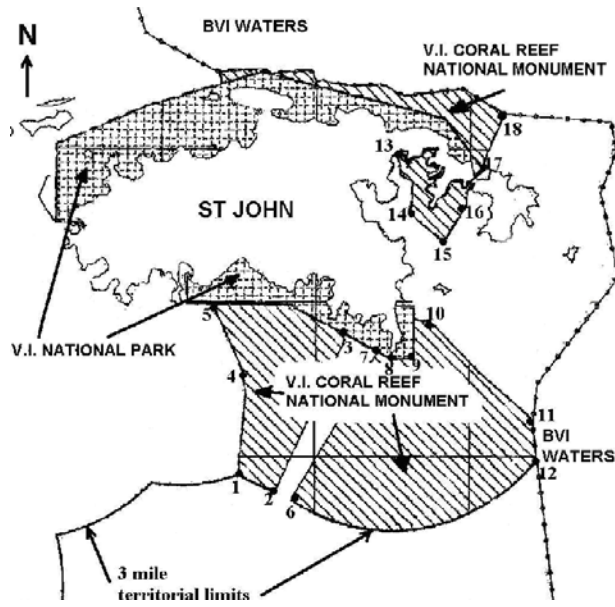


If you have any questions concerning fishery matters other than regulations, please call the Division of Fish and Wildlife (address on back cover).

## GENERAL RULES FOR ALL FISHERS

1. **Boat registration number** (*V.I.C., Title 12, Chapter 9A, § 311 & 312*) - All motorboats must be registered and must display the registration number properly. Annual registration is required on or before July 1st. For commercial fishers, boat registration is at the same time as commercial fishing permit renewal.
2. **Boat safety standards** - All motorboats must meet the safety standards of the Virgin Islands Code and the Federal Boating Safety Act of 1972.
3. **Fishing in BVI/Puerto Rico** -The British Virgin Islands and Puerto Rico each have their own laws and regulations pertaining to fishing. Your U.S. Virgin Islands fishing permit does not permit you to fish in their waters.
4. **V.I. Marine Reserve System** - For information on the rules and regulations of the Virgin Islands Marine Reserve System call the Division of Environmental Enforcement (address on back cover). Also see pages 5-6, and Appendix 2. For information on the St. Croix East End Marine Park, contact the Marine Park Coordinator at (340) 773-3367.
5. **Virgin Islands Coral Reef National Monument** – Anchoring is prohibited, and all fishing is prohibited, except bait fishing in Hurricane Hole and fishing for blue runner. Both require a special permit from National Park Service. For up-to-date information and regulations regarding the V.I. Coral Reef National Monument (south and northeast of St. John, see Figure 1), please contact the U.S. National Park Service’s St. John office at (340) 776-6201 x 254. **The rules and regulations for the V.I. Coral Reef National Monument are different from those of the V.I. National Park waters** (see #6, below).

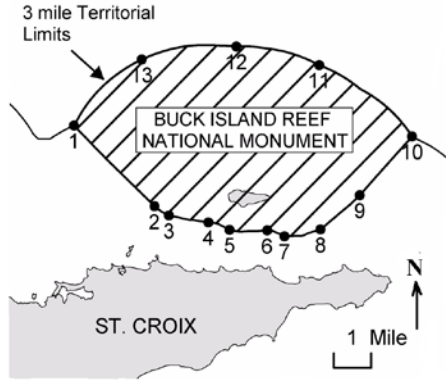
Figure 1. Virgin Islands National Park and the V.I. Coral Reef National Monument



Point	Latitude	Longitude
1	18°15.799'N	64°44.878'W
2	18°15.532'N	64°44.235'W
3	18°18.178'N	64°43.036'W
4	18°17.504'N	64°44.819'W
5	18°18.692'N	64°45.354'W
6	18°15.413'N	64°43.947'W
7	18°17.899'N	64°42.451'W
8	18°17.781'N	64°42.243'W
9	18°17.791'N	64°41.808'W
10	18°18.474'N	64°41.540'W
11	18°16.790'N	64°39.678'W
12	18°16.097'N	64°39.579'W
13	18°20.772'N	64°41.877'W
14	18°20.287'N	64°41.916'W
15	18°19.762'N	64°41.292'W
16	18°20.386'N	64°40.876'W
17	18°21.070'N	64°40.629'W
18	18°21.961'N	64°40.242'W

6. **Virgin Islands National Park** – The Virgin Islands National Park on St. John (see Figure 1) has separate and specific regulations on fishing. Fishing using rod and reel, handline, traps, and bait fish nets is permitted. However, there are restrictions on gear such as trap size and baitfish net size. In addition, there are regulations and limits on the harvest of lobsters, conch, and whelk. The current regulations allow for the harvest of two lobster and/or conch per person per day, and one gallon of whelk in the shell. The use and possession of spearfishing equipment within the park is prohibited. There are three area fishing closures within the V.I. National Park: (1) Red Hook Dock, (2) Cruz Bay Finger Pier and Bulkhead, and (3) all boat exclusion areas. For up-to-date information on fishing regulations within the Virgin Islands National Park, contact the National Park Service on St. John at (340) 776-6201 x 254.
  
7. **Buck Island Reef National Monument** (36 CFR part 7, 57.73) – All anchoring and fishing are prohibited. For up-to-date information regarding rules and regulations in the Buck Island Reef National Monument, St. Croix (see Figure 2), please contact the U.S. National Park Service’s St. Croix office at (340) 773-1460. Marker buoys located at points 2 thru 9 on Figure 2 below.

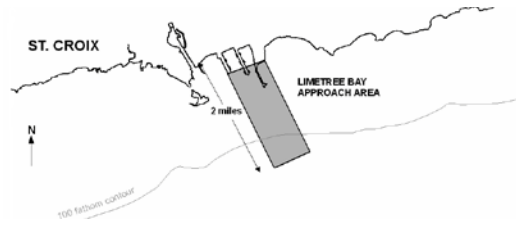
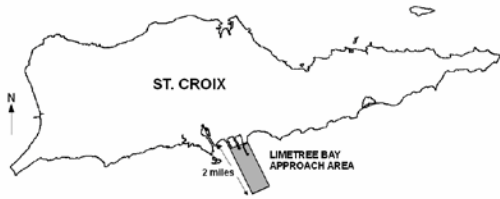
Figure 2. Buck Island Reef National Monument [figure re-sized]



Point	Latitude	Longitude
1	17°48.871' N	64°41.242' W
2	17°47.033' N	64°39.377' W
3	17°46.825' N	64°39.040' W
4	17°46.666' N	64°38.123' W
5	17°46.498' N	64°37.634' W
6	17°46.480' N	64°36.763' W
7	17°46.351' N	64°36.364' W
8	17°46.505' N	64°35.525' W
9	17°47.283' N	64°34.618' W
10	17°48.623' N	64°33.404' W
11	17°50.246' N	64°35.558' W
12	17°50.671' N	64°37.474' W
13	17°50.376' N	64°39.673' W

8. **Limetree Bay Restricted Area, St. Croix** – No vessels may enter the HOVENSA or Cross channels or pass inside the fringing reef upon entering or leaving Alucroix Channel (see Figure 3). This area includes all waters two miles seaward of the HOVENSA facility waterfront. Anchoring or mooring is not permitted. Boats wishing to transit must first obtain permission from HOVENSA. For up-to-date information on restrictions, please contact the HOVENSA Port Captain at (340) 692-3488 or (340) 692-3494 or on VHF Radio channel 11 and the U.S. Coast Guard at (340) 772-5557.

**Figure 3. Limetree Bay Restricted Area**



## LOCAL COMMERCIAL FISHING RULES

1. **Gear Compliance** - Before placing any gear in service, contact the Division of Environmental Enforcement (address on back cover) to make sure it complies with current regulations.
2. **Boat Marking** (*V.I.C., Title 12, Chapter 9A §312g*) - All commercial fishing boats operated by trap, net or line fishers must bear the buoy colors of the permitted fisher.
3. **Marking Fishing Gear** (*V.I.C., Title 12, Chapter 9A §312e*) – All fish traps and nets must be marked with the fisher’s license number. Buoys must also bear the permitted fisher’s color scheme and the license number. The number must be cut or burned into the buoy.
4. **Trap Inspection** (*V.I.C., Title 12, Chapter 9A §304-6*) - All fishers using traps must call the Division of Environmental Enforcement to have the traps inspected and tagged prior to taking them out to sea. For additional information concerning pre-fishing trap inspections and mesh regulations, call the Division of Environmental Enforcement (address on back cover).
5. **Commercial Fishing Permit** (*V.I.C., Title 12, Chapter 9A §312*) - Each commercial fisher is required to have a commercial fishing permit. Commercial fishers must have the number of helpers indicated on their permit. The permitted fisherman must be onboard when the helpers are fishing.
6. **Monthly Commercial Catch Reports** (*V.I.C., Title 12, Chapter 9A §315*) - For the purpose of closely monitoring the fisheries in the USVI, each fisher is required to prepare and submit monthly catch reports to the Division of Fish and Wildlife (address on back cover). Monthly catch reports must be submitted whether the fisher went fishing or not. These reports should be received no later than 15 days after the end of the month for which the report was prepared.
7. **Taxes** - There are Virgin Islands laws that regulate taxes. Please contact the Virgin Islands Government, Department of Licensing and Consumer Affairs (St. Thomas (340) 774-3130; St. Croix (340) 773-2226) if you need information about these laws. Fishers who obtain a commercial fishing business license from the DLCA may become eligible for a number of tax and fee benefits.
8. **Yearly Sampling of Catch** – Upon the recommendation of the Fisheries Advisory Committees of both St. Thomas/St. John and St. Croix, Commissioner Mathes revised commercial fishing regulations to require the submittal of catch reports on a monthly basis, as well as mandatory port sampling of fishers to be carried out at a minimum of 4 times per year. The sampling of catch will be conducted by representatives of the Division of Fish And Wildlife. Fishermen who fail to comply with mandatory sampling will be subject to penalties (See Penalties on page 9).

## LOCAL FISH SALES REGULATIONS (Commercial Fishers Only)

1. **Fish Sales to the Public** (*V.I.C., Title 23, Chapter 3, Subchapter IX §342*) - The commercial sale of fish to the general public requires a business license issued by the Department of Licensing and Consumer Affairs (St. Thomas (340) 774-3130; or St. Croix (340) 773-2226). A fisher must have a commercial fishing permit to **CATCH** fish and a DLCA license to **SELL** fish. Possession of a federal tuna harvest permit and a dealer permit does not give the authority to sell fish in the U.S. Virgin Islands without a territorial fishing permit and a DLCA license to sell fish.

2. **Local/Native Seafood** (*V.I.C., Title 12, Chapter 9A §324*) - It is prohibited to sell or offer for sale any seafood designated as local or native seafood unless it was caught in the U.S. Virgin Islands. There is one exception to this rule: the spiny lobster, *Panulirus argus*, can be offered for sale as local or native lobster meat, whether caught locally or imported. In any case, the meat must consist entirely of the *Panulirus argus* species in order to be called local or native lobster.
3. **Sale of seafood by non-residents** (*V.I.C., Title 12, Chapter 9A §313*) - Non-residents may not bring their catch of fish or other seafood into the Territory to sell unless they first obtain a business license from the Commissioner of Licensing & Consumer Affairs. Fish or other seafood caught by a foreign vessel and brought into the Territory for sale or consumption is subject to the same regulations as fish and seafood caught from a V.I. registered vessel.
4. **Seafood caught outside the Territory** (*V.I.C., Title 12, Chapter 9A §313*) - Fish or other seafood caught outside the Territory and brought into the Territory for sale or consumption is subject to the same regulations as those governing local species of seafood. This includes regulations pertaining to size of fish, protected species, etc.
5. **Conch Imports** – Conch is protected under the Convention on International Trade in Endangered Species (CITES). Federal law prohibits import of conch unless: (1) the conch is accompanied by a CITES export permit from the appropriate regulatory authority of the exporting country, and (2) it is imported through a federally designated port of entry. The closest designated port to the U.S. Virgin Islands is Miami, Florida. A “Designated Port Exemption” permit is needed to import through San Juan, Puerto Rico. For information or a permit application contact U.S. Fish & Wildlife Service, Office of Law Enforcement in Atlanta, Georgia at (404) 679-7057. **For personal consumption, up to 8 pounds of conch can be imported to the USVI provided that it originates from a CITES approved country.**
6. **St. Croix Fish Sales** (*V.I.C., Title 23 Chapter 3 §342*) – The sale of fresh fish and agricultural products shall be allowed in public fish markets, butcher stalls, on public streets in areas designated by the U.S. Virgin Islands Police Department (V.I.P.D.), or when taken to residences.

## PENALTIES

Anyone convicted of violating any fisheries law or regulation of the U.S. Virgin Islands shall have his permit suspended for one month on the first offense, three months on the second offense and one year on the third and subsequent offenses [*V.I.C., Title 12, Chapter 9A, §312-J*]. Fees will not be refunded for a permit that has been suspended or voided.

The fishing license and/or vessel registration of any person who willfully fails to make a report or makes a false report shall be suspended and a new fishing license shall not be issued until such report is made [*VIC Title 12, Chapter 9A, 315(c)*].

Any person violating fisheries laws and regulations of the USVI shall be deemed guilty of a misdemeanor and fined [*V.I.C., Title 12, Chapter 9A §325 & V.I. Territorial Court Order Misc. No. 23/2004 STT/STJ District and Misc. No. 06/2004 STX District*]. Fines for fishing violations are up to \$500, for lobster violations up to \$600 and for violations in wildlife and marine sanctuaries up to \$5,000. Environmental Enforcement officers issue citations for conservation violations similar to those of traffic violations. For further information please call the Division of Environmental Enforcement (address on back cover).

Any commercial fisherman who does not comply with mandatory sampling of their catch at a minimum of four times per year will be subject to penalties identical to those approved for the harvest of Queen Conch [*V.I.C., Title 12, Chapter 9A, §316-1 & 316-4*]. First offense is punishable by a penalty of \$75.00. For all subsequent offenses, the penalty shall be \$100.00 fine and/or the loss of fishing license for three years. Presidence shall be given to the fines and fees established by V.I.C. for the Establishment of Conservation Ticket and Fine Schedule in accordance with V.I.C., Title 12, §99a(b), (c)(3) an (f); V.I.C. Title 12, Chapter 9A, §305(e) and V.I.C. Title 25, Chapter 15, §303(b).

## REWARD FOR CONVICTIONS

*V.I.C. Title 12, Chap 9A § 325* - Any person, other than a law enforcement officer, who furnishes evidence sufficient to convict any violator of the regulations which address marine turtles and their eggs or nests, lobsters and their eggs, fishing with explosives or contaminating public waters shall receive a reward of \$50.00 (fifty dollars) for each conviction from the Commissioner of the Department of Planning and Natural Resources.

## **REPORTING VIOLATIONS**

**For violations in Territorial Waters (from shore to 3 miles offshore), please contact:**

**Division of Environmental Enforcement**

**Cyril E. King Airport  
Terminal Building, 2nd Floor  
St. Thomas, VI 00802  
(340) 774-3320 ext. 5106**

**6003 Anna's Hope  
Christiansted  
St. Croix, VI 00821  
(340) 773-5774**

**For violations in Federal Waters (from 3 to 200 nautical miles offshore), please contact:**

**NOAA - Fisheries Enforcement:  
Puerto Rico – Agent Ken Henline**

**Office – (787) 749-4405**

**Cell – (787) 501-5402**

**NOAA National Enforcement Hotline  
(800) 853-1964**

**St. Petersburg, Florida**

**Main Office – (727) 824-5344**

**Fax – (727) 824-5355**

**Assistant Special Agent-in-Charge, Paul  
Raymond**

**Office – (321) 269-0004**

**Pager – (877) 829-4070**

**Fax – (321) 269-2558**

# U.S. VIRGIN ISLANDS TERRITORIAL WATERS SUMMARY OF FISHING REGULATIONS

## TERRITORIAL WATERS EXTEND FROM SHORE TO 3 MILES OFFSHORE

- 1 **Whelk:** *V.I.C., Title 12, Chapter 9A, §316-6 & 316-7.*  
 Size Limit: Minimum size of shell must be greater than 2 7/16 inches in diameter.  
 Landing Restriction: Must be landed whole in the shell (see Appendix 1).  
**Closed Season** April 1-September 30.  
 :
  
- 2 **Queen Conch:** *V.I.C., Title 12, Chapter 9A, §316-1 & 316-4.*  
 Size Limit: Minimum size of 9 inch shell length from the spire to the distal end, or 3/8 inch lip thickness (see Appendix 1).  
 No harvest of undersized conch.  
 Harvest Quota: No possession of conch meats smaller than two per pound uncleaned or three per pound cleaned.  
 200 conch per day per **registered commercial fishing vessel**.  
 Landing Restriction: 6 conch per day per **recreational (personal use) fisher**; not to exceed 24 per boat per day.  
 Total annual landings of conch must not exceed 50,000 lbs on St. Croix & 50,000lbs on St. Thomas/St. John. Thereafter the season will be closed until November 1<sup>st</sup> of that year.  
 Must be landed alive and whole in the shell at final landing site.  
 No disposal of shell at sea before landing. Taking conch to offshore cays and islands for purpose of removing from shell is prohibited.  
 Sale Restriction: Transport of conch meat out of shell over open water is prohibited.  
 No sale of undersized conch shell or meat from undersized conch.  
 No sale of imported conch meat unless shipment is accompanied by a CITES export permit and shipment is cleared at the Port of Miami.  
 Closed Season: (see Conch Imports, page 8 for exceptions and further information).  
 June 1 - October 31. Possession of queen conch during the closed season is illegal.
  
- 3 **Caribbean Spiny Lobster:** *V.I.C., Title 12, Chapter 9A, §319.*  
 Size Limit: 3 ½ inch carapace length (see Appendix 1).  
 Landing Restriction: Must be landed whole.  
 No harvest of females with eggs.  
 Gear Restrictions: No spearfishing, hooks, gigs or use of chemicals.
  
- 4 **Shrimp:** *Commissioner Prescribed Rule, V.I.C., Title 12, Chapter 9A, §303(1).*  
 No commercial harvest in Altona Lagoon and Great Pond.  
 No sale.



Recreational permit is required (see page 1).

- 5 **Goliath Grouper (jewfish):** *V.I.C., Title 12, Chapter 9A, §316-14.*  
Endangered species. Harvest prohibited, no possession.
- 6 **Nassau Grouper** *V.I.C. Title 12, Chapter 9A, §316-14 (e).*  
The possession of Nassau grouper is prohibited year round in the territory until the CFMC has determined that it has recovered.
- 7 **Billfish:** *V.I.C., Title 12, Chapter 9A.*  
  
Federal regulations for billfish apply in territorial waters. See page 16 for specific regulations.
- 8 **Billfish, Swordfish, Tuna & Shark:** *V.I.C., Title 12, Chapter 9A.*  
Federal regulations and federal permit requirements apply in territorial waters. See page 16 for specific regulations.
- 9 **Tarpon & Bonefish:** *V.I.C., Title 12, Chapter 9A, §316-14.*  
No harvest. Catch and release using hook and line only.
- 10 **Sea Turtles:** *V.I.C., Title 12, Chapter 9A, §318.*  
Endangered species. No harvest, no possession and no harassment of sea turtles or their eggs.
- 11 **Seabirds** *V.I.C. Title 12, Chapter 2.*  
Seabirds are protected under the Endangered and Indigenous Species Act of 1990. To minimize injury to seabirds, do not discard fishing line at sea.
- 12 **Aquarium Collecting:** *V.I.C., Title 12, Chapter 9A, §106c.*  
Permit required from the Department of Planning and Natural Resources, Division of Fish and Wildlife.
- 13 **Traps:** *V.I.C., Title 12, Chapter 9A §304-4, 304-6, & 321.*  
All fish traps must have minimum 2 inch square or 2 inch hexagonal as the smallest mesh used. All fish traps must be inspected and tagged by the Division of Environmental Enforcement.  
  
***District of St. Thomas/St. John***  
  
*V.I.C., Title 12, Chapter 9A §304-5,304-6, & 321.*  
All old and new traps placed in Territorial waters must have a minimum of 1 ½ inch hexagonal mesh as the smallest mesh on two sides of the fish traps. All fish traps must be inspected and tagged by the Division of Environmental Enforcement.  
  
***District of St. Croix***  
  
*V.I.C., Title 12, Chapter 9A §321.*

- Each trap must have a minimum of one escape panel fastened by biodegradable material (for example, 1/8 inch untreated jute twine). Colors and license numbers must be displayed on each trap.
- Both Districts:  
Gear Restrictions:
- 14 **Nets:** *V.I.C., Title 12, Chapter 9A, §321.*  
Mesh Restrictions: Haul seines must have mesh size greater than 1 ½ inch stretch mesh. Seines for catching baitfish must have a mesh size greater than 1 ¼ inch stretch mesh. Haul seines and bait seines may not be taken up to the shore or removed from the water to withdraw fish.
- Gear Prohibition:  
*V.I.C., Title 12, Chapter 9A, §321-1.*  
The use of all gill or trammel nets (single or multiple wall entanglement) are prohibited, with the exception of single-wall surface gillnets for the baitfish ballyhoo, gar and flyingfish. Surface gillnets must be tended at all times, may not be more than 1,800 ft. in length, as measured by the float line, and may not be used within 20 ft from the bottom. Mesh size may not be smaller than ¾ inch square or 1.5 inch stretch. Only one 1,800 ft bait net is permitted per boat. The penalties for gill and trammel net violations are \$1,000 fine and confiscation of vessel and equipment.
- 15 **Year-Round Closures/Marine Reserves:** No fishing or collecting of any kind is allowed except as noted below.
- St. James Reserve  
Permitted Acts: *V.I.C., Title 12, Chapter 1, §96-3 & 96-4.*  
The use of a cast net with a minimum square mesh size of ¼ inch to capture bait fish (“fry”) within 50 feet of the shoreline. Cow and Calf Rocks (in area “C” on Appendix 2 map) are off-limits and are not considered as shorelines. Hook and line fishing is allowed with a permit. See Appendix 2, area “C” for the boundary map.
- Fishing Permits: A special monthly permit obtained from the Division of Environmental Enforcement is required to catch baitfish or hook & line fish in the Reserve. See page 1 for permit details.

- Cas Cay/Mangrove Lagoon Reserve  
Permitted Acts: *V.I.C., Title 12, Chapter 1, §96-5.*  
The use of a cast net with a minimum square mesh size of ¼ inch to capture bait fish (“fry”) within 50 feet of the north and west shorelines of Cas Cay only. See Appendix 2, area “B” and area “A”.
- Fishing Permits: A special monthly permit obtained from the Division of Environmental Enforcement is required to catch baitfish in the Reserves (see page 1 for permit details).
- Prohibited Acts: In the Inner Mangrove Lagoon (see Appendix 2 map, area “A”), no fishing, no traps, and no seines. In short, no take at all. Use of internal combustion engines is prohibited.
- Compass Point Marine Reserve and Wildlife Sanctuary, St. Thomas  
*V.I.C., Title 12, Chapter 1, §96-2.*  
Designated September 24, 1992. No fishing, hunting or taking of any plant or animals within the marine reserve and wildlife sanctuary. See Appendix 2 map, area “D”.
- Salt River Marine Reserve and Wildlife Sanctuary, St. Croix  
*V.I.C., Title 12, Chapter 1, §96-12.*  
Designated July 19, 1995. It is unlawful to (1) collect, take or possess any fish, coral, bird or other wildlife, or part thereof: (2) use or possess any firearm, bow and arrow, speargun or any trap, net or other contrivance designed to be, or capable of being used to take birds, fish or other wildlife, with the exception of recreational catch and release line fishing with barbless hooks, or to discharge any firearm or release any arrow into the sanctuary. Contact the Division of Environmental Enforcement for complete regulations (address on back cover).
- The Small Pond at Frank Bay Wildlife and Marine Sanctuary, St. John  
*V.I.C., Title 12, Chapter 1, §96-4.*  
Designated on March 24, 2000, signed on April 11, 2001. There are numerous specific prohibitions regarding the sanctuary. Those that relate to fisheries include the following: no hunting, fishing or harvest of fisheries or wildlife resources; the use of a motorized vessel is prohibited within Frank Bay Pond.
- 16 **Seasonal Area Closure:**  
Mutton Snapper Spawning Area: *V.I.C., Title 12, Chapter 9A, §316-13.*  
No harvest of any species from March 1 through June 30 within the Mutton Snapper Spawning Area (see Appendix 5 map).  
Joint Territorial and Federal closure is between Long Point and the southwest tip of Sandy Point about 2 miles offshore and is 2.5 miles long and 1 mile wide (see Appendix 5 map).
- 17 **Territorial Marine** *V.I.C., Title 12, Chapter 1, §98.*

**Parks:**  
**St. Croix East End**  
**Marine Park**

Designated on January 9, 2003. Regulations are pending that will designate certain restricted zones within the park boundaries. Contact the Division of Environmental Enforcement for regulations at (340) 773-5774 or the Marine Park Coordinator at (340) 773-1082 x 2204.

18 **Altona Lagoon and Great Pond Shrimp Management**

*Commissioner Prescribed Rule 1992 under V.I.C. Title 12, Chapter 9A §303(1).*

- a. All seine nets, gill nets and traps are prohibited in Altona Lagoon, Great Pond and their respective connecting channels to the sea.
- b. All seine nets, gill nets and traps are prohibited in Christiansted Harbor within 100 yards of the mouth of Altona Lagoon channel. All seine nets, gill nets and traps are prohibited in Great Pond Bay within 100 yards of the mouth of Great Pond channel.
- c. No motorized vessels are allowed in Altona Lagoon, Great Pond and their respective connecting channels to the sea.
- d. A recreational shrimp fishing permit from the Division of Environmental Enforcement is required to harvest shrimp on St. Croix. The annual fee for this license is \$10.00.
- e. Monofilament or nylon cast nets of 3/8 inch square mesh (3/4 inch stretch mesh) may be used to harvest shrimp in Altona Lagoon channel and Great Pond channel. Cast nets of knotless nylon netting are prohibited.
- f. Cast nets of 1 inch square mesh (2 inch stretch mesh) may be used to harvest fish in Altona Lagoon, Great Pond and their respective connecting channels to the sea. Cast nets of knotless nylon netting are prohibited.
- g. The sale of southern pink shrimp is prohibited. Vendors selling shrimp must possess a certificate of origin for the shrimp.
- h. The use of lights to attract shrimp for harvest is prohibited.
- i. Recreational handlining and rod and reel fishing are permitted in Altona Lagoon, Great Pond and their respective connecting channels to the sea.

19 **Seasonal Species**

**Closure:**

Groupers:

*V.I.C., Title 12, Chapter 9A, §316-14(a).*

From February 1 through April 30, each year, no possession of red, black, tiger, yellowfin, or yellowedge grouper.

Snappers:

*V.I.C., Title 12, Chapter 9A, §316-14(b).*

From October 1 through December 31, each year, no possession of vermilion, black, silk, or blackfin snapper.

*V.I.C., Title 12, Chapter 9A, §316-14(c)(d).*

From April 1 through June 30, each year, no possession of lane or mutton snapper.

20 **General Provision:**

Filleting:

*V.I.C., Title 12, Chapter 9A, §316-14(f).*

The filleting of fish in Territorial/Federal waters of the US Caribbean is prohibited and it is required that fish captured or possessed in

territorial waters be landed with heads and fins intact.

## **WEBSITE REFERENCES**

**Virgin Islands Code - <http://www.loc.gov/law/guide/us-vi.html>**

**Code of Federal Regulations (CFR) – <http://www.gpoaccess.gov/cfr/index.html>**

**DPNR – Division of Fish and Wildlife – <http://www.vifishandwildlife.com/fish.htm>**

**Caribbean Fisheries Management Council – <http://www.caribbeanfmc.com/>**

**National Marine Fisheries Service – <http://www.nmfs.noaa.gov/>**

# FEDERAL WATERS AROUND THE U.S. VIRGIN ISLANDS SUMMARY OF FISHING REGULATIONS

## FEDERAL WATERS EXTEND FROM 3 TO 200 NAUTICAL MILES OFFSHORE

- 1 **Yellowtail Snapper:** 50 CFR 622.37(a) – Minimum 12 inches total length (Appendix 1).
- 2 **Nassau Grouper:** 50 CFR 622.32(b)(ii) - No harvest or possession
- 3 **Goliath Grouper (jewfish):** 50 CFR 622.32(b)(ii) - No harvest or possession.
- 4 **Queen Conch:** 50 CFR 622.32(b)(1)(iv) - No person may fish for, or possess on board a fishing vessel, a Caribbean queen conch in or from the Caribbean EEZ, except during October 1 through June 30 in the area east of 64°34' W. longitude which includes Lang Bank east of St. Croix, U.S. Virgin Islands. 50 CFR 622.37(g) - Minimum size of 9 inch shell length from the spire to the distal end, or 3/8 inch lip thickness (see Appendix 1). 50 CFR 622.38(f) - Queen conch in or from the Caribbean EEZ must be maintained with meat and shell intact. 50 CFR 622.39(e)(2) - The recreational bag limit for queen conch is 3 per person or, if more than 4 persons are aboard, 12 per boat. 50 CFR 622.41(f) - No person may harvest queen conch by diving while using a device that provides a continuous air supply from the surface. 50 CFR 622.44(e) - The bag limit for commercial fishers is not more than 150 queen conch per day.
- 5 **Caribbean Spiny Lobster** 50 CFR 622.2 - Caribbean spiny lobster means *Panulirus argus*. 50 CFR 622.37(b) – Minimum size 3.5 inches carapace length. 50 CFR 622.38(b) - A Caribbean spiny lobster must be maintained with head and carapace intact. 50 CFR 622.32(b) (iii) - Egg-bearing spiny lobster in the Caribbean EEZ must be returned to the water unharmed. An egg-bearing spiny lobster may be retained in a trap, provided the trap is returned immediately to the water. An egg-bearing spiny lobster may not be stripped, scraped, shaved, clipped, or in any other manner molested, in order to remove the eggs. 50 CFR 622.31(j) - Spears and hooks. A spear, hook, or similar device may not be used in the Caribbean EEZ to harvest a Caribbean spiny lobster. The possession of a speared, pierced, or punctured Caribbean spiny lobster in or from the Caribbean EEZ is prima facie evidence of violation of this section.
- 6 **Aquarium Trade:** 50 CFR 622.45(b) - A live red hind or live mutton snapper may not be sold or purchased and used in the marine aquarium trade.
- 7 **Corals:** 50 CFR 622.2 - Caribbean prohibited coral means, a gorgonian, Class Anthozoa, Subclass Octocorallia, Order

Gorgonacea; a live rock; or a stony coral, Class Hydrozoa (fire corals and hydrocorals) or of the Class Anthozoa, Subclass Hexacorallia, Orders Scleractinia (stony corals) and Antipatharia (black corals); or a part thereof. *50 CFR 622.32(b)(1)(i)* - Caribbean prohibited coral may not be fished for or possessed in or from the Caribbean EEZ. *50 CFR 622.45(a)* - No person may sell or purchase a Caribbean prohibited coral harvested in the Caribbean EEZ. A Caribbean prohibited coral that is sold in the U.S. Virgin Islands will be presumed to have been harvested in the Caribbean EEZ, unless it is accompanied by documentation.

- 8 **Billfish:** *50 CFR 635 - No commercial harvest; no sale*  
 Minimum Size Long Bill Spearfish – Retention is prohibited.  
 Regulations: Blue Marlin– 99” Lower Jaw Fork Length (see Appendix 1);  
 White Marlin – 66” Lower Jaw Fork Length (see Appendix 1);  
 Sailfish – 63” Lower Jaw Fork Length (see Appendix 1);  
 Swordfish – 47” Lower Jaw Fork Length (see Appendix 1 and #9 below).
- 9 **Billfish, Swordfish, Tuna & Shark:** *50 CFR 635 - The NOAA Fisheries, Highly Migratory Species Management Division, regulates billfish, swordfish, tuna, and sharks in all waters of the Caribbean Sea.*  
 Permits: **All owners/operators of commercial and recreational vessels harvesting swordfish and certain species of tuna described below and all dealers of these species MUST obtain the required Federal permits:**  
 Recreational: The NOAA Fisheries requires that all vessels involved in the recreational billfish fishery to register and purchase a Highly Migratory Species Permit (HMSP) to participate in billfish fisheries in the Caribbean. The permit also covers tuna (excluding blackfin), sharks, and swordfish. Permit holders are required to report total landings of species covered by HMSP to NOAA Fisheries.  
 Commercial: Commercial fishers must obtain a federal harvest permit to catch and keep yellowfin, bigeye, bluefin, skipjack and albacore tunas.  
 Commercial fishers must obtain a federal dealer’s permit to sell any of the above regulated tuna species. A commercial harvest permit does not allow participation in HMS recreational tournaments.  
 Permit Application: Permit applications are available at the Division of Fish and Wildlife

(address on back cover). For permit information or questions regarding HMSP regulations, contact: Highly Migratory Species Management Office, NOAA Fisheries, 1 Blackburn Drive, Gloucester, MA 01930-2298, phone: (978) 281-9260 or (888) 872-8862; or Christopher Rogers, Chief, Highly Migratory Species Management Division, Office of Sustainable Fisheries, NOAA-Fisheries, 1315 East-West Highway, Silver Springs, Maryland 20910-3282, phone: (301) 713-2347.

Size Restrictions:

Bag Limit:

The commercial and recreational minimum legal harvest size for yellowfin and bigeye tuna is 27" fork length (see Appendix 1). The recreational minimum for bluefin tuna is 27", however, check NOAA Fisheries for current commercial bluefin limits. Recreational bag limit (possession) is three yellowfin tuna per person per day. No limit for bigeye, albacore, and skipjack tunas. Check NOAA Fisheries for current bluefin limits.

- 10 **Sea Turtles:** *50 CFR 17.11* - No harvest, possession, or harassment of sea turtles or their eggs.
- 11 **Seabirds:** *50 CFR 10.12* – Seabirds are protected under the Migratory Bird Treaty Act. To minimize injury to seabirds, do not discard fishing line at sea.
- 12 **Traps:**
  - Marking: *50 CFR 622.6(b)(1)(i)(A)* - Trap must display the official number specified for the vessel by the U.S. Virgin Islands. *50 CFR 622.6(b)(1)(ii)(A)* - All individual traps or end of trap lines require a surface buoy that must display the official number and color code.
  - Unmarked Traps: *50 CFR 622.6(b)(1)(iv)* - An unmarked trap or a buoy deployed is illegal and may be disposed of by an authorized officer.
  - Trap Tending: *50 CFR 622.40(a)(1)* - A trap may be pulled or tended only by a person (other than an authorized officer) aboard the trap owner's vessel.
  - Fish Traps: *50 CFR 622.40(c)(1)* - A bare-wire fish trap that has hexagonal mesh openings must have a minimum mesh size of 1.5 inches in the smallest dimension measured between centers of opposite strands. A bare-wire fish trap that has other than hexagonal mesh openings or a fish trap of other than bare wire, such as coated wire or plastic, must have a minimum mesh size of 2.0 inches in the smallest dimension



measured between centers of opposite strands.

*50 CFR 622.40(b)(1)(i)* - A fish trap must have a panel located on one side of the trap, excluding the top, bottom, and side containing the trap entrance. The opening covered by the panel must measure not less than 8 by 8 inches. The mesh size of the panel may not be smaller than the mesh size of the trap. The panel must be attached to the trap with untreated jute twine with a diameter not exceeding 1/8 inch. An access door may serve as the panel, provided it is on an appropriate side, it is hinged only at its bottom, its only other fastening is untreated jute twine with a diameter not exceeding 1/8 inch, and such fastening is at the top of the door so that the door will fall open when such twine degrades. Jute twine used to secure a panel may not be wrapped or overlapped.

Lobster Trap:

*50 CFR 622.40(b)(1)(ii)* - A spiny lobster trap must contain on any vertical side or on the top a panel no smaller in diameter than the throat or entrance of the trap. The panel must be made of or attached by either: untreated fiber of biological origin with a diameter not exceeding 1/8 inch. This includes, but is not limited to tyre palm, hemp, jute, cotton, wool, or silk, or ungalvanized or uncoated iron wire with a diameter not exceeding 1/16 inch that is, 16 gauge wire.

13 **Year-Round**

**Closures:**

Hind Bank Marine Conservation District (MCD), St. Thomas:

*50 CFR 622.33(b)* - The following activities are prohibited within the Hind Bank MCD: fishing for any species and anchoring by fishing vessels. Appendix 3 provides coordinates and a map of the boundaries of the MCD.

14 **Seasonal Area**

**Closures:**

Grammanik Bank, St. Thomas:

*50 CFR 622.33(a)* - Fishing with pots, traps, bottom longlines, gillnets or trammel nets is prohibited year-round in the three seasonally closed areas specified below.

*50 CFR 622.33(a)(3)* - From February 1 through April 30, each year, no person may fish for or possess any species of fish, except highly migratory species, in or from the Grammanik Bank closed area. "Highly migratory species" means bluefin, bigeye, yellowfin, albacore, and skipjack tunas; swordfish; sharks, and white marlin, blue marlin, sailfish, and longbill spearfish. Appendix 3 provides coordinates and a map of the boundaries of the Grammanik Bank seasonal closure area.

Red Hind Spawning Aggregation Area, St. Croix:

*50 CFR 622.33(a)(2)* - From December 1 through February 28, each year, fishing is prohibited in those parts of the following areas that are in the EEZ. Appendix 4 provides coordinates and a map of the boundaries of the Red Hind Spawning Aggregation seasonal closure area.

Mutton Snapper  
Spawning  
Aggregation Area, St. Croix: *50 CFR 629.21&24* - From March 1 through June 30, each year, fishing is prohibited in that part of the following area that is in the EEZ. Appendix 5 provides coordinates and a map of the boundaries of the Mutton Snapper Spawning Aggregation seasonal closure area.

15 **Seasonal Species**

**Closures:**

Groupers: *50 CFR 622.33(a)(4)* - From February 1 through April 30, each year, no person may fish for or possess red, black, tiger, yellowfin, or yellowedge grouper.

Snappers: *50 CFR 622.33(a)(6)* – From October 1 through December 31, each year, no person may fish for or possess vermilion, black, silk, or blackfin snapper.

*50 CFR 622.33(a)(7)* – From April 1 through June 30, each year, no person may fish for or possess lane or mutton snapper.

16 **Gear Prohibition:**

Net Fishing:

*50 CFR 622.31(l)* - A gillnet or trammel net may not be used to fish for Caribbean reef fish or Caribbean spiny lobster. Possession of a gill or trammel net and any Caribbean reef fish or Caribbean spiny lobster is prima facie evidence of violation. A gillnet or trammel net used in the Caribbean EEZ to fish for any other species must be tended at all times.

17 **General Provision:**

Filleting:

*50 CFR 622.3(a)* – Finfish must be maintained with head and fins intact. *50 CFR 622.3(c)* - Shark, swordfish, and tuna species are exempt from this requirement. *50 CFR 622.3(c)(1)* - Bait is exempt from the requirement to be maintained with head and fins intact. *50 CFR 622.3(c)(2)* - Legal-sized finfish possessed for consumption at sea on the harvesting vessel are exempt from the requirement to have head and fins intact, provided: (i) such finfish do not exceed any applicable bag limit; (ii) such finfish do not exceed 1.5 lb (680 g) of finfish parts per person aboard; and (iii) the vessel is equipped to cook such finfish on board.

Anchoring:

*50 CFR 622.41(b)* - Any fishing vessel, recreational or commercial, that fishes for or possesses Caribbean reef fish must ensure that the vessel uses only an anchor retrieval system that recovers the anchor by its crown, thereby preventing the anchor from dragging along the bottom during recovery. For a grapnel hook, this could include an incorporated anchor rode reversal bar that runs parallel along the

shank, which allows the rode to reverse and slip back toward the crown. For a fluke- or plow-type anchor, a trip line consisting of a line from the crown of the anchor to a surface buoy would be required.

# RESUMEN DE REGULACIONES DE PESCA DE AGUAS TERRITORIALES DE LAS ISLAS VÍRGENES

## AGUAS TERRITORIALES - Hasta 3 millas mar afuera

- 1 **Caracoles (Burgaos):** *V.I.C., Title 12, Chapter 9A, §316-6 & 316-7.*  
Límite de Tamaño: Tiene que ser mas grande de 2 7/16 pulgadas de diámetro.  
Restricción de Capturas: Traído entero en el casco (ver apéndice 1).  
Cierre de Temporada: 1 de Abril – 30 de Septiembre
  
- 2 **Carrucho:** *V.I.C., Title 12, Chapter 9A, §316-1 & 316-4.*  
Límite de Tamaño: 9 pulgadas tamaño de casco o 3/8 pulgada de ancho del labio (ver apéndice 1).  
Cuota: **150 carruchos por día por licencia de pescador comercial.**  
Uso Personal: 6 carruchos por día (**pescador recreativo**) por persona.  
Máximo 24 por barco y por día.  
Restricción de Capturas: Traído a tierra entero en el casco.  
Restricción de Venta: Ninguna venta de casco o carrucho de tamaño inferior a lo estipulado en el código anterior.  
No se permite la venta de carrucho importado, al menos que venga acompañado de un certificado de exportación de CITES y el cargamento halla sido declarado a través del Puerto de Miami.  
Cierre de Temporada: (ver “Conch Imports”, pagina 8).  
1 de Julio – 30 de Septiembre
  
- 3 **Langosta:** *V.I.C., Title 12, Chapter 9A, §319.*  
Límite de Tamaño: 3 ½ pulgada tamaño de casco (ver apéndice 1).  
Restricción de Capturas: Traída entera.  
Prohibido capturar hembras con huevos.  
Restricción de Equipo: Prohibido usar arpón o escopeta de pesca ni anzuelos de ningún tipo.
  
- 4 **Camarones** *Commissioner Prescribed Rule, V.I.C., Title 12, Chapter 9A, §303(1).*  
Ningún tipo de pesca comercial en Altona Lagoon y Great Pond.  
Prohibida la venta de camarones.  
Licencia recreativa es requerida (ver pagina 1).
  
- 5 **Mero Guasa:** *Commissioner Prescribed Rule, V.I.C., Title 12, Chapter 2, §104*  
Prohibida la pesca y captura.
  
- 6 **Mero Nassau** *V.I.C. Title 12, Chapter 9A, §316-14 (e).*  
La posesion de Mero Nassau esta prohibido todo el ano en las aguas territorial hasta que el CFMC determine que se ha recuperado.

- 7 **Pez Espada (Aguja):** *50 CFR 635 V.I.C., Title 12, Chapter 9A.*  
Regulaciones federales Ver paginas 24-25 para reglamento especifico.
- 8 **Pez Espada, el Tiburón y El Atún (Tuna):** *50 CFR 635 V.I.C., Title 12, Chapter 9A.*  
Regulaciones federales (ver Regulaciones Federales, abajo).
- 9 **Sábalo & Macaco:** *Commissioner Prescribed Rule V.I.C., Title 12, Chapter 9A, §304.*  
Se prohíbe la pesca; solamente se puede usar anzuelos y cordel para captura y libera.
- 10 **Tortugas Marinas (Fanduca):** *V.I.C., Title 12, Chapter 9A, §318.*  
En Peligro de Extinción. Prohibida la pesca, captura y hostigamiento.
- 11 **Pajaros Marinos** *V.I.C. Title 12, Chapter 2.*  
Pajaros marinos estan protegidos por el Endangered and Indigenous Species Act of 1990. Para minimizar heridas a los pajaros marinos o muerte, no desechar cordel de pesca en el mar.
- 12 **Colección Acuario:** *V.I.C., Title 12, Chapter 9A, §106c.*  
Permiso requerido a través de DPNR División de Pesca y Vida Silvestre.
- 13 **Nasas de Pesca:**  
**Distrito de San Tomas y San John:** *V.I.C., Title 12, Chapter 9A, §304-4 & §304-6 & 321*  
**Tamaño de malla:** Toda nasa vieja y nueva en aguas territoriales será de 2" pulgadas hexagonal o 2 pulgadas de malla cuadrada. Todas serán inspeccionadas por la División de Environmental Enforcement.
- Distrito de Santa Cruz:** *V.I.C., Title 12, Chapter 9A §304-5 & §304-6 & 321.*  
**Tamaño de malla:** Toda nasa vieja y nueva en aguas territoriales será de 1 ½ pulgada cuadrada o 1 ½ pulgada hexagonal con la malla mas pequeña en ambos lados de la nasa. Todas las nasas serán inspeccionadas y **marcadas** por la División de Environmental Enforcement.
- Ambos Distritos:** *V.I.C., Title 12, Chapter 9A §321.*  
**Restricción de equipo:** Cada nasa tendrá un panel de escape que estará compuesto de material biodegradable con soga de 1/8" de yute.
- 14 **Redes:** *V.I.C., Title 12, Chapter 9A §321.*  
**Restricción del Equipo:** **Tamaño de malla:** Trasmallo de arrastre, mas de 1 ½ pulgada de

mallas estiradas. Los trasmallos para la pesca de carnada pueden tener mallas más pequeñas.  
No deben ser sacados del agua para coger las capturas.

Prohibición del Equipo:

*V.I.C., Title 12, Chapter 9A, §321-1.*

El uso del trasmallo de ahorque y mallorquín son prohibidos con la excepción del trasmallo del superficie de carnada (ballyhoo, gar o volador). Estos trasmallos deben ser atendido en todo momento. No deben ser mas de 1,800 pies en toamaño y no debe utilizarlo menos de 20 pie del fondo. El tamaño de malla no debe ser menos do  $\frac{3}{4}$  de pulgadas o 1.5 pulgadas estirada. Solamente un trasmallo de carnada de 1,800 pies permitido por barco. La penalidad por la violaciones de trasmallo de ahorque y mallorquín: la multa es \$1,000 por barco y confiscation del barco y equipo.

15 **Reservas Marinas:**

Ningún tipo de pesca ni captura de ninguna clase esta permitida con la excepción de las siguientes.

Reserva de St. James:  
Leyes Permitidas:

*V.I.C., Title 12, Chapter 1 §96-3 & §96-4*

El uso de una taralla de  $\frac{1}{4}$  pulgada para coger carnada mijúa\_50' pies de la orilla. Cow y Calf rocks ("C" en el mapa apéndice 2) están fuera de límite y no son consideradas como orillas. Para límites ver el mapa apéndice 2, área "C".

Permiso para Pescar:

Un permiso especial mensual es requerido y obtenido de la División de Environmental Enforcement para pescar la carnada y para el uso de cordel en la reserva (ver pagina 1).

Reserva de Cas Cay y Laguna Manglar:  
Permitido:

*V.I.C., Title 12, Chapter 1 §96-5.*

Esta permitido el uso de una taralla de  $\frac{1}{4}$  pulgada para capturar (pescar) mijúa\_50' pies de la orilla parte Norte y Oeste de Cas Cay solamente. Ver mapa apéndice 2, área "B" y "A".

Permiso para Pescar:

Se requiere un permiso especial mensual para pescar carnada en la reserva, se obtiene en la División de Environmental

Prohibiciones

Enforcement (ver pagina 1). La carnada se puede pescar solamente 50' pies de la orilla Norte y Oeste de Cas Cay.

En la Laguna Manglar (ver mapa apéndice 2, “A” área) esta prohibido todo tipo de pesca, y el uso de motores de combustión.

- Compass Point, Reserva Marina y Santuario de Vida Salvaje: *V.I.C., Title 12, Chapter 1 §96-2.*  
Designado en St. Tomas el 24 de Septiembre de 1992. Todo tipo de caza, pesca, captura y recogida de plantas y animales, dentro de la reserva marina y santuario de vida salvaje esta terminantemente prohibida. Ver mapa apéndice 2, área “D”.
- El Santuario de Vida Salvaje y Marina de Salt River en Santa Cruz *V.I.C., Title 12, Chapter 1 §96-12.*  
Fueron designadas el 19 de Julio de 1995. Están pendientes las regulaciones que prohíben la pesca y la cosecha de recursos de pesca dentro del santuario.
- La laguna de Frank Bay: Reserva Marina y Santuario Marino de St. John *V.I.C., Title 12, Chapter 1 §96-4.*  
Designado en St. John el 24 de Marzo del 2000. Reserva Marina y Santuario de Vida Salvaje, Frank Bay, se prohíbe totalmente todo tipo de pesca y recolección de organismos marinos en la laguna de Frank Bay.
- 16 **Area de Cierre por Temporada:** *V.I.C., Title 12, Chapter 9A §316-13.*  
Área de reproducción de la Sama: No se permite la pesca de ninguna especie desde el 1 de Marzo hasta el 30 de Junio (ver apéndice 5).
- 17 **Parque Territorial Marino:** *V.I.C., Title 12, Chapter 1 §98.*  
St. Croix East End Marine park Designado el 9 de Enero de 2003. El reglamento esta pendiente ya que actualmente todavía se encuentra en proceso de revisión. Para mas información contacte a la División de Environmental Enforcement en el (340) 773-5774 o el Coordinador del parque en el (340) 773-1082 x 2204.
- 18 **Manejo de Camarones Altona Lagoon y Great Pond** *Commissioner Prescribed Rule 1992 V.I.C. Title 12, Chapter 9A §303(1).*  
a. Todo trasmallo de arrastre, trasmallo de ahorque y nasas de pesca están prohibidos en Altona Lagoon, al igual que en Great Pond y respectivos canales con conexión hacia el mar.  
b. Todo trasmallo de arrastre, trasmallo de ahorque y nasas de pesca están prohibidos en la bahía de Christiansted y dentro 100 yardas de la boca de Altona Lagoon. Todo trasmallo de arrastre, trasmallo de ahorque y nasas de pesca están prohibidos en la bahía de Great Pond y dentro de 100 yardas de el canal de Great Pond.  
c. Ninguna embarcación motorizada esta permitida en Altona Lagoon, Great Pond y canales que conecten al mar.  
d. Tarallas de hilo plástico de malla cuadrada 3/8 pulgadas y malla estirada de 3/4

- pulgadas pueden ser usadas para capturar camarones en el canal de Altona Lagoon y Great Pond. están prohibidas las tarallas de hilo de nylon sin nudos.
- e. Tarallas de 1 pulgada de malla cuadrada (2 pulgadas de malla estirada) pueden ser usadas para coger peces en Altona Lagoon, Great Pond y sus respectivos canales conectando al mar. Tarallas de hilo de nylon sin nudos están prohibidas.
  - f. Una licencia recreativa para capturar camarones es necesaria en Santa Cruz. El coste anual para obtener esta licencia es \$10.00. Este permiso se solicita a través de la División de Environmental Enforcement.
  - g. La venta de camarones esta prohibida. Cualquier persona que tenga camarones para la venta deberá tener un certificado de origen sobre la procedencia de los camarones.
  - h. El uso de luces para atraer los camarones esta terminantemente prohibido.
  - i. La pesca de cordel de mano y vara esta permitido en Altona Lagoon, Great Pond y respectivos canales que conectan al mar.

19 **Especies Cerradas por Temporadas**

Meros:

*V.I.C., Title 12, Chapter 9A, §316-14(a).*

Desde el 1 de Febrero hasta el 30 de Abril, cada año, no se podrá pescar los meros rojos, negros, tigre, aleta amarilla ni filo amarillo.

Pargos:

*V.I.C., Title 12, Chapter 9A, §316-14(b).*

Desde el 1 de Octubre hasta el 31 de Diciembre, todos los años, ninguna persona podrá poseer o pescar besugo, negras, chopas negras ni chillos.

*V.I.C., Title 12, Chapter 9A, §316-14(c)(d).*

Desde el 1 de abril hasta el 30 de Junio, cada año, no se podrán pescar ni poseer samas ni arrayados.

20 **Normativa General**

Filetear:

*V.I.C., Title 12, Chapter 9A, §316-14(f).*

Esta prohibido filetear pescados en aguas federales del U.S. Caribe y es requerido que pescado capturado o poseido en aguas territoriales deben ser embarcado a orilla entero con cabezas y aletas intactas.



# RESUMEN DE REGULACIONES DE PESCA DE AGUAS FEDERALES DE LAS ISLAS VÍRGENES

## AGUAS FEDERALES - 3 millas hasta 200 millas mar afuera

- 1 **Colirubia:** 50 CFR 622.37(a) – Mínimo de 12 pulgadas tamaño total (ver apéndice 1).
- 2 **Mero Nassau:** 50 CFR 669.22(a) - Prohibida la pesca y captura.
- 3 **Mero Guasa:** 50 CFR 669.22(a) - Prohibida la pesca y captura.
- 4 **Carruchos** 50 CFR 622.32 (b) (1)(iv) – Ninguna persona podrá pescar, poseer carruchos que vengan o que estén en la Zona Económica Exclusiva (EEZ), excepto durante los meses desde el 1 de Octubre hasta el 30 de Junio en el área al este de 64°34'W. que incluye Lang Bank al este de St. Croix, U.S. Virgin Islands. 50 CFR 622.37(g) – Tamaño mínimo de 9 pulgadas de punta a punta, o 3/8 de pulgada en el grosor del labio (ver apéndice 1). 50 CFR 622.38(f) – Los carruchos de la EEZ deberán ser mantenidos con la carne y el casco intactos. 50 CFR 622.39 (e)(2) – Para la pesca recreativa se permite un máximo de 3 carruchos por persona o, en el caso de que hayan mas de 4 personas a bordo del barco, se permitirán un máximo de 12 carruchos por barco. 50 CFR 622.41 (f) – No esta permitida la pesca de carruchos con una fuente de aire que provenga de la superficie. 50 CFR 622.44(e) – El máximo de capturas por pescador comercial por día es de 150 carruchos.
- 5 **Langosta** 50 CFR 622.2 - El nombre de “langosta” se refiere a la especie *Panulirus argus*. 50 CFR 622.37(b) El carapacho debe tener una talla mínima de 3.5 pulgadas de longitud. 50 CFR 622.38(b) La langosta deberá mantenerse intacta. 50 CFR 622.32(b) (iii) – Las langostas que tengan huevos deberán ser devueltas al agua inmediatamente. No esta permitido quitar los huevos de la langosta de ninguna manera. 50 CFR 622.31(j) Los arpones y anzuelos u otras herramientas similares no están autorizadas para la pesca de la langosta en la EEZ. La posesión de una langosta que presente señales de haber sido capturada utilizando métodos no permitidos será considerado como evidencia de violación de de esta sección.
- 6 **Colección Acuarios** 50 CFR 622.45(b) – Se prohíbe la comercialización de cabrillas (*Epinephelus guttatus*) vivas para acuarios (conocidas también por meros pinta), se prohíbe además el comercio de samas (*Lutjanus analis*) vivas para acuarios.

- 7 **Corales** 50 CFR 622.2 – La pesca de corales caribeños esta prohibida para las siguientes categorías: gorgóneas, Clase Anthozoa, Subclase Octocoralia, Orden Gorgonacea; piedra coralina, Clase Hydrozoa (corales de fuego e hidrocorales) o Clase Anthozoa, Subclase Hexacorallia, Orden Scleractinia (piedra coralina) y Antipatharia (coral negro); o partes de los mismos. Estos corales son llamados “Corales Caribeños Prohibidos”. 50 CFR 622.32(b)(1)(i) – Los corales caribeños prohibidos no podrán ser pescados ni se podrán poseer dentro de la EEZ. 50 CFR 622.45(a) Ninguna persona podrá comercializar comprar o vender corales caribeños prohibidos que hayan sido sustraídos de la EEZ. Cualquier coral caribeño prohibido que este en venta en las Islas Vírgenes U.S. será considerado como extraído de la EEZ, a no ser que este acompañado de la documentación reglamentaria.
- 8 **Agujas** 50 CFR 635 – **Prohibida la extracción comercial; prohibida la venta de:** Aguja azul - 99” desde la mandíbula inferior a centro de cola (ver apéndice 1); Aguja blanca – 66” desde mandíbula inferior a centro de cola (ver apéndice 1); Pez Vela – 63” desde mandíbula inferior a centro de cola (ver apéndice 1); Pez Espada (Emperador) 47” desde mandíbula inferior a centro de cola (ver apéndice 1 y #9 abajo).  
Reglamento Sobre Tamaños Mínimos:
- 9 **Agujas, Pez Espada, Atunes y Tiburones** 50 CFR 635 – La División de la Gestión de Especies Altamente Migratorias, de NOAA Pesquerías, gestiona y regula las agujas, peces espada, atunes y tiburones en las aguas del Mar Caribe. **Todos los propietarios u operadores de embarcaciones de pesca, comerciales o recreativos, que extraigan alguna de estas especies DEBERAN obtener los permisos Federales requeridos:**  
Permisos:  
Recreativo: NOAA requiere que todas las embarcaciones que de alguna manera estén involucradas en la pesca recreativa de estas especies, deberán registrarse y comprar un permiso de Especies Altamente Migratorias (HMSP) en el Caribe. Este permiso cubre también a los atunes (excluyendo el Albacora o Bonito), tiburones y pez espada. Los titulares de los permisos están obligados a reportar el total de capturas a NOAA.  
Comercial: Los pescadores comerciales deben obtener un permiso federal para poder pescar y conservar atún de aleta amarilla, ojón, atún de aleta azul, bonito, aletas negras y albacora. También deberán obtener una licencia de venta federal para poder vender este pescado. Una licencia de pesca comercial federal de HMSP no autoriza al pescador comercial a participar en los torneos de pesca recreativa.  
Solicitud de Licencias: Los formularios para solicitar las licencias están disponibles en

las oficinas de Fish & Wildlife (dirección al dorso). Para preguntas sobre HMSP, contacte: Highly Migratory Species Management Office, NOAA Fisheries, Blackburn Drive, Gloucester, MA 01930-2298, phone: (978)281-9260 o (888)872-8862; o Christopher Rogers, Chief, Highly Migratory Species Management Division, Office of Sustainable Fisheries, NOAA – Fisheries, 1315 East Highway, Silver Springs, Maryland 20910-3282, phone: (301)713-2347.

Restricciones de  
Tamaño:

Para el atún de aleta amarilla y el ojón deberán tener un tamaño mínimo de 27” de longitud desde el labio inferior al centro de la cola (ver apéndice 1). Para el atún de cola azul el tamaño mínimo es también de 27”, aunque hay que confirmar con NOAA si ha habido algún cambio reciente.

Limite de Capturas:

Para el pescador recreativo el límite es de 3 atunes de cola amarilla por persona y por día. No existe límite para el ojón, albacora ni el bonito. Para el atún de cola azul por favor consulte con NOAA.

10 **Tortugas Marinas**  
**(Fanduca)**

*50 CFR 17.11* – No esta permitida la captura, posesión, ni molestar a las tortugas ni los huevos.

11 **Pajaros Marinos**

*50 CFR 10.12* – Pajaros marinos estan protegidos por el Acta del Pajaros Migratorio (Migratory Bird Treaty Act). Para minimizar heridas a los pajaros marinos o muerte, no desechar cordel de pesca en el mar.

11 **Nasas**  
Marcas:

*50 CFR 622.6(b)(1)(i)(A)* – Las nasas deberán presentar el numero oficial de la embarcación especificado por las Islas Vírgenes. *50 CFR 622.6(b)(1)(ii)(A)* – Todas las nasas deberán de ir acompañadas de una boya de superficie en las que se verán números y colores oficiales.

Sin Marcas:

*50 CFR 622.6(b)(1)(iv)* – Las boyas que no estén marcadas serán consideradas ilegales y podrán ser confiscadas por un oficial autorizado. *50 CFR 622.6(a)(1)* – Las nasas solo podrán ser levantadas por personas que estén a bordo de la embarcación del propietario de las nasas.

Nasas de Pescado:

*50 CFR 622.40(c)(1)* – Las nasas construidas con la malla hecha de alambre al descubierto formando agujeros hexagonales deberán tener un tamaño mínimo de 1.5 pulgadas en la parte mas pequeña del hexágono. Las que formen la malla con otras formas y no sean de alambre descubierto (plásticos, etc.) deberán tener un tamaño mínimo de 2 pulgadas medidas desde los lados mas juntos de la figura que presente el agujero de la malla.

*50 CFR 622.40(b)(1)(i)* – Las nasas deberán tener un panel en uno de los lados, excluyendo la cara superior e inferior y el lado

donde se encuentre la entrada de la nasa. La abertura o puerta de salida estará recubierta por el panel y no podrá medir menos de 8x8 pulgadas. La malla del panel no podrá ser de un tamaño menor al del resto de la nasa. El panel deberá estar amarrado a la nasa con un material biodegradable que no este tratado y que no sobrepase 1/8 de pulgada. Una puerta de acceso puede servir como panel, suponiendo que sea del tamaño apropiado, esta puerta deberá tener uno de sus amarres hecho con un material biodegradable como el cáñamo que se descomponga con el tiempo previniendo así que en el caso que la nasa se extravíe la nasa con el tiempo se abra sola y no siga pescando innecesariamente.

Nasas de Langostas: *50 CFR 622.40(b)(1)(ii)* – El nasero (puerta de entrada) deberá ser de menor tamaño que el resto de las caras de la nasa.

12 **Cierres Anuales:**

Distrito de Conservación Marina de Hind Bank (MCD), St. Thomas: *50 CFR 622.33(b)* – Las actividades siguientes están prohibidas en Hind Bank MCD: toda la pesca, el fondeo y anclaje de cualquier embarcación pesquera. El apéndice numero 3 enseña las coordenadas de los limites del MCD.

13 **Áreas Cerradas por Temporadas:**

*50 CFR 622.33(a)* – La pesca con nasas, calas, trasmallo mallorquín y trasmallo de ahorque esta prohibida durante todo el año en las tres áreas siguientes que se especifican abajo.

Grammanik Bank, St. Thomas: *50 CFR 622.33(a)(3)* – Desde el 1 de Febrero hasta el 30 de Abril, todos los años, ninguna persona podrá estar en posesión de ningún tipo de pescado, exceptuando aquellas especies que sean altamente migratorias, dentro del área de cierre de Grammanik Bank. El apéndice numero 3 enseña las coordenadas de los limites de Grammanik Bank.

Área de reproducción de Cabrillas, St. Croix: *50 CFR 622.33(a)(2)* – Desde el 1 de Diciembre hasta el 28 de Febrero, todos lo años la pesca esta prohibida en aquellas áreas dentro de la EEZ. El apéndice numero 4 muestra las coordenadas del cierre en un mapa.

Área de reproducción de las Samas, St. Croix: *50 CFR 629.21&24* - Desde el 1 de Marzo hasta el 30 de Junio, todos los años, la pesca esta prohibida en las zonas dentro del área EEZ. El apéndice numero 5 muestra las coordenadas del área de cierre en un mapa.

14 **Especies Cerradas por Temporadas**

Meros: *50 CFR 622.33(a)(4)* – Desde el 1 de Febrero hasta el 30 de Abril, cada año, no se podrá pescar los meros rojos, negros, tigre,

aleta amarilla ni filo amarillo.

Pargos: *50 CFR 622.33(a)(6)* – Desde el 1 de Octubre hasta el 31 de Diciembre, todos los años, ninguna persona podrá poseer o pescar besugo, negras, chopas negras ni chillos.

*50 CFR 622.33(a)(7)* – Desde el 1 de abril hasta el 30 de Junio, cada año, no se podrán pescar ni poseer samas ni arrayados.

15 **Equipos Prohibidos:**

Redes: *50 CFR 622.31(l)* – El trasmallo de ahorque y el mallorquín no pueden ser utilizados para los peces de arrecife caribeños ni para la langosta. La posesión de de trasmallos y de pescado de arrecife será evidencia de violación de la ley. Los trasmallos utilizados para capturar otras especies deberán ser atendidas en todo momento.

16 **Normativa General**

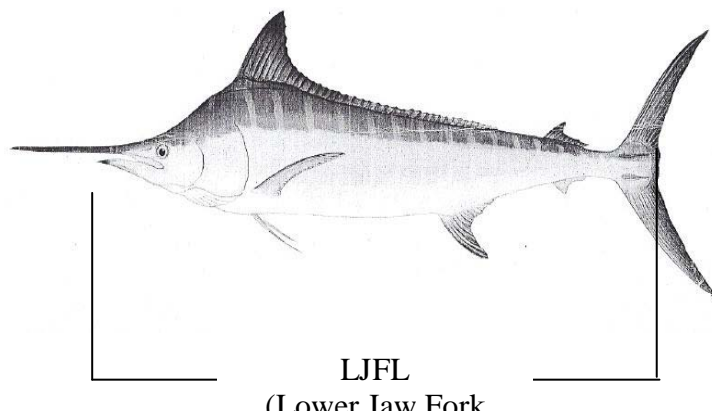
Filetear: *50CFR 622.3(a)* – El pescado deberá ser mantenido entero, no se podrán cortar las aletas colas ni cabezas. *50 CFR 622.3(c)* – Tiburones, pez espada y atunes están exentos de esta normativa. *50 CFR 622.3(c)(1)* – El pescado que se utiliza como cebo esta excluido de esta normativa. *50 CFR 622.3(c)(2)* – El pescado que se encuentre a bordo de las embarcaciones para consumo de la tripulación esta excluido de esta normativa en los casos siguientes: (i) que el pescado en cuestión no exceda el limite de las cuotas; (ii) que el pescado en cuestión no exceda 1.5 lb (680 g) en cada pedazo de pescado por persona; (iii) que la embarcación tenga equipo para cocinar el pescado a bordo.

Anclaje: *50 CRF 622.41(b)* – Cualquier embarcación de pesca comercial o recreativa deberá disponer de un sistema de anclaje que asegure la recogida del ancla por la corona, de esta manera de previene contra el arrastre del ancla y la destrucción del fondo marino cuando se levanta el ancla. En el caso de un gancho “Grapnel”, se puede incluir un eslabón reversible que corra paralelo al brazo del ancla, lo que permite volver en dirección a la corona y evitar así el desgarre del fondo. Para las anclas tipo “fluke” o “plow” una línea o cabo deberá ir atado desde la corona o cabeza del ancla hasta una boya en la superficie.

## APPENDIX 1

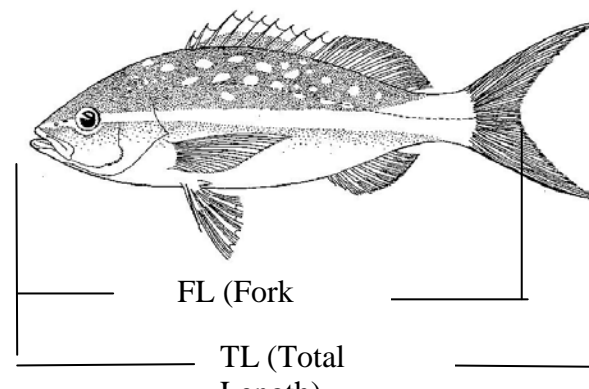
### Length Measurements for Billfish, Finfish, Spiny Lobster, Conch and Whelk Medidas de longitud para Peces de Pico, Finfish, Langostas, Burgaos y Carruchos

BILLFISH (Peces de Pico, Pez Espada, Marlin, Pez Vela)

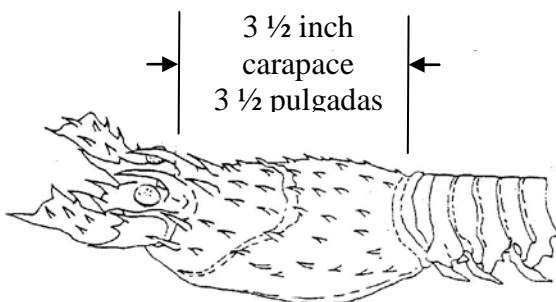


Blue Marlin 99" ; Sailfish 63" ; White Marlin 66" ; Swordfish 47"

FINFISH  
(Such as Yellowtail Snapper or Tuna)  
(Como Colirrubias o Atunes)



LOBSTER  
LANGOSTA

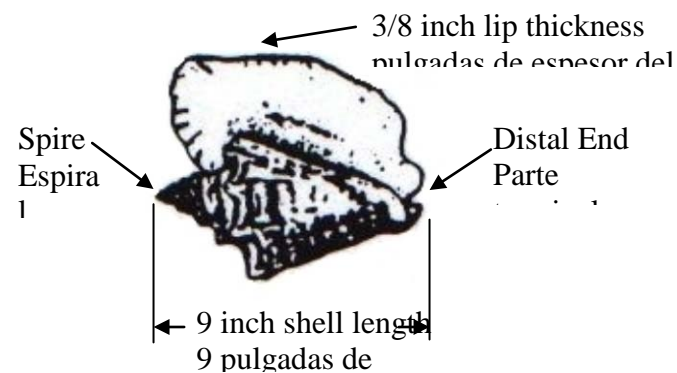


Carapace length is measured  
along the midline

WHELK  
BURGAO



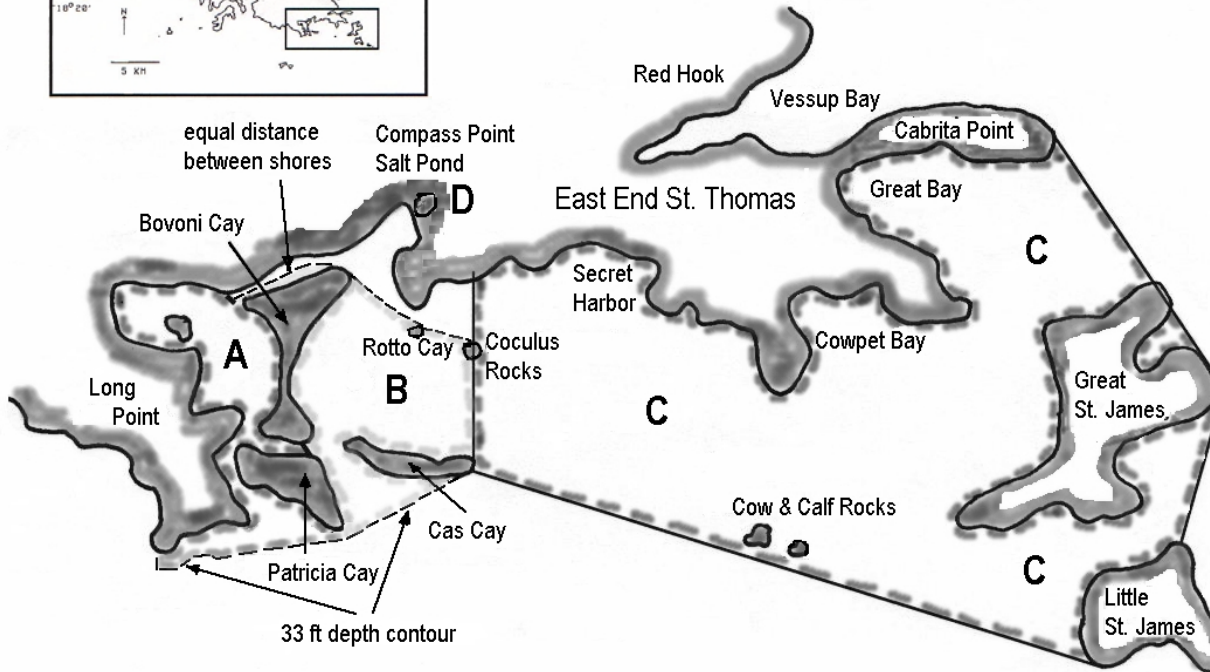
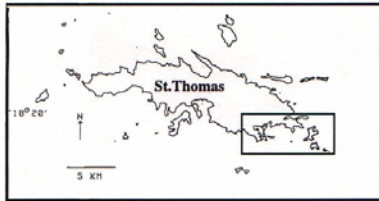
CONCH  
CARRUCHO



## APPENDIX 2

### *Southeast St. Thomas Marine Reserves and Wildlife Sanctuaries*

(See page 12 of this handbook for summaries of regulations pertaining to these areas)



### **REGULATIONS**

**A. Inner Mangrove Lagoon:** No fishing or take of any natural resources is allowed. No internal combustion engines are allowed. Electric motors, sails or paddles are acceptable. Engines cause wakes, noise, and pollution.



**B. Cas Cay/Mangrove Lagoon:** No fishing or take of any natural resources is allowed, except that use of a cast net for baitfish within 50 feet of the north and west shorelines of Cas Cay is allowed only with a permit from DPNR Enforcement (774-3320).



**C. St. James** — No fishing or take of any natural resources is allowed, except that baitfishing using a cast net within 50 feet of the shoreline (except for Cow and Calf Rocks) and fishing by hook and line is allowed only with a permit from DPNR Enforcement (774-3320).

**D. Compass Point Salt Pond** — No fishing, hunting, or take of any natural resources is allowed within this marine reserve and wildlife sanctuary.



**For A, B, C, and D - No take of conch, lobster, and whelk**



These areas have been protected for a variety of reasons, all of which will benefit your use and enjoyment of our marine natural resources. These marine reserves:

1. Contribute to commercial and recreational fishery resources by protecting a portion of the spawning stock from exploitation.
2. Preserve important coral reef, mangrove, and seagrass habitats for larval, juvenile, and adult fish and invertebrates, such as lobster and conch.

3. Provide coastal and marine viewing and recreation areas for the general public, snorkel and SCUBA divers, school groups, and scientists.

For more information on these marine reserves and wildlife sanctuaries, please call the Division of Fish and Wildlife, DPNR, at 775-6762. To obtain permits or to report violations, please call the Division of Environmental Enforcement at 774-3320.



## APPENDIX 3

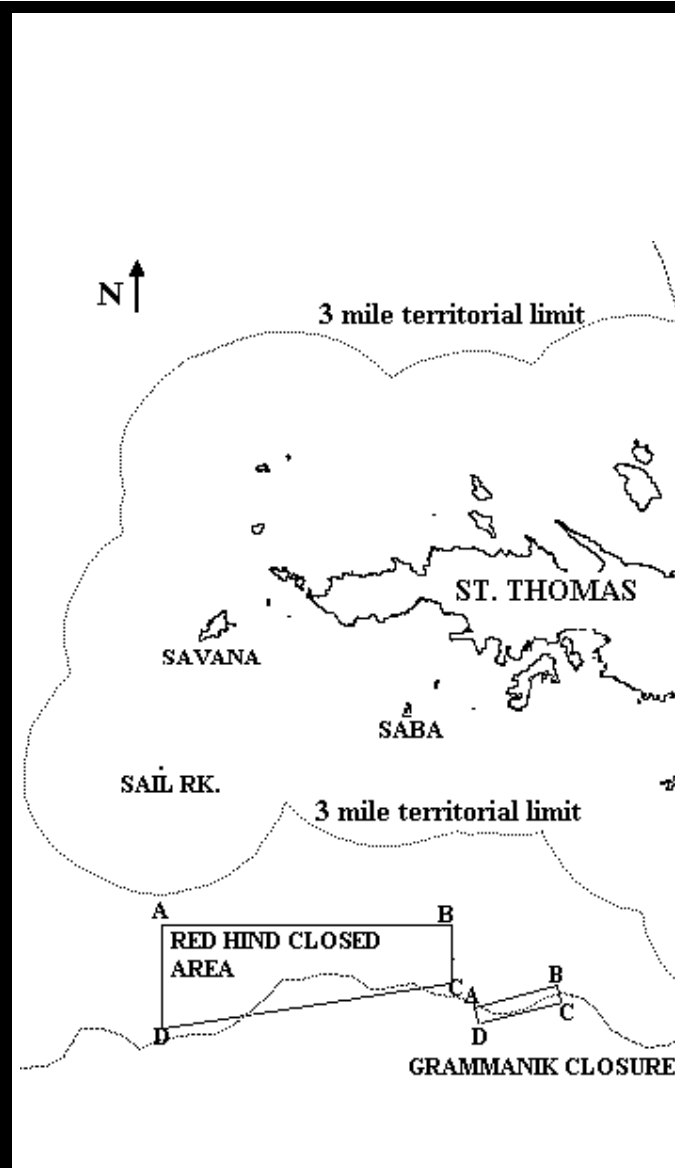
### HIND BANK MARINE CONSERVATION DISTRICT, ST. THOMAS

The Hind Bank Marine Conservation District (MCD) is **closed year round**. Fishing is prohibited in the 14 square mile area south of western St. Thomas. The following points define the corners of the closed area:

- A – 18<sup>0</sup> 13.2'N, 65<sup>0</sup> 06.0'W
- B – 18<sup>0</sup> 13.2'N, 64<sup>0</sup> 59.0'W
- C – 18<sup>0</sup> 11.8'N, 64<sup>0</sup> 59.0'W
- D – 18<sup>0</sup> 10.7'N, 65<sup>0</sup> 06.0'W

### GRAMMANIK BANK SEASONAL CLOSURE, ST. THOMAS

February 1 to April 30



### CIERRE DEL AREA DE MERO PINTO EN EL DISTRITO DE CONSERVACION MARINA EN ST. THOMAS, ISLAS VIRGENES AMERICANAS

El area de desove para el mero pinto (cabrilla) esta **cerrada todo el año**. Pescar esta prohibido en el area de 14 millas cuadradas al sur-oeste de la isla de San Thomas. Las coordenadas siguientes definen los limites del area cenada:

- A – 18<sup>0</sup> 13.2'N, 65<sup>0</sup> 06.0'W
- B – 18<sup>0</sup> 13.2'N, 64<sup>0</sup> 59.0'W
- C – 18<sup>0</sup> 11.8'N, 64<sup>0</sup> 59.0'W
- D – 18<sup>0</sup> 10.7'N, 65<sup>0</sup> 06.0'W

### CIERRE DEL BANCO

### GRAMMANIK, ST. THOMAS

Del 1 de Febrero al 30 de Abril

El cierre de temporada en el "Grammanik Bank" en St. Tomas, va desde el 1 de Febrero hasta el 30 de Abril. Las coordenadas siguientes designan el area de cierre:

**The Grammanik Bank Seasonal**

**Closure is from February 1 to**

**April 30. The following points**

**define the corners of the closed**

**area:**

**A – 18<sup>0</sup> 11.898’N, 64<sup>0</sup> 56.328’W**

**B – 18<sup>0</sup> 11.645’N, 64<sup>0</sup> 56.225’W**

**C – 18<sup>0</sup> 11.058’N, 64<sup>0</sup> 57.810’W**

**D – 18<sup>0</sup> 11.311’N, 64<sup>0</sup> 57.913’W**

*Fishing with pots, traps, bottom*

*longlines, gillnets or trammel nets is*

*prohibited year-round here.*

**A – 18<sup>0</sup> 11.898’N, 64<sup>0</sup> 56.328’W**

**B – 18<sup>0</sup> 11.645’N, 64<sup>0</sup> 56.225’W**

**C – 18<sup>0</sup> 11.058’N, 64<sup>0</sup> 57.810’W**

**D – 18<sup>0</sup> 11.311’N, 64<sup>0</sup> 57.913’W**

Pescar con nasa, palangres de fondo,  
trasmallos mallorquines y de ahorque  
esta prohibido durante todo el año.

## APPENDIX 4

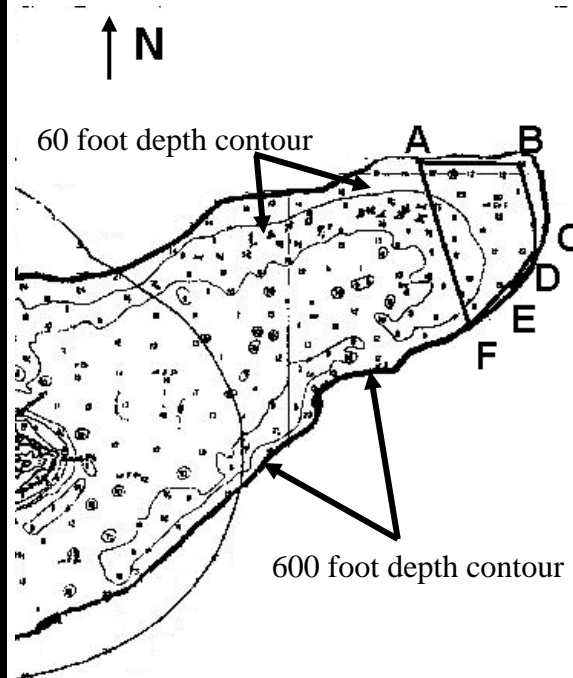
### RED HIND SPAWNING AGGREGATION SEASONAL CLOSURE, ST. CROIX

December 1 to February 28

The Red Hind Spawning Aggregation seasonal closure is from December 1 to February 28. Fishing is prohibited. The following points define the corners of the closed area:

- A – 17° 50.2'N, 64° 27.9'W
- B – 17° 50.1'N, 64° 26.1'W
- C – 17° 49.2'N, 64° 25.8'W
- D – 17° 48.6'N, 64° 25.8'W
- E – 17° 48.1'N, 64° 26.1'W
- F – 17° 47.5'N, 64° 26.9'W

*Fishing with pots, traps, bottom longlines, gillnets or trammel nets is prohibited year-round here.*



### CIERRE DE MERO PINTO (CABRILLA) SANTA CRUZ,

### ISLAS VIRGENES, AMERICANAS

El area de desove del mero cabrilla estara cerrada desde el 1 de Diciembre hasta el 28 de Febrero. Los siguientes puntos definen los limites del area cerrada:

- A – 17° 50.2'N, 64° 27.9'W
- B – 17° 50.1'N, 64° 26.1'W
- C – 17° 49.2'N, 64° 25.8'W
- D – 17° 48.6'N, 65° 25.8'W
- E – 17° 48.1'N, 64° 26.1'W
- F – 17° 47.5'N, 64° 26.9'W

Pescar con nasa, palangres de fondo, trasmallos mallorquines y de ahorque esta prohibido durante todo el año.

**APPENDIX 5**

**MUTTON SNAPPER SPAWNING  
AGGREGATION SEASONAL  
CLOSURE, ST. CROIX  
March 1 to June 30**

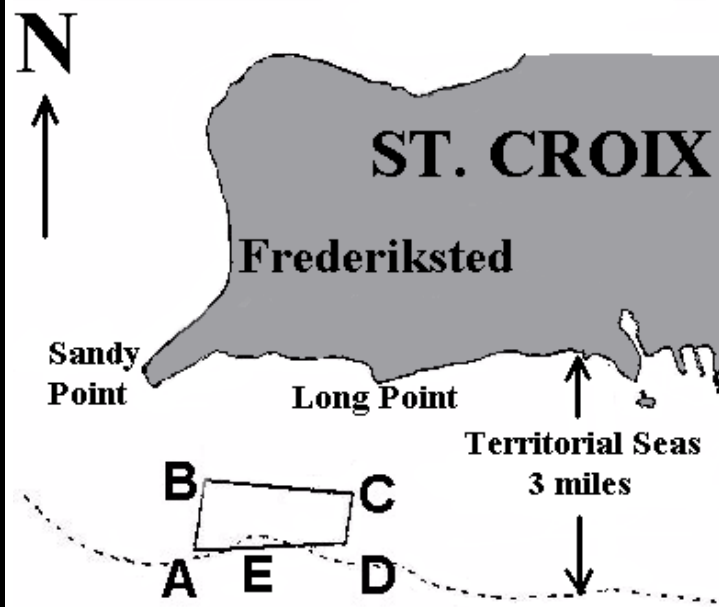
The Mutton Snapper Spawning Aggregation seasonal closure is from March 1 to June 30. The area is partly in territorial waters and partly in federal waters. The area closure is 2.5 miles in length, about 1 mile in width, and starts 2.0 miles from shore (see map). The area is defined by the following points:

**CIERRE DE AREA DE  
DESOVE DE LA SAMA EN  
SANTA CRUZ, ISLAS  
VIRGENES, AMERICANAS  
MARZO 1 – JUNIO 30**

El área de cierre comienza Marzo 1 y termina Junio 30 de cada año. El área cerrada es de 2.5 millas a lo largo, 1 milla de ancho empezando a 2.0 millas de distancia de la costa (ver mapa). El área de cierre es la que se encuentra dentro de las siguientes coordenadas:

- A - 17° 37.8'N, 64° 53.0'W
- B - 17° 39.0'N, 64° 53.0'W
- C - 17° 39.0'N, 64° 50.5'W
- D - 17° 38.1'N, 64° 50.5'W
- E - 17° 37.8'N, 64° 52.5'W

*Fishing with pots, traps, bottom longlines, gillnets or trammel nets is prohibited year-round here.*



- A - 17° 37.8'N, 64° 53.0'W
- B - 17° 39.0'N, 64° 53.0'W
- C - 17° 39.0'N, 64° 50.5'W
- D - 17° 38.1'N, 64° 50.5'W
- E - 17° 37.8'N, 64° 52.5'W

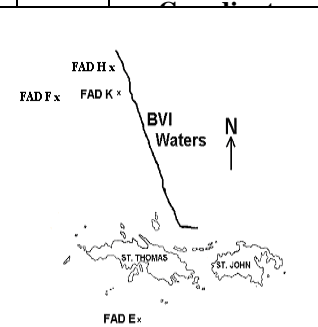
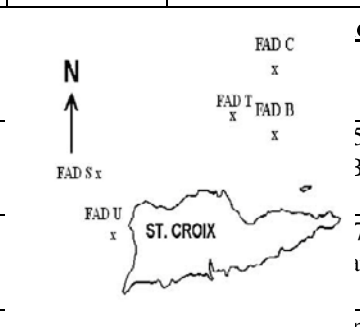
Pescar con nasa, palangres de fondo, trasmallos mallorquines y de ahorque esta prohibido durante todo el año.

**FISH AGGREGATING DEVICES (FADs)**

The Division of Fish and Wildlife has deployed fish aggregating devices (FADs). The surface FADs consist of a 58” diameter steel sphere surface buoy with a radar reflector and strobe light. Submerged FADs consist of 1 or 2 metal canisters at least 50 ft below the surface.

Please record your catch near each buoy in your catch reports.

Tying off to FADs is prohibited.

Island	FAD	Geographic	Depth (ft)	Location from Land
<u>Isla</u>				<u>Ón</u>
St. Croix				
St. Croix				5 nm NW Bay
St. Croix				7 nm NE Harbor
St. Croix				nm NE of East Point
St. Croix	U	64° 30.873' W		
St. Croix		17° 44.0' N;	2,000	Submerged buoy; 2 nm W of Sprat Hole* U.S. Navy underwater
		64° 54.6' W		
St. Thomas	E	18° 11.05' N;	1,465	Submerged buoys; 10 nm S. of Charlotte Amalie Harbour
		64° 55.87' W		
St. Thomas	F	18° 35.4' N;	1,360	Surface buoy; 9.8 nm north of Cricket Rock
		65° 03.4' W		
St. Thomas	K	18° 36.4' N;	235	Submerged buoy; 13 nm north of Little Hans Lollick
		64° 58.4' W		
St. Thomas	L	18 09.26' N;	2501	Surface buoy; 12nm SE of Charlotte Amalie
		64 50.167' W		
St. Thomas	H	18° 38.3' N;	1,610	Surface buoy; 14.5 nm north of Outer Brass Island
		65° 58.8' W		

**ARTEFACTO ATRACTOR**

**DE PECES (FADS)**

El Departamento de Planificación y Recursos Naturales, División de Pesca y Vida Salvaje ha colocado artefactos atractores de peces, (FADs). Los atractores son boyas de 58” pulgadas de diámetro esfericas metalicas con reflectores de radar y señalización luminosa.

Por favor registre sus capturas cerca de los FADs en su reporte pesquero mensual.

PLEASE REPORT LOST  
OR DAMAGED FADs  
IMMEDIATELY TO THE  
DIVISION OF FISH AND  
WILDLIFE – WE MIGHT  
BE ABLE TO FIND IT  
AND RE-USE IT.

**Atar la embarcación a un  
FAD es ilegal.**

POR FAVOR EN EL CASO  
DE OBSERVAR UN FAD A  
LA DERIVA O AVERIADO  
COMUNIQUESE  
INMEDIATAMENTE CON  
LA DIVISION DE FISH &  
WILDLIFE (QUIZAS  
PODAMOS RECUPERARLO  
Y REUTILIZARLO).

APPENDIX 6

APPENDIX 7

<p><b>ARTIFICIAL REEFS</b></p> <p><b>The Division of Fish and Wildlife has various artificial reef sites permitted.</b></p>	<p><b><u>Island</u></b></p>	<p><b><u>Articial Reef No.</u></b></p>	<p><b><u>Geographic Coordinates*</u></b></p>	<p><b><u>Depth (ft)</u></b></p>	<p><b><u>Location from Land</u></b></p>	<p><b>ARRECIFES ARTIFICIALES</b></p> <p><b>La División de Pesca y Vida Silvestre del Departamento de Planificación y Recursos Naturales, ha implantado varios arrecifes artificiales alrededor de las Islas Vírgenes Americanas.</b></p>
	<p>St. Thomas</p>	<p>B</p>	<p>18<sup>0</sup> 17.4' N 64<sup>0</sup> 59.0' W</p>	<p>85- 100</p>	<p>1 nm SE of Saba Island</p>	
	<p>St. Croix</p>	<p>D</p>	<p>17<sup>0</sup> 45.1'N 64<sup>0</sup> 53.8'W</p>	<p>45- 120</p>	<p>Butler Bay</p>	
	<p>*note: The geographic coordinates identify the center point of the artificial reef site. Each site is approximately 1 square nautical mile (<math>\pm</math> ½ mile from the center point listed above).</p>					



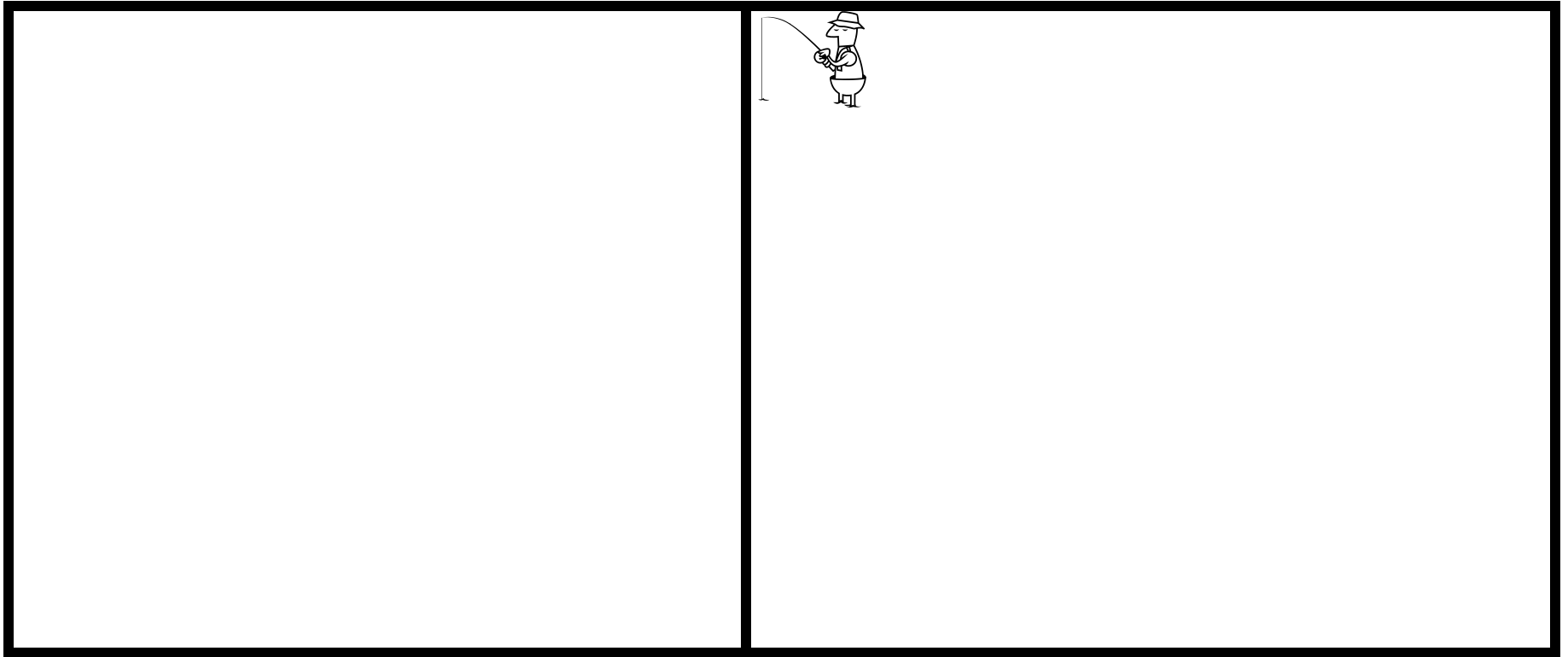


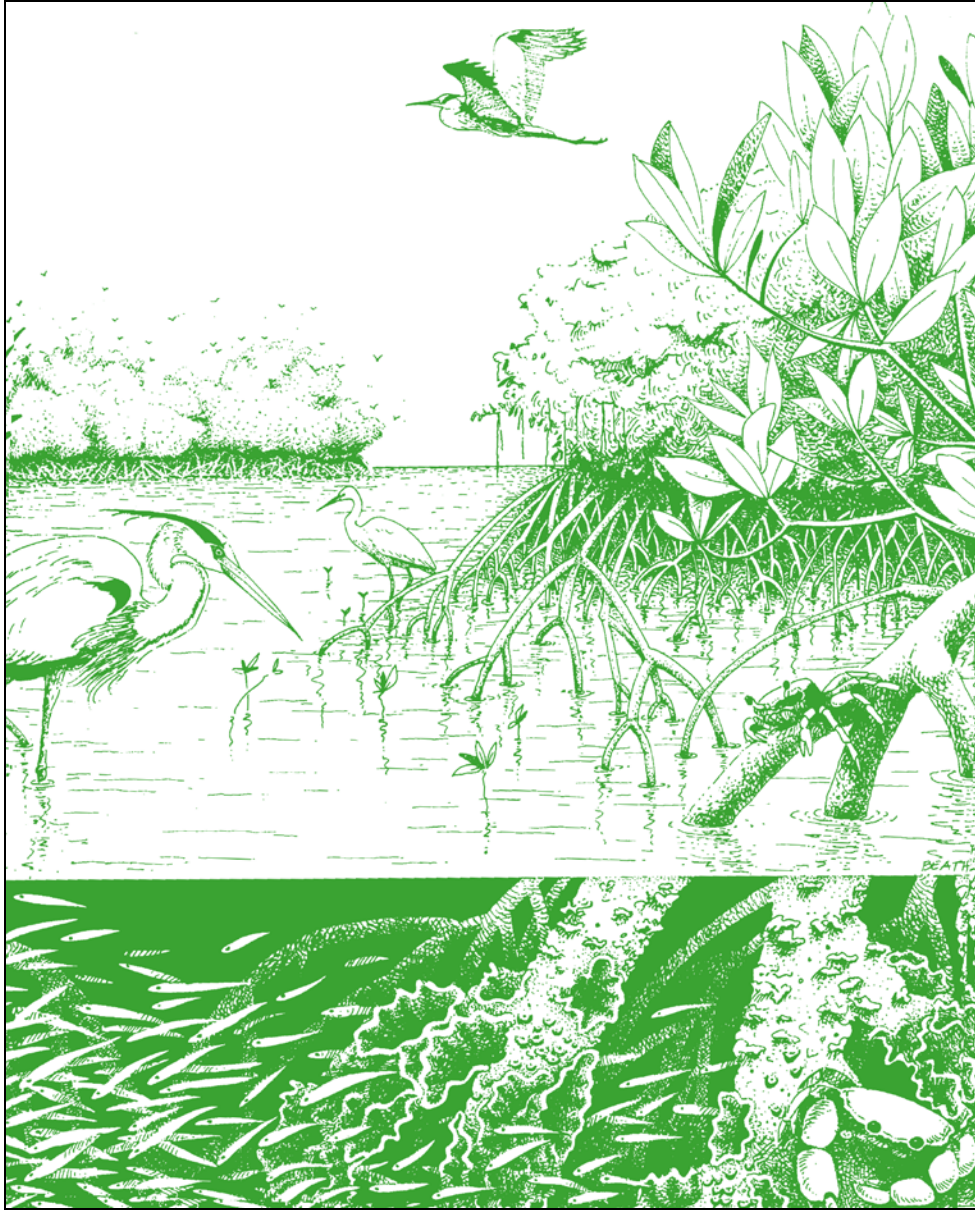
Specific Items at the St. Croix Artificial Reef

	Geographic Coordinates		Description of Materials
1	18° 17.811'N	64° 59.501'W	Steel barge
2	18° 17.772'N	64° 59.460'W	Steel debris
3	18° 17.767'N	64° 59.433'W	Cargo ship
4	18° 17.501'N	64° 59.139'W	Steel ferry
5	18° 17.051'N	64° 58.981'W	Steel freighter
6	18° 17.393'N	64° 58.665'W	Bow section of fiberglass boat
7	18° 17.481'N	64° 58.667'W	Steel I-beams
8	18° 17.421'N	64° 58.695'W	Steel I-beams
9	18° 17.566'N	64° 58.658'W	Concrete dock slabs
10	18° 17.014'N	64° 58.593'W	Steel barge
11	18° 17.410'N	64° 58.408'W	Steel barge
12	18° 17.456'N	64° 59.618'W	Steel barge
13	18° 17.995'N	64° 58.752'W	Sailboat
14	18° 17.945'N	64° 58.708'W	Steel debris and scrap metal

Specific Items at the St. Thomas Artificial Reef

	Geographic Coordinates		Description of Materials
1	17° 44.963'N	64° 53.815'W	Tires; Autos
2	17° 45.043'N	64° 53.716'W	Steel Tugboat, <i>North Wind</i>
3	17° 45.138'N	64° 53.713'W	Steel freighter; <i>Suffolk Maid</i>
4	17° 45.066'N	64° 53.073'W	Steel cylinders
5	17° 45.131'N	64° 53.731'W	Steel cargo vessel; <i>Rosa Maria</i>
6	17° 45.061'N	64° 53.755'W	Fuel barge; <i>Virgin Islander</i>
7	17° 44.899'N	64° 53.788'W	Pier debris
8	17° 45.181'N	64° 53.727'W	Steel Tugboat; <i>Coakley Bay</i>





## **DIVISION OF FISH AND WILDLIFE**

**6291 Estate Nazareth  
St. Thomas, VI 00802  
(340) 775-6762**

**45 Mars Hill Complex  
Frederiksted, St. Croix, VI 00840  
(340) 773-1082**

## **DIVISION OF ENVIRONMENTAL ENFORCEMENT**

**Cyril E. King Airport  
Terminal Building, 2nd Floor  
St. Thomas, VI 00802  
(340) 774-3320 ext. 5106**

**6003 Anna's Hope  
Christiansted  
St. Croix, VI 00821  
(340) 773-5774**

## MRAG AMERICAS CONTRACT FOR PROFESSIONAL SERVICES

THIS AGREEMENT is made this 1<sup>st</sup> day of July 2009 in the Territory of the Virgin Islands, by and between the Government of the Virgin Islands, Department of Property and Procurement, on behalf of the user the **Department of Planning & Natural Resources (DPNR), Division of Fish and Wildlife** (hereinafter referred to as "Government") and **MRAG Americas**, (hereinafter referred to as "Contractor").

### WITNESSETH:

WHEREAS, the Government is in need of the services of a Contractor to assist DPNR-Division of Fish and Wildlife with the development of new regulations for recreational fishery of the U.S. Virgin Islands, which duties and responsibilities are more particularly described in Addendum I attached hereto;

and

WHEREAS, the Contractor represents that **they are** willing and capable of providing such services;

NOW, THEREFORE, in consideration of the mutual covenants herein contained and intending to be legally bound by this written instrument, the parties hereto do covenant and agree as follows:

#### 1. SERVICES

The Contractor will provide the services described in Addendum 1 attached hereto and made a part of this contract.

#### 2. TERM

This Contract shall commence upon the execution of the contract by the Governor of the Virgin Islands and shall terminate **365 (three hundred and sixty five)** days thereafter.

#### 3. COMPENSATION

The Government in consideration of the satisfactory performance of the services described in Addendum I, agrees to pay Contractor the sum of **Ninety-Eight Thousand, One Hundred and Eighty-Six Dollars (\$98,186.00)** in accordance with the provisions set forth in Addendum II attached hereto and made a part of this contract.

#### 4. TRAVEL EXPENSES

In addition to the compensation for services as specified in Paragraph 3 (Compensation) above, the Government agrees to pay documented transportation, subsistence, lodging and other travel expenses, while in travel status, for trips which have been authorized in writing in advance, by the Government. These costs shall be advanced or reimbursed on the same basis as is applicable to non-contract employees of the Government, or as agreed to by an addendum to the Contract, however said and expenses shall not exceed **Ten Thousand (\$10,000.00)** Dollars.

**5. RECORDS**

The contractor, when applicable, will present documented, precise records for time/ and or money expended under this Contract.

**6. PROFESSIONAL STANDARDS**

The Contractor agrees to maintain the professional standards applicable to their profession and to consultants doing business in the United States Virgin Islands.

**7. DOCUMENTS, PRINTOUTS, ECT.**

All documents, books, records, instructional materials, programs, printouts and memoranda of every description derived there-from and pertaining to this Contract shall become the property of the Government and shall be turned over to it at the end of termination of this Contract. The above described materials shall not be used by the Contractor or by any other persons or entity except upon written permission of the Government.

**8. LIABILITY OF OTHERS**

Nothing in this Contract shall be construed to impose any liability upon the Government to persons, firms, associations, or corporations engaged by Contractors as servants, agents, or independent contractors, or in any other capacity whatsoever, or make Government liable to any such persons, firm, association, or corporation for the acts, omissions, liability obligations and taxes of contractor of whatsoever nature, including but not limited to unemployment insurance and social security taxes for Contractor, its servants, agents or independent contractors.

**9. ASSIGNMENT**

The Contractor shall not subcontract or assign any part of the services under this Contract without the prior written consent of the Government.

**10. INDEMNIFICATION**

Contractors agrees to investigate, defend and hold harmless government from and against any and all loss, damage, liability, claims, demands, detriments, cost, charges, and expense (including attorney's fees) and causes of action of whatsoever characters which Government may incur, sustain or be subjected to, arising out of or in any way connected to the services to be performed by Contractor under this Contract and arising from any cause, except the sole negligence of Government.

**11. INDEPENDENT CONTRACTOR**

The Contractor shall perform this Contract as an independent contractor and nothing herein contained shall be construed to be inconsistent with this relationship status.

**12. GOVERNING LAW**

This contract shall be governed by the laws of the United States Virgin Islands and jurisdiction shall remain in the United States Virgin Islands.

**13. WAIVERS AND AMENDMENTS**

No waiver, modification or amendment of any term, condition or provision of this Contract shall be valid or of any force or effect unless made in writing, signed by the parties hereto or their duly authorized representatives and specifying with particularity the nature and extent to such waiver, modification or amendment. Any such waiver, modification or amendment in any instance or instances shall in no way event be construed to be a general waiver, modification or amendment of any of the terms, conditions for provisions of this Contract, but the same shall be strictly limited and restricted to the extent and occasion specified in such signed writing or writings.

**14. ENTIRE AGREEMENT**

This Contract constitutes the entire agreement between the parties hereto, and all prior understanding or communications, written or oral, with respect to the Project, which is the subject matter of the Contract, are merged herein.

**15. RIGHT TO WITHHOLD**

If work under this Contract is not performed in accordance with the terms hereof, Government will have the right to withhold out of any payment due to the Contractor, such sums as government may deem ample to protect against loss or to assure payment of claims arising therefrom, and, at its opinion, Government may apply such sums in such manner as Government may deem proper to secure itself or to satisfy such claims. Government will immediately notify the contractor in writing in the event that it elects to exercise its rights to withheld

No such withholding or application shall, be made by Government if and while Contractor gives satisfactory assurance to Government that such claims will be paid by Contractor or its insurance carrier, if applicable in the event that such contest is not successful.

**16. CONDITION PRECIDENT**

This Contract shall be subject to the availability of appropriation of funds and to the approval for the Governor.

**17. TERMINATION**

Either party will have the right to terminate this Contract with or without cause on **thirty (30)** days written notice to the other party specifying the date of termination.

**18. PARTIAL TERMINATION**

The performance of work under this contract may, be terminated by the Government, in part, whenever the Government shall deem such termination advisable. This partial termination shall be effected by delivering to the Contractor a Notice of Partial Termination specifying to extent to which the term and/or duties under this Contract are terminated and the date upon which such termination becomes effective. The Contractor shall be entitled to receive payment for services provided the date of termination, including payment for the period of the **thirty (30)** day notice.

**19. NON-DISCRIMINATION**

No person shall be excluded from participating in, be denied the proceeds of or be subject to discrimination in the performance of this Contract on account of race, creed, color, sex, religion, disability, or national origin.

**20. CONFLICT OF INTREST**

- (a) Contractor covenants that they had no interest and will not acquire any interest, direct or indirect, which would conflict in any matter or degree with the performance of services required to be performed under this Contract.
- (b) Contractor further covenants that it is:
  - (1) not a territorial officer or employee (i.e., the Governor, Lieutenant Governor, member of the Legislature, or any other elected territorial official; or an officer or employee of legislative, executive or judicial branch of the Government or any agency, board, commission or independent instrumentality of the Government, whether compensated on a salary, fee or contractual basis); or
  - (2) a territorial officer or employee and, as such, has:
    - (i) familiarized itself with the provisions of Title 3, Chapter 37 of the Virgin Island Code, pertaining to Conflicts of interest, including the penalties Provisions set for the in section 1108 thereof
    - (ii) not made, negotiated or influenced this Contract, in its official capacity.
    - (iii) no financial interest in the Contract as that term is defined in section 1101 (1) of said Code chapter.

**21. EFFECTIVE DATE**

The Effective date of the Contract shall be the day of execution of the Contract by the Governor.

**22. NOTICE**

Any notice to be given, by the Terms of this contract shall be deemed to have been given when the same is sent by certified mail, postage prepaid or personally delivered, addressed to the parties as follows

**GOVERNMENT**

Lynn A. Millin-Maduro  
Commissioner  
Department of Property and Procurement  
Sub Base, Building #1 third Floor  
St. Thomas, Virgin Islands 00802

Robert S. Mathes  
Commissioner  
Department of Planning & Natural Resources  
Division of Fish and Wildlife  
6291 Estate Nazareth 101

St. Thomas, VI 00802-1104

**CONTACTOR**

MRAG Americas  
Attn: Robert J. Trumble, Ph.D.  
10051 5<sup>th</sup> Street N., Suite 105  
St. Petersburg, FL 33702-2211

**23. LICENSURE**

The Contractor covenants they have;

- (a) obtained all the applicable licenses or permits, permanent, temporary, or otherwise as required by Title 27 of the Virgin Islands; and
- (b) familiarized itself with the applicable provisions of Title 27 of the Virgin Islands Code pertaining to professions and occupations.

**24. FALSE CLAIMS**

Contractor warrants that it shall not, with respect to the Contract, make or present any claim upon or against to Government of the Virgin Islands or any officer, department, board, commission, or other agency there of, knowing such claim to be false, fictitious, or fraudulent. Contractor acknowledges that making such a false, fictitious, or fraudulent claim is an offense under Virgin Island law.

**25. NOTICE OF FEDERAL FUNDING**

Contractor acknowledges that this Contract is funded, in whole or in part by federal funds. Contractor warrant it shall not, with respect to this Contract make, or present any claim knowing such claim to be false, fictitious, or fraudulent claim is a federal offense.

**26. DEBARMENT CERTIFICATION**

By execution of this contract, the Contractor certifies it is eligible to receive contract award using federally appropriated funds and that it has not been suspended or debarred from entering into contract with any federal agency. The Contractor shall include this provision in each of it subcontractors hereunder and shall furnish subcontractors with the current "LIST OF PARTIES EXCULDED FROM FEDERAL PROCUREMENT OR NON PROCUREMENT". In the event the Contractor or any subcontractor misrepresents it eligibility to receive it contract award using federal funds thee Contractor agrees that it shall not be entitled to payment for any work performed under this contract or any subcontract and the Contractor or subcontractor shall promptly reimburse the Government of the Virgin Islands for any progress payment heretofore made.



IN WITNESS WHEREOF, the parties hereunto set their hands on the day and the year first above written.

**WITNESS:**

\_\_\_\_\_

\_\_\_\_\_

**GOVERNMENT OF THE VIRGIN ISLANDS:**

\_\_\_\_\_  
Commissioner Date  
Department of Planning & Natural Resources

\_\_\_\_\_  
Commissioner Date  
Department of Property and Procurement

**WITNESS:**

\_\_\_\_\_

**CONTRACTOR:**

\_\_\_\_\_  
Robert J. Trumble, Ph.D. Date  
MRAG Americas  
(Corporate seal, if contractor is a corporation)

APPROVED:

\_\_\_\_\_  
John P. de Jongh, Jr.  
GOVERNOR OF THE VIRGIN ISLANDS

\_\_\_\_\_  
Date

APPROVED AS TO LEGAL SUFFICIENCY  
DEPARTMENT OF JUSTICE BY: \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_  
Purchase Order No.

**20188Q34 564100 F89CR**  
ACCOUNT CODE NO.

CERTIFICATE OF APPROVAL

I hereby certify that this is a true and exact copy of  
Contract No. {    } entered between  
The Department of Property & Procurement and  
MRAG Americas

\_\_\_\_\_  
Lynn Millin-Maduro, Commissioner  
Department of Property and Procurement

## ADDENDUM I

### SERVICES TO BE RENDERED BY CONTRACTOR

#### Assessment and Development of Recreational Fishing Regulations For the U.S. Virgin Islands

1. MRAG Americas will produce four quarterly progress reports and a final report documenting activities, problems and progress of the project. MRAG Americas will produce specific recommendations on recreational fishing and marine conservation regulations and effort reduction. These recommendations will be based on user and public input, as developed using the methodology described below.
2. MRAG Americas will use the following methodology:
  - A. Background Information – Identify, collect and summarize background information on (1) recreational fishing licensing schemes, (2) fishing effort reduction mechanisms, (3) existing recreational fishing and marine conservation regulations and (4) the status of the local fishery and marine habitats (especially coral reefs). Document what the Commissioner of the Department of Planning and Natural Resources can legally do within existing regulations. This background information will be summarized into report and presentation form (see subcommittee workshops below).
  - B. Expert Speakers – Identify and contract experts on fishing effort reduction, recreational fishing regulations and marine conservation regulations. MRAG Americas may use qualified staff to serve as expert speakers. If qualified staff is not available, experts will be contracted to make oral presentations and provide advice to the subcommittees (see subcommittee workshops below).
  - C. Outline of recreational fishing and marine conservation regulations – Prepare separate outlines with possible components and options on regulations and fishing effort reduction for recreational fishing and marine conservation. The outlines will be the basis for subcommittee workshops discussions (see subcommittee workshops below).
  - D. Workshop facilitators – Identify and contract workshop facilitators to assist in subcommittee and public workshops. MRAG Americas may use qualified staff as workshop facilitators. If qualified staff is not available, workshop facilitators will be contracted to provide services (see subcommittee workshops and public workshops below).
  - E. First Joint FAC Subcommittee Workshop – Conduct a joint two-day workshop of the recreational fishing and marine conservation subcommittees of both the St. Croix and St. Thomas/St. John Fisheries

Advisory Committees. The objective of the workshop is to review existing recreational fishing and marine conservation regulations, define terminology, propose regulations, propose strategies for reducing fishing effort and propose fee structures for the recreational fishing and marine conservation sectors. A report of the joint workshop and consensus reached by each subcommittee will be prepared. PowerPoint presentations will be made of the proposed draft regulations for recreational fishing, marine conservation and strategies for fishing effort reduction.

- F. Public Workshops – Conduct separate public workshops on recreational fishing and marine conservation regulations on St. Croix and St. Thomas/St. John. The objective of these workshops is to present recommendations of the recreational fishing subcommittee workshop and to solicit public comments on their recommendations. The public comments will be summarized and digitized into the recreational fishing and marine conservation draft regulations.
- G. Second Joint Subcommittee Workshop – Conduct a second two-day joint recreational fishing subcommittee workshop at the University of the Virgin Islands using video-conferencing facilities available at the St. Thomas and St. Croix campuses. The objective of the workshop will be to consider public comments and to integrate them into the draft recommendations. The final product of this second joint subcommittee workshop will be revised recommendations for recreational fishing and marine conservation regulations and fishing effort reduction. A report will be prepared documenting the results of the meeting and revised recommendations from each subcommittee.
- H. Joint St. Croix and St. Thomas/St. John Fisheries Advisory Committee workshop – Conduct a joint two-day St. Croix and St. Thomas/St. John Fisheries Advisory Committee workshop. The objective of the workshop will be to review recommendations from the two subcommittees on recreational fishing and marine conservation regulations. The product of this workshop will be the Fisheries Advisory Committee's final version of the proposed recreational fishing and marine conservation regulations and strategies for fishing effort reduction.

## ADDENDUM II

### COMPENSATION TO BE RENDERED BY THE GOVERNMENT:

- a) In consideration for services outlined in Addendum I, the Government of the Virgin islands shall make four (4) payments during the following time period:
1. **\$16,250.00** within 30 days of the execution of the contract by the Governor of the U.S. Virgin Islands and upon receipt of invoice for the first 20 days of work completed as per Addendum I.
  2. **\$27,300.00** paid 90 days after the date of first payment and upon receipt of invoice for the value of services completed as per Addendum I.
  3. **\$27,300.00** paid 120 days after the date of first payment and upon receipt of invoice for the value of services completed as per Addendum I.
  4. Final payment of **\$37,336.00** upon presentation of the Fisheries Advisory Committee's final version of the proposed recreational fishing and marine conservation regulations and strategies for fishing effort reduction to the Commissioner of Department of Planning and Natural Resources through the Division of Fish and Wildlife.
- b) For each payment, a check will be made payable to MRAG Americas and mailed to:
- MRAG Americas  
10051 5<sup>th</sup> Street N., Suite 105  
St. Petersburg, FL 33702-2211
- c) Any equipment provided the contractor by the Department for out-of office use will be on a loan basis with a repair or replacement-in-kind policy on equipment damaged, lost or stolen by project personnel. Said equipment will leave the office only after it has been properly signed out and tested in a manner out lined by the Division of Fish and Wildlife.
- d) In-office such as Xerox machine, typewriter, computers, office space etc. will be available on advance notice and good faith basis to the contractor dependent on the privilege not being abused.



# *Memorandum*

DATE: October 1, 2009

TO: St. Croix and St. Thomas/St. John Fisheries Advisory Committees

FROM: William Tobias, Fish and Wildlife Biologist III  
Division of Fish and Wildlife, St. Croix

THRU: Beulah Dalmida-Smith, Director  
Division of Fish and Wildlife, St. Thomas

SUBJECT: Joint Fisheries Advisory Meeting – Recreational Fishing Regulations  
October 17 & 18, 2009, Buccaneer Hotel, St. Croix, USVI

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## ***Air Transportation***

The Division of Fish and Wildlife will provide Cape Air tickets for air transportation to and from the meeting. The tickets will be provided at the STT/STJ-FAC monthly meeting, October 13, 2009. FAC members will be required to make their own reservations. The meeting will start promptly at 9:00 a.m. on October 17 and end at 3:00 p.m. on October 18.

## ***Ground Transportation***

No ground transportation will be provided. Taxis are available at the airport and will charge from \$10.00-\$15.00 for transport to the hotel.

## **Hotel**

The Division of Fish and Wildlife will pay for one night, single occupancy at the Buccaneer Hotel, St. Croix (October 17, 2009). FAC members attending who wish to bring their spouse or significant other must cover the additional cost for double occupancy.

## **Per Diem**

Each member will be required to initially pay for food and ground transportation. Members attending the full two-day meeting will receive a check for \$200.00/day via mail to cover their expenses.

If you have any questions, please contact William Tobias, Division of Fish and Wildlife, at 340-713-2415.



# Memorandum

Date: October 16, 2009

To: Ms. Nadia Bougouneau, The Buccaneer Hotel  
Reservations Department

From: William Tobias, Fish and Wildlife Biologist III  
Division of Fish and Wildlife, St. Croix

Subject: Joint Fisheries Advisory Committee Meeting, October 17 & 18, 2009

The following is a list of attendees for the Joint Fisheries Advisory Committee Meeting and the day requested for the rooms:

<u>Number</u>	<u>Name</u>	<u>Affiliation</u>	<u>Room Reservation</u> <u>Oct. 17</u>
1.	Beulah Dalmida-Smith	DPNR	
2.	January Murray	DPNR-DFW	X
3.	Harry Clinton	STT/STJ-FAC	X
4.	James Magnar	STT/STJ-FAC	X
5.	Catherine Bryan	STT/STJ-FAC	
6.	Ray Campbell	STT/STJ-FAC	X
7.	Jeffrey Kreiner	STT/STJ-FAC	X
8.	Elizabeth Kadison	STT/STJ-FAC	X
9.	Joseph Herbert	STT/STJ-FAC	X
10.	Austin Callwood	STT/STJ-FAC	X
11.	Ed. Schuster	STX-FAC	X
12.	Thomas Daley	STX-FAC	X
13.	Carlos Farchette	STX-FAC	X
14.	Marcia Taylor	STX-FAC	X
15.	Michelle Pugh	STX-FAC	X
16.	Todd Nurnberger	STX-FAC	X
17.	Gerson Martinez	STX-FAC	X
18.	David Gubser	STX-FAC	X
19.	Carlos Farchette	STX-FAC	X
20.	Luther Rene	STX-FAC	X
21.	William Tobias	DPNR-DFW	X

\* Dr. Robert Trumble and his associate from MRAG Americas, project consultant, will be paying for their rooms separately and will be making their own arrangements. Ms. Aitza Pabon, Department of Commerce - NOAA, will attend and make her own arrangements.

USVI Recreational Regulations  
FAC Joint Sub-committee  
Buccaneer Resort, St. Croix  
17-18 October 2009

Agenda

**Saturday, 17 October**

- 10:00-10:15 Introduction
- W. Tobias - Welcome
  - Beulah Dalmida-Smith, Director – DFW, Introductory Remarks
  - Dr. Robert Trumble, MRAG Americas
- 10:15-11:00 Background – Current status, problems, general tools
- 11:00- 12:30 Licenses – Resident/Non-resident/Species Permits
- Charter
  - Private boats
  - Shore-based
- 12:30-1:00 Lunch
- 1:00-2:00 Licenses (continued)
- 2:00-3:00 Species groups (at risk)
- Snapper unit 1 (silk, black, vermilion, blackfin)
  - Snapper unit 2 (queen, wenchman)
  - Grouper unit 1 (Nassau)
  - Grouper unit 2 (Goliath)
  - Grouper unit 4 (red, yellowedge, misty, tiger, yellowfin)
  - Parrotfish
    - Exploited
    - Fisheries Extinct
  - HMS (tuna, dolphin, wahoo, billfish)
- 3:00-3:30 Break
- 3:30-5:30 Species groups (continued)
- Lobster
  - Conch
  - Whelk
  - Shrimp
  - Crab
    - Portunid
    - Coral
    - Spider
    - Land

Octopus  
Tarpon/Bonefish  
Reef Fish

5:30 End session

### Sunday 18 October

- 8:30-10:30 Other issues
- Sale of recreational fish
  - Size/bag Limits
  - Seabird interactions
  - Use of SCUBA for spear fishing
  - Circle hooks vs. J-hooks
  - Sensitive habitats
  - Seasonal closures
  - Others
- 10:30-11:00 Break
- 11:00-12:30 Other issues (continued)
- Lionfish presentation – Dr. William Coles
- 12:30-1:00 Lunch
- 1:00-3:00 Unfinished business, conclusions, wrap-up



JOINT FISHERIES ADVISORY COMMITTEE MEETING  
RECREATIONAL FISHING LICENSING AND REGULATIONS

THE BUCCANEER HOTEL, ST. CROIX

OCTOBER 17 & 18, 2009

LIST OF DOCUMENTS

1. PUBLIC NOTICE – OCTOBER 2, 2009 PUBLIC INFORMATION MEETING
2. NOAA NATIONAL SALTWATER ANGLER REGISTRY/DFW GRANT OBJECTIVES
3. JOINT FAC MEETING LOGISTICS MEMO – OCTOBER 14, 2009 (REVISED)
4. JOINT FAC MEETING AGENDA – OCTOBER 17 & 18, 2009
5. DPNR-DFW COMMERCIAL/RECREATIONAL INFORMATION BOOKLET
6. STX-FAC RECREATIONAL LICENSE RECOMMENDATIONS – MARCH 10, 2004
7. SPINY LOBSTER INFORMATION
8. LAND CRAB INFORMATION
9. REEF FISH SIZE AT SEXUAL MATURITY

## **MARINE RECREATIONAL FISHERIES OF THE U.S.**

### **NATIONAL SALTWATER ANGLER REGISTRY PROGRAM**

#### **Background**

The National Research Council (NRC) of the National Academy of Sciences conducted a review of the National Oceanographic and Atmospheric Administration's (NOAA) marine recreational data collection program in 2006 and determined that NOAA needed a comprehensive list of everyone who fishes recreationally in marine waters to improve surveys of saltwater anglers used to help manage and rebuild fish stocks. The recommendation of the NRC became law in 2007 with the reauthorization of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) passed by Congress.

In response to the reauthorization of the MSA, the National Marine Fisheries Service (NMFS) established the Marine Recreational Information Program (MRIP) to fulfill this new mandate. As part of the MRIP, NMFS established the National Saltwater Angler Registry. The national registry is designed to be a database of identification and contact information for recreational anglers and for-hire fishing vessels that engage in angling and spearfishing for anadromous fish in tidal waters, and marine fish in the Exclusive Economic Zone (EEZ; 3-200 miles) and Continental Shelf fishery resources beyond the EEZ.

#### **Requirements**

Persons who are angling, spearfishing, in possession of angling or spearfishing equipment or operating a vessel for-hire in the EEZ, or who are angling, spearfishing or operating a vessel that carries recreational passengers for-hire for anadromous species in tidal waters, must register annually with NMFS. Registration will be effective as of January 1, 2010. Fees will be assessed as of January 1, 2011.

#### **Exemptions**

NOAA will exempt anglers from the federal registration rule if they are licensed in states that have a system to provide complete information on their saltwater anglers to the national registry.

#### **Data Elements**

Federal saltwater angler registrations will include an angler's name, date of birth, address, telephone number and the regions where they intend to fish. The information will be used by NOAA to conduct surveys on fishing effort and amounts of fish caught.

# **DEVELOPMENT OF A RECREATIONAL FISHING LICENSE PROGRAM**

## **U.S. VIRGIN ISLANDS**

### **Background**

Based on recommendations from the Fisheries Advisory Committees (FACs) of St. Croix and St. Thomas/St. John, the Department of Planning and Natural Resources (DPNR), Division of Fish and Wildlife (DFW) applied for and received federal funds from the Department of Commerce, NOAA, in 2006 and 2007 through two funding sources (Coral Reef Initiative Program - \$73,965 and the Caribbean Fishery Management Council - \$172,585) for the establishment of a recreational fishing license program in the U.S. Virgin Islands. The recreational fishing license program would provide specific recommendations on recreational fishing and marine conservation regulations and effort reduction.

### **MRAG Americas, Inc**

DPNR has contracted the services of MRAG Americas, Inc., an independent consulting business dedicated to promoting responsible, rational and sustainable utilization of aquatic resources, to complete the grant objectives. MRAG Americas is a sister company to the Marine Resources Assessment Group, a leading international company with a long and highly productive track record of designing and implementing integrated resource management systems in marine, estuarine, riverine and floodplain environments. MRAG Americas is no stranger to the Caribbean and has been involved in numerous fisheries projects throughout the region and is currently working with NMFS to assist the U.S. Caribbean (Puerto Rico and the USVI) in developing a new commercial fisheries data collection program. Dr. Robert Trumble, Vice-president, MRAG Americas, will be the principal investigator for the USVI recreational license program project.

### **Methodology**

Background information will be collected and summarized on recreational fishing licensing schemes, fishing effort reduction mechanisms, existing recreational fishing and marine conservation regulations and the status of local fishery and marine habitats. This information will be provided as a report to the FACs as reference material. Outlines of potential recreational fishing and marine conservation regulations will also be prepared.

Speakers will present topics on fishing effort reduction, recreational fishing regulations and marine conservation regulations and make presentations to the FACs as necessary. Facilitators will be provided at all public meetings and FAC workshops.

Joint FAC workshops and public meetings will be held to obtain community input throughout the process.

Proposed recreational fishing and marine conservation regulations and strategies for fishing effort reduction will be forwarded to territorial agencies, fisherman organizations, the U.S. Fish and Wildlife Service and NOAA for review. Pending final revision, the document will be forwarded to the Commissioners of Agriculture and DPNR.

Quarterly reports and final reports will document the progress of the project.

**Completion Date**

A final document will be produced in 12 months.

JOINT FISHERIES ADVISORY COMMITTEE MEETING  
RECREATIONAL FISHING LICENSE PROGRAM AND  
RECREATIONAL FISHING REGULATIONS

THE BUCCANEER HOTEL, ST. CROIX

OCTOBER 17 & 18, 2009

**INTRODUCTORY REMARKS**

Good Morning! For those of you that I have not had the pleasure of meeting, my name is Beulah Dalmida-Smith, Director of the Division of Fish and Wildlife. On behalf Robert S. Mathes, Commissioner, Department of Planning and Natural Resources (DPNR), I wish to welcome Fisheries Advisory Committee members, MRAG Americas consultants and the public to the first joint Fisheries Advisory Committee meeting for the development of a recreational fishing license program and recreational fishing regulations in the Virgin Islands.

In response to the reauthorization of the Magnuson-Stevens Fishery Conservation and Management Act passed by Congress in 2007, the National Marine Fisheries Service established the Marine Recreational Information Program to obtain a comprehensive list of everyone who fishes recreationally in marine waters to improve surveys of saltwater anglers used to help manage and rebuild fish stocks. As part of the Marine Recreational Information Program, the National Marine Fisheries Service established the National Saltwater Angler Registry. The national registry is designed to be a database of identification and contact information for recreational anglers and for-hire fishing vessels that engage in angling and spearfishing for anadromous fish in tidal waters, and marine fish in the Exclusive Economic Zone (EEZ; 3-200 miles) and Continental Shelf fishery resources beyond the EEZ. All anglers/spearfishers must register annually. Registration will be effective as of January 1, 2010 and fees will be assessed as of January 1, 2011. Anglers will be exempt from the federal registration rule if they are licensed in states and territories that have a system to provide complete information on their saltwater anglers to the national registry.

Taking a pro-active approach, based on recommendations from the Fisheries Advisory Committees of St. Croix and St. Thomas/St. John, DPNR applied for and received federal funds from the Department of Commerce, NOAA, in 2006 and 2007, through two funding sources, for the establishment of a recreational fishing license program in the U.S. Virgin Islands. The recreational fishing license program would provide the necessary information to satisfy the exemption requirements for Virgin Islands saltwater anglers to the national registry. DPNR has contracted the services of Marine Resources Assessment Group (MRAG) Americas, Inc., an independent consulting business dedicated to promoting responsible, rational and sustainable utilization of aquatic resources, to complete the grant objectives. MRAG Americas

is no stranger to the Caribbean and has been involved in numerous fisheries projects throughout the region and is currently working with NMFS to assist the U.S. Caribbean (Puerto Rico and the USVI) in developing a new commercial fisheries data collection program. Dr. Robert Trumble, Vice-president, is the principal investigator for the USVI recreational license program project and will chair and facilitate this workshop.

MRAG Americas will provide reference material on existing recreational fishing licensing schemes and regulations to the Fisheries Advisory Committees and serve as meeting/workshop facilitators to assist the members in developing a recreational fishing licensing program that will be successful in the Virgin Islands. The public will be involved in the process through town meetings to solicit review and comments on all draft documents. Quarterly progress reports and a final report will document the progress of the project. Proposed recreational fishing and marine conservation regulations and strategies for fishing effort reduction will be forwarded to territorial agencies, fisherman organizations, the U.S. Fish and Wildlife Service and NOAA for review. Pending final revision, the document will be forwarded to the Commissioners of Agriculture and DPNR. A final document will be produced in 12 months.

I task all present at this important workshop to work diligently with the time available to develop ideas and concepts that will meet federal requirements to obtain information on the recreational fishery and recreational fishing effort in the Virgin Islands.

Seabird By-Catch Information for Fishers  
October 16, 2009

One of the biggest causes of death and injury to seabirds is fish hooks and fishing line. In the USVI, seabirds often become incidentally hooked and entangled in fishing gear when they associate fishing vessels with food. In the USVI, the species most often affected are frigatebirds, boobies and pelicans.

We need to assess and quantify the proportion of entangled or injured seabirds in the USVI and increase public awareness of the problem of seabird by-catch. The Division of Fish and Wildlife would like to collect voluntary data from fishermen to determine the scale of the problem, engage fishermen to come up with solutions themselves, and to work with fishermen to reduce the problem. We will be installing signage, sending out questionnaires, and conducting interviews with fishermen within the next few months and we ask for your cooperation. As we know fishers don't like birds diving on their bait, we would like you to start thinking about alternative fishing methods that may reduce seabird by-catch.

Please look at the Fisherman's Guide to US Virgin Islands Seabirds (the flip side of the pamphlet is in Spanish), especially the Guidelines for Handling Hooked Seabirds. Thank you in advance for your cooperation and please feel free to call us with any ideas or information that you might have to help us save our seabirds.

Judy Pierce  
Division of Fish and Wildlife  
St. Thomas  
775-6762

Jennifer Valiulis  
Division of Fish and Wildlife  
St. Croix  
772-1955

## Blue Land Crab (*Cardisoma guanhumi*) General Biology

### Description:

- Largest semi-terrestrial land crab (15 cm carapace width – 6 in.)
- Adult bluish-gray; female light gray or white
- One large claw

### Range:

- Bermuda, throughout the Caribbean, Texas and Florida, Central America and northern South America
- Low-lying coastal areas
- Within 5 miles of coast

### Habitat and Food:

- Land-dwelling
- Return to sea to drink and breed
- Live in burrows several feet deep
- Vegetarian – eat leaves, berries, fruits, flowers and some vegetables; will eat insects and large beetles

### Reproduction:

- Sexual maturity in four years
- Peak reproduction during full moons in summer (related to seasonal weather patterns and lunar phase)
- Female carries eggs for two weeks before releasing eggs in water
- 300,000 – 700,000 eggs
- One-month larval stage

## Regional Regulations

### Puerto Rico:

- Harvest size – 2 ½” (64mm) carapace length
- Seasonal closure; July 15 – October 15
- Can not destroy burrows

### Florida

- Harvest by net or hand; no traps
- Can not use bleach or chemicals
- Harvest, possession, purchase or sale of egg-bearing crabs is prohibited
- Stripping or otherwise molesting egg-bearing land crab in order to remove the eggs is prohibited and the harvest, possession, purchase or sale of blue land crabs from which the eggs, egg pouch or bunion has been removed is prohibited.
- Seasonal closure; July 1 – October 31
- Harvest limit – 20 crab/person



### Possible Regulations

#### Virgin Islands\*:

- Harvest by net or hand
- Can not use bleach or chemicals
- Can not destroy burrows
- Harvest, possession, purchase or sale of egg-bearing crabs is prohibited
- Stripping or otherwise molesting egg-bearing land crab in order to remove the eggs is prohibited and the harvest, possession, purchase or sale of blue land crabs from which the eggs, egg pouch or bunion has been removed is prohibited.
- Seasonal closure; July 1 – October 31
- Harvest limit – ?
- Harvest size - ?

\* Recommended by Shenell Gordon following qualitative review of data collected for Master's Thesis; approximately 60% of individuals interviewed in STX, STT and STJ recommended management regulations for land crab harvest.

Reef Fish Length at Maturity (Reference - FishBase)				
Family	Species	Common Name	Lm (FL-cm)	Lm (inches)
Balistidae	<i>Balistes vetula</i>	queen triggerfish	23.5 F	9.3
			26.5 M	10.4
Carangidae	<i>Caranx ruber</i>	bar jack	31.0 F	12.2
			25.0 M	9.8
	<i>Caranx crysos</i>	blue runner	28.0 F	11.0
			26.0 M	10.2
	<i>Caranx latus</i>	horse eye jack	37.0 F	14.6
			42.0 M	16.5
<i>Caranx hippos</i>	cravalle jack	66.0 F	25.9	
		55.0 M	21.6	
Holocentridae	<i>Holocentrus rufus</i>	longspine squirrelfish	13.5 F	5.3
Haemulidae	<i>Haemulon flavolineatum</i>	French grunt	16.0 F	6.3
	<i>H. plumieri</i>	white grunt	16.0 F	6.3
	<i>H. sciurus</i>	bluestriped grunt	17.0 F	6.7
Lutjanidae	<i>Lutjanus apodus</i>	schoolmaster	25.0 F	9.8
	<i>L. griseus</i>	gray snapper	28.0 F	11.0
			26.0 M	10.2
			51.0 M	20.0
	<i>L. jocu</i>	dog snapper	51.0 M	20.0
	<i>L. analis</i>	mutton snapper	52.0 F	20.4
			50.0 M	19.7
	<i>L. synagris</i>	lane snapper	24.5 F	9.6
			22.0 M	8.7
	<i>Ocyurus chrysurus</i>	yellowtail snapper	25.0 F	9.8
			24.0 M	9.4
	<i>L. vivanus</i>	silk snapper	48.0 F*FL	18.9
			50.0 M*FL	19.6
	<i>Apsilus dentatus</i>	black snapper	40.0 F*FL	15.7
44.0 M*FL			17.3	
<i>Rhomboplidtes aurorubens</i>	vermilion snapper	20.0 M*SL	7.8	
<i>L. buccanella</i>	blackfin snapper	26.0 F*FL	10.2	
		31.0 M*FL	12.2	
Serranidae	<i>Cephalopholis fulva</i>	coney	16.0 F	6.3
	<i>Epinephelus guttatus</i>	red hind	25.0 F	9.8
	<i>Mycteroperca tigris</i>	tiger grouper	46.0 F*TL	18.1
			55.0 M*TL	21.6
<i>Mycteroperca venenosa</i>	yellowfin grouper	51.0 F	20.0	

Proposed regulation recommendations - DRAFT

Resident – must be here one year to be a resident

Option 1: Age for licenses – required for all individuals (residents and non-residents) between 16 and 62

Option 2: Age for licenses – required for all residents between 16 and 62  
All non-residents would be required licenses

**Licenses:**

**Residents:**

1. Recreational – ANNUAL rates  
Option 1: Individual angler (you can fish on shore and on boat) - \$20  
OR  
Option 2: Individual shoreline license - \$5 or \$10  
Vessel license (includes guests) - \$50

**Non-residents:**

1. Recreational  
Option 1: Individual angler (you can fish on shore and on boat) –  
3-day - \$5 or \$15  
7-day - \$10 or \$30  
Annual - \$25 or \$100  
  
OR  
Option 2: Individual shoreline license –  
3-day - \$5  
7-day - \$10  
Annual - \$25  
Private vessel license (includes guests) [owned by a non-resident] -  
7-day - \$20 or \$50  
1-month - \$50 or \$100  
3-months - \$150 or \$250  
1-year - \$250 or \$600
2. For-hire charter - includes clients - ANNUAL
  - a. Under 25 ft: \$50 or \$250
  - b. 25 ft or larger: \$100 or \$500

Penalties – 10 times license fee

Snapper unit 1 (silk, black, vermilion, blackfin) – bag limits

Snapper unit 2 (queen, wenchman) – bag limits

Snapper unit 3 (lane) – size limit and bag limit

Snapper unit 4 (yellowtail) – size limit and bag limit

Mutton snapper?

Grouper unit 1 (Nassau) – no takes, currently prohibited  
Grouper unit 2 (Goliath) – no takes, currently prohibited  
Grouper unit 3 (red hind) – size limit and bag limit  
Grouper unit 4 (red, yellowedge, misty, tiger, yellowfin) –  
St. Thomas harvests yellowfin and tiger  
St. Croix – bag limit and size limit  
Parrotfish – no possession (rainbow, midnight, blue); bag limits and size limits for other species

HMS (tuna, dolphin, wahoo, billfish) –  
Option 1: Leave management of all HMS to federal regulations  
OR  
Option 2: Tuna and billfish – follow NMFS regulations on permitting, size, bag limits  
Dolphin and wahoo – recreational bag limit

Highlighted = at risk species groups  
Bag/size limits: Additional data are recommended to support these limits.

To deal with illegal sale of fish from charter boats:  
Option 1: Don't change regulations but increase enforcement (but would put some charter boats out of business)  
Option 2: Establish a mechanism (special permit) to allow charter boats to sell some fish  
Option 3: Prohibit sale of charter caught fish and place a bag limit by species; Add a trip reporting requirement for charter boats with commercial licenses to notify enforcement when on a commercial fishing trip (Declare a trip before going)

Other species groups:

Lobster – in addition to existing regulations  
Option 0: Status quo  
Option 1: No stamp/fee  
Option 2: Stamp/fee  
Option 3: 1 per person per day, must be obtained through free diving  
Option 4: 6 per person  
Option 5: 6 per boat, 2 per person, Male lobsters only for recreational fishers  
Option 6: Prohibit lobster caught with scuba gear

Queen Conch –

Option 1: Prohibit catch to recreational fishers  
Option 2: No catch with scuba gear  
Option 3: Stamp/fee  
Option 4: Require recreational fishers to bring conch to shore in shell  
Option 5: 4 per person; 12 per boat

Whelk –

Option 1: 24 per person  
Option 2: 12 per person  
Option 3: Need a stamp/fee to harvest  
Option 4: Means of measure 1 5-gallon bucket (in shell)

Southern Pink Shrimp –

Option 1: Stamp/fee

Option 2: 1 gallon per person

Crab: Stamp for all crab species (or land versus others)

Portunid

Option 1: No action

Option 2: 12 per person

Coral/stone: No additional recommendations

Spider

Option 1: Males only

Option 2: 1 per person

Land

Option 1: Status quo

Option 2: Stamp

Option 3: Minimum carapace size 2.5 inch

Option 4: Harvest #?

Option 5: Hand harvest or net only

Option 6: Harvest is allowed with traps

Octopus –

Option 0: Status quo

Option 1: No recreational take

Option 2: 4 per person

Option 3: No scuba gear takes

Option 4: Stamp

Tarpon/Bonefish – no retention allowed, catch and release only (these regs already exist)

**USVI FISHERIES ADVISORY SUB-COMMITTEE  
PROPOSED RECREATIONAL FISHING REGULATIONS:  
OPTIONS FOR CONSIDERATION IN PUBLIC HEARINGS  
October 2009**

The government of the US Virgin Islands has determined that a need exists to revise the recreational fishing regulations. The DPNR-DFW hired MRAG Americas, Inc. to facilitate the meetings and assist with the background information necessary to develop options for public review, and subsequently to help develop a recommendation from the St. Croix and St. Thomas-St. John Fishery Advisory Committees to the Commissioners of the Department of Planning and Natural Resources (DPNR) and the Department of Agriculture. The DFW convened a meeting of the joint subcommittee of the two FACs on 17-18 October, 2009. The meeting started with introductions of Ms. Beulah Dalmida-Smith, Director of DFW, Mr. Austin Callwood, Director of DPNR Enforcement, members of the joint subcommittee, public participants, and MRAG Americas staff.

Dr. Robert Trumble and Dr. Erika Zollett of MRAG presented background information on:

- federal requirements for registration of recreational fishers and the opportunities for the USVI to meet the requirements through a recreational fisher license system, and
- key components of the regulatory process including licensing, bag limits, size limits, closed areas, closed seasons, [add all modules discussed].

The discussion began with by recognizing that effective regulations require effective enforcement, and that enforcement of fishery regulations has not been effective in the past. Several members suggested caution in establishing regulations that will not be enforced. Discussions of key components of fishery regulations attempted to find a single consensus recommendation as an alternative to the status quo for each component. However, such consensus rarely occurred, and the joint subcommittee typically put forward two or more alternatives that would go out for public comment. In all cases discussed below, the status quo (no change) is an alternative.

## **1. LICENSING**

A number of recreational fishery licensing options have been proposed as noted below in order to gain information on who is fishing in the USVI and for what species. The Federal government will require all saltwater fishers to register with a national program, unless the angler's state or territory has saltwater license program that meets the Federal standards. The fees proposed below are designed to encourage fishing and tourism while protecting marine resources and gathering funds for management and enforcement. Sub-committee members recommend that licenses be available for purchase at numerous locations throughout the USVI including hotels, piers, dive shops, charter boats, and other convenient and secure locations. At the time of license purchase, fishermen would be given a copy of the USVI recreational regulations.

## 1.1 Age and Residency Requirements

### For Residents:

- a. Residency Requirements: To qualify as a resident, an individual must have proof of residency that he or she has lived in the USVI for at least one year.
- b. Age Requirements: Licenses will be required for all individuals between the ages of 16 and 62.

*The minimum age requirement of 16 was developed to encourage individuals younger than 16 to fish and to avoid penalizing young children from engaging in fishing.*

**For Non-Residents:** Two options were developed for non-residents.

Option 1: All non-residents would be required to purchase fishing licenses.

*Option 1 was developed to gain fees from non-residents to support fisheries management and enforcement.*

Option 2: All non-residents between the ages of 16 and 62 would be required to purchase a license.

*Option 2 was developed so that licenses would not need to be purchased for non-resident children under the age of 16. Any established trip or bag limits would be restricted to licensed non-residents and would exclude unlicensed children under the age of 16. This option is also consistent with the recommendation for residents.*

## 1.2 Recreational Licenses

**For Residents:** The sub-committee has considered two annual rate options.

Option 1: Individual angler license - \$20

*In option one, an individual angler buys a license and can then use it to fish on shore or on a boat.*

Option 2: Individual shoreline license - \$5 or \$10  
Vessel license - \$50

*In option two, an individual fishing on shore must purchase an individual shoreline license. Two possible annual rates were given for this license as some FAC sub-committee members wanted to ensure residents would be able to purchase a license and would not be penalized for fishing on shore. The second rate was proposed to maintain the on shore fishery but to place a higher value on the resource. In option two, a boat owner would need to purchase a vessel license, which would cover all individuals fishing on the vessel.*

**For Non-Residents:** The sub-committee has considered two rate options.

Option 1: Individual angler license -        3-day - \$5 or \$15  
    7-day - \$10 or \$30

6 months - \$50  
Annual - \$25 or \$100

*In option 1, an individual non-resident angler can purchase a license which can be used to fish on shore or on a vessel. Two rates were given for public review. Some sub-committee members did not want a high fee to discourage tourism, while other members felt tourists would pay a slightly higher fee. The higher rate also was believed to place a value on the resource and allowed enough money to be collected for enforcement and management of the resource.*

Option 2: Individual shoreline license - 3-day - \$5  
7-day - \$10  
Annual - \$25  
Private vessel license - 7-day - \$20 or \$50  
1-month - \$50 or \$100  
3-months - \$150 or \$250  
1-year - \$250 or \$600

*In option two, a non-resident fishing on shore must purchase an individual shoreline license. A non-resident owner of a private vessel would need to purchase a private vessel license that would cover all individuals fishing on the vessel.*

### **1.3 For-Hire Charter Licenses**

The sub-committee has developed two options for licensing of for-hire charter vessels.

Option 1: Annual charter licenses as noted below would cover guests aboard charter vessels.  
a. Under 25 ft: \$50 or \$250  
b. 25 ft or larger: \$100 or \$500

*In option 1, guests aboard for-hire charter vessels would not need to purchase individual licenses but instead would be covered under the boat owner or operator's vessel license. Two rates were proposed by the sub-committee for public comment. The lower rate was developed to minimize impact on charter operators and to encourage tourism, whereas the higher rate was developed to place a higher value on the resource and to collect enough fees for management of the resource.*

Option 2: Guests would need individual licenses to fish aboard charter vessels. These licenses would be issued by the charter vessel operators. A specific fee for this license was not proposed.

### **1.4 Example License Program**

#### **Florida**

In Florida state waters, all persons engaged in saltwater sport fishing must possess a license, which is non-transferable. License holders must agree to provide statistics on fishing activity, and pay appropriate fees. To qualify as a resident, an individual must have resided in Florida for six continuous months prior to applying for a resident license and must claim Florida as their primary residence. A resident license is also valid for any member of the U.S. Armed Forces who is stationed in this state. Exemptions to the residency requirements exist under certain circumstances including but not limited to if an individual is under 16 years of age or older than



65 years of age, if an individual is fishing from a for-hire vessel, or if an individual fishes from a non-for-hire vessel with a recreational vessel fishing license. Exempt residents are encouraged to still buy a license to contribute to wildlife conservation. The money collected from saltwater fishing licenses is used to improve and restore fish habitat and for marine fisheries research, law enforcement, and public education on marine resources.

Recreational saltwater licenses for residents are either annual (\$17) or for 5-years (\$79). Lifetime and hunting/fresh-water combination licenses are also available. Non-residents can purchase recreational saltwater licenses for 3-day (\$17), 7-day (\$30), or annual (\$47). Non-for-hire vessels may obtain a recreational vessel fishing license for \$2001.50. For-hire vessel fees are: four or fewer customers = \$201.50; five to ten customers = \$401.50; and eleven or more customers = \$801.50.

### British Virgin Islands

In BVI waters, fishing vessels must register and display the registration number on the vessel. Owners or operators of registered vessels may obtain a local fishing vessel license for those who meet residency requirements and foreign vessel license for those who do not. The BVI does not provide for license for individual fishers. Fishing licenses are designated as commercial (catch fish for sale); sport (for hire; catch and release and personal consumption up to 30 pounds per vessel); and pleasure (personal consumption up to 30 pounds per vessel). The BVI registers vessels as local and foreign and for the following lengths: Class A, subclass 1 = 8-16 ft; Class A, subclass 2 = greater than 16 feet to 25 ft; Class B, subclass 1 = greater than 25 ft to 45 ft; and Class B, subclass 2 = greater than 45 ft. The following fees apply:

Category	Class A-1	Class A-2	Class B-1	Class B-2
Certificate of Registration	\$20	\$25	\$60	\$110
Local pleasure license				
Application	\$10	\$10	\$10	\$10
License	\$45	\$50	\$85	\$135
Foreign pleasure – locally based				
Application	\$10	\$10	\$10	\$10
License	\$65	\$70	\$105	\$155
Foreign pleasure – not locally based				
Application	\$10	\$10	\$10	\$10
License	\$100	\$150	\$200	\$300
Local sport (for hire) license				
Application	\$10	\$10	\$10	\$10
License	\$100	\$150	\$200	\$250
Foreign sport – locally based				
Application	\$10	\$10	\$10	\$10
License	\$500	\$560	\$575	\$610
Foreign sport – not locally based				
Application	\$10	\$10	\$10	\$10

License	\$500	\$1000	\$2000	\$2500
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## Puerto Rico

Puerto Rico requires a license for all persons aged 13 or older fishing for recreational purposes, and includes freshwater and salt water licenses. Individuals younger than 14 or more than 60 may obtain licenses at no cost. The following fees apply:

Type of License	Cost		
	1-year	7 day	1 day
Resident aged 13-14	\$0.00	\$0.00	\$0.00
Resident aged 15-21	\$5.00	\$5.00	\$3.00
Resident aged 22-60	\$20.00	\$5.00	\$3.00
Residents more than 60 years old	\$0.00	\$0.00	\$0.00
Non-resident US citizen	\$35.00	\$7.00	\$5.00
Visitor, foreign citizen	\$50.00	\$10.00	\$7.00

Clients of rental boats (charter boats and headboats) do not require a license when fishing with the owner of said vessel.

Puerto Rico requires permits for the species below, with fees as indicated:

Category	1-year	7 day	1 day
Common lobster	\$25.00	\$15.00	\$10.00
Conch	\$25.00	\$15.00	\$10.00
Common land crab	\$25.00	\$15.00	\$10.00
Billfish	\$25.00	\$15.00	\$10.00
Freshwater shrimp	\$10.00	\$7.00	\$5.00
Sirajo goby	\$10.00	\$7.00	\$5.00

Owners of rental boats (charter boats and headboats) must obtain permits for all clients.

## 2. FISHING REGULATIONS

A number of recreational fishery management options have been proposed by species as noted below to sustainably manage the fish resources of the USVI. Some sub-committee members were concerned about overfishing during spawning aggregation periods. It was recommended that overfishing during this time will be addressed recreationally with bag limits.

### 2.1 Reef Fish

a. **Yellowtail Snapper:** Size and bag limits are recommended. The sub-committee recommends a minimum size limit of 12 inches for yellowtail snapper caught in territorial waters. No specific bag limit recommendation has been developed.

*This size limit is comparable to commercial and recreational regulations in federal waters. It allows for the regulation to be more easily enforced since an enforcement officer would not need to know where a fish was caught (federal versus territorial waters). Yellowtail snapper is a species that can be caught and released with a high probability of survival.*

**b. Other Reef Fish:** The sub-committee will consider size and bag limits for other reef fish species, including other snapper species, groupers, and parrotfish.

## **2.2 Highly Migratory Species (tuna, dolphin, wahoo, billfish)**

The sub-committee developed two options.

Option 1: Leave management of all highly migratory species to federal regulations.

Option 2: For tuna and billfish, follow federal regulations on permitting, size limits, and bag limits in territorial waters. For dolphin and wahoo, develop a recreational bag limit.

## **2.3 Other species of concern**

**a. Lobster:** Several management options were proposed in addition to existing regulations.

Option 1: Follow existing regulations but do not add additional regulations or fees for lobster fishing.

Option 2: Develop a stamp or fee requirement for individuals targeting lobster.

*A fee program for lobster would allow information to be collected about how much effort is being targeted at the species. It also would allow for fees to be collected to aid in management of this resource. Some sub-committee members expressed concern over the status and resilience of lobster.*

Option 3: Limit catch to one lobster per person per day and require that the lobster be caught while free diving.

*Some sub-committee members expressed concern over the status and resilience of lobster, and also believed a considerable amount of fishing pressure on lobster can be attributed to scuba divers.*

Option 4: Limit catch to six lobsters per person per day.

*This option was based on existing bag limits in Florida waters. However, some sub-committee members believe lobster populations are more stable in Florida, and that this bag limit is too high for USVI waters.*

Option 5: Limit catch to two lobsters per person per day and six lobsters per boat, and require that only male lobsters be retained by recreational fishers.

*This option was developed to remove fishing pressure from female lobsters and to limit fishing pressure on male lobsters.*

Option 6: Prohibit lobster fishing with scuba gear.

*Some sub-committee members expressed concern over the status and resilience of lobster, and also believed a considerable amount of fishing pressure on lobster can be attributed to scuba divers. Some commercial fishermen expressed fear that such a regulation would be extended to commercial fishermen.*

**b. Queen Conch:** Several management options were proposed.

Option 1: Do not add regulations.

Option 2: Prohibit catch to recreational fishers.

*Some sub-committee members expressed concern over the status and resilience of queen conch and felt like catch of this species needed to be limited.*

Option 3: Prohibit catch with scuba gear.

*Some sub-committee members expressed concern over the status and resilience of queen conch and felt like catch of this species needed to be limited.*

Option 4: Develop a stamp or fee requirement for individuals targeting queen conch.

*A fee program for queen conch would allow information to be collected about how much effort is being targeted at the species. It also would allow for fees to be collected to aid in management of this resource. Some sub-committee members expressed concern over the status and resilience of queen conch.*

Option 4: Require recreational fishers to bring conch to shore in shell.

Option 5: Limit catch to three per person and twelve per boat.

*This option was developed to limit fishing pressure on queen conch, and to be consistent with federal fishing regulations.*

**c. Whelk:** Several management options were proposed.

Option 1: Do not add regulations.

Option 2: Limit catch to twenty-four per person.

*Some sub-committee members felt that the whelk population was doing okay and a high number of whelk per individual was sustainable whereas others felt there should be more stringent limitations on allowed harvest.*

Option 3: Limit catch to twelve per person.

Option 4: Develop a stamp or fee requirement for individuals targeting whelk.

*A fee program for whelk would allow information to be collected about how much effort is being targeted at the species. It also would allow for fees to be collected to aid in management of this resource.*

Option 5: Limit harvest to the contents of a five gallon bucket. All harvested whelk by an individual must fit in the bucket with the shell on the animal.

**d. Southern Pink Shrimp:** Several management options were proposed.

Option 1: Do not add regulations.

Option 2: Limit catch to one gallon per person.

Option 3: Develop a stamp or fee requirement for individuals targeting southern pink shrimp.

e. **Octopus:** Several management options were proposed.

Option 1: Do not add regulations.

Option 2: Limit catch to four per person.

Option 3: Develop a stamp or fee requirement for individuals targeting octopus.

Option 4: Prohibit catch with scuba gear.

Option 5: Prohibit recreational catch of octopus.

f. **Crab:** One management option was proposed for all species of crab, and several management options were proposed for specific species as noted below.

i. **All species:** Develop a stamp or fee requirement for individuals targeting any species of crab

ii. **Portunid:**

Option 1: Do not add regulations.

Option 2: Limit catch to twelve per person.

iii. **Spider:**

Option 1: Do not add regulations.

Option 2: Limit retention to males only.

Option 3: Limit catch to one per person.

iv. **Land:**

Option 1: Do not add regulations.

Option 2: Develop a stamp or fee requirement for individuals specifically targeting land crabs.

Option 3: Set a minimum carapace size of 2.5 inches for any harvested land crab.

Option 4: Allow hand or net harvest only.

Option 5: Allow harvest with traps.

Option 6: Establish a harvest limit.

*No specific harvest limit was proposed for land crabs.*

## **2.4 Example Fishing Regulations**

The following fishing regulations provide an example from Florida state waters in the Atlantic Ocean unless otherwise noted.

### **Florida**

#### **a. Bag Limits:**

**Silk, Queen, Yellowtail, and Lane Snappers:** Snapper aggregate bag limit of 10 per harvester per day

**Parrotfish:** 20 organisms per person per day; only 5 of any one species allowed within the 20 organisms bag limit

**Hogfish:** 5 per harvester per day in Atlantic; 4 per harvester per day in Gulf of Mexico

**Red Hind:** Included in Atlantic grouper aggregate bag limit of 5 per harvester per day; 4 per harvester per day in Gulf of Mexico

#### **b. Size Limits:**

**Silk, Queen, and Yellowtail Snappers:** 12 inches

**Parrotfish:** 12 inches

**Lane Snapper:** 8 inches

**Hogfish:** 12 inches

#### **c. Stamps/Fees:**

Fishing for snook, tarpon, and lobster requires an additional permit (\$2 for one year, \$10 for five years for snook and lobster; \$51 for tarpon).

#### **d. Legal gear**

##### **Hook and line**

##### **Nets**

Bully nets (for lobster only) no greater than 3 feet in diameter.

Frame nets and push nets (for shrimp only) no greater than 16 feet in perimeter.

Hand held landing or dip nets no greater than 96 inches in perimeter.

Cast nets measuring 14 feet or less stretched length

##### **Spears**

Many species prohibited from take by spears

Many closed areas

## **BVI**

Fishing regulations restrict sport and pleasure fishing to hook and line or rod and reel, with no more than 6 rods or reels; prohibits traps and nets except for cast and landing nets; prohibits fishing for snappers and other bottom-dwelling fish and fishing for lobsters with hooks; and requires catch and release for blue and white marlin, sailfish, and swordfish.

## **Puerto Rico**

Bag limits and size limits are specified as follows:

- Conch: three per person or 12 per boat, whichever is less
- Dolphin, wahoo, or king mackerel: five of each species per day per fisher or 10 animals per day per boat, whichever is less; DNER may authorize a larger bag limit for tournaments upon application to and approval by the Director-General
- Mountain mullet or sleepers: five per fisher per day

Recreational fishers may not sell, exchange, or barter products of recreational fishing; may not use spear guns and SCUBA at the same time; may not use nets except for hand nets and freshwater shrimp nets of two feet or less diameter; and may not use gear other than hook and line or rod and reel except for conch, lobster, and crab, and spear guns while snorkeling.

### **3. ILLEGAL SALE OF FISH**

To address illegal sale of fish from charter boats without commercial fishing licenses, three management options were proposed:

Option 1: Do not change regulations but increase enforcement of existing regulations.  
*Some sub-committee members believe this would put some charter vessels out of business.*

Option 2: Establish a mechanism such as a special permit program to allow charter boats to sell some fish.

*Some sub-committee members believed that charter vessels without licenses would continue to sell fish illegally and that there should be a way for them to legally sell their fish in order to remain in business.*

Option 3: Prohibit sale of charter-caught fish and establish bag limits by species. Add a trip reporting requirement for charter boats with commercial licenses to notify enforcement when embarking on a commercial fishing trip.

*The requirement for a vessel to declare a commercial trip before fishing is intended to prohibit a charter vessel from taking passengers on a trip and then selling the catch from the trip.*

### **4. PENALTIES**

- a. A penalty of ten times the licensing fee was proposed for individuals or vessels fishing without the required license.

*This rate of ten times the licensing fee was believed to deter individuals from fishing without the required license without imposing economic hardships on individuals.*

- b. Vessels with catches exceeding established limits would also be fined with a penalty. A specific penalty was not proposed by the sub-committee.

#### **4.1 Example penalties**

##### **BVI**

Fines up to \$1000 after conviction.

##### **Puerto Rico**

1. First offense – fines will be not less than one hundred (\$100) dollars nor greater than one thousand (\$1,000) dollars.
2. Second offense – fines will be no less than two hundred (\$200) dollars nor greater than two thousand (\$2,000) dollars.
3. Third offense and subsequent – fines will be no less than one thousand (\$1,000) dollars and no greater than five thousand (\$5,000) dollars

#### **5. SEABIRD CONSERVATION**

To address concerns of seabird entanglement in monofilament line and other fishing gear used in the USVI, the sub-committee recommends outreach and education, including that:

- a. Fisheries managers develop mitigation recommendations through consultation with charter boat captains and other individuals familiar with seabird disentanglement procedures and provide this information to fishermen at the time of licensing.
- b. Brochures designed to educate fishermen about seabird entanglement issues and disentanglement procedures be available in tackle shops and other locations convenient to fishermen.



APPENDIX II.

PUBLIC MEETINGS WITH STAKEHOLDERS



## GOVERNMENT OF THE VIRGIN ISLANDS OF THE UNITED STATES

=====

### DEPARTMENT OF PLANNING AND NATURAL RESOURCES

8100 Lindberg Bay, Ste. #61  
Cyril E. King Airport, Terminal Bldg., Second Floor  
St. Thomas, VI 00802

TEL: (340) 774-3320

FAX: (340) 775-5706

# PUBLIC NOTICE

## Department of Planning and Natural Resources

45 Mars Hill, Frederiksted  
St. Croix, U.S. Virgin Islands 00840

FOR MORE INFORMATION, CONTACT:

Division of Fish and Wildlife  
William Tobias, Fish and Wildlife Biologist III  
(340) 772-1955 ext. 2262 Fax: (340) 772-3227

## RECREATIONAL FISHING REGULATIONS PUBLIC INFORMATION MEETING

**St. Croix, VI, October 2, 2009**

Robert S. Mathes, Commissioner, Department of Planning and Natural Resources, wishes to announce to the public that the Department has received funds from the National Oceanic and Atmospheric Administration, Coral Reef Initiative Program, and Caribbean Fishery Management Council to develop recreational fishing regulations for the Territory. Public information meetings will be conducted on St. Thomas on October 6, 2009 at the Frenchtown Community Center from 7:00 to 9:00 pm and on St. Croix on October 7, 2009 at the Florence Williams Library from 7:00 to 9:00 pm. The recreational fishing community is invited to attend. Future scoping meetings to include public comment will be conducted.

ATTENDANCE SHEET

Recreational Fishing License/Regulations Public Meeting - October 7, 2009

Name	Phone Number	E-Mail
Fredy A. Saldana	340-718-0099	
Eli ezer E. Saldana	370-277-5975	
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Carlos Encarnación	"	"
Mavel Maldonado	"	"
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Carlos Farchette		
Tim Malik	332-1662	LPS@TMUSVI.COM

TIM &

**ATTENDANCE SHEET**

**Recreational Fishing License/Regulations Public Meeting - October 7, 2009**

Name	Phone Number	E-Mail
TOM DUBEY	615 234 1100	
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**NOAA** NATIONAL OCEANIC AND  
ATMOSPHERIC ADMINISTRATION  
U.S. FEDERAL GOVERNMENT DEPARTMENT OF COMMERCE



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**FOR IMMEDIATE RELEASE**  
Dec. 23, 2008

**NOAA to Create Saltwater Angler Registry in 2010**  
*Final rule gives states more time to implement local data gathering*

NOAA's Fisheries Service released its final rule today to create a national saltwater angler registry of all marine recreational fishermen to help the nation better protect our shared marine resources. A requirement to establish a registry was included in a statute approved by Congress in 2007.

"Better national surveys of the more than 15 million saltwater anglers will help us demonstrate the important contributions of recreational anglers to both local economies and to the nation's," said Jim Balsiger, NOAA acting assistant administrator for NOAA's Fisheries Service. "The registry will help us gather comprehensive data to ensure sustainable fisheries built on the best available science."

The improved quality of recreational fishing data achieved through a national saltwater angler registry will help demonstrate the economic value of saltwater recreational fishing, and will provide a more complete picture of how recreational fishing is affecting fish stocks. This kind of information is essential to NOAA's goal to end overfishing as required under the Magnuson-Stevens Fishery Conservation and Management Act. All recreational anglers who fish in federal waters will be required to participate, with some exemptions for those already registered in their states.

The registry is the product of a major recommendation to NOAA in a 2006 independent scientific review by the National Research Council of the National Academy of Sciences. The NRC found that NOAA needed a comprehensive list of everyone who fishes recreationally in marine waters to improve surveys of saltwater anglers used to help manage and rebuild fish stocks. The NRC recommendation became law in 2007 with the reauthorization of the Magnuson-Stevens Act, the primary federal law that enables NOAA to manage ocean fish stocks.

The final rule requires anglers and spearfishers who fish recreationally in federal ocean waters to be included in the national saltwater angler registry by Jan. 1, 2010.

Beginning January 2009, NOAA will exempt anglers from the federal registration rule if they are licensed in states that have a system to provide complete information on their saltwater anglers to the national registry.

"NOAA wants to work closely with the states and anglers to better capture the contributions and effects of sportfishing," said Balsiger. "We expect that this additional year will allow a number of states to put in place systems to register their anglers annually and provide this information to NOAA."

NOAA had originally proposed that registration be required beginning Jan. 1, 2009, but based on public input decided to give states another year to put in place their own data collection systems.

If anglers are not licensed or registered by a state that has been exempted and want to fish in federal waters, they will be required to register with NOAA. They must also register if they fish in tidal waters for migratory fish such as striped bass and salmon that spawn in rivers and spend their adult lives in estuaries and oceans. However, those who fish recreationally for these migratory species inland of tidal waters need not register, according to the final rule.

Federal saltwater angler registrations will include an angler's name, date of birth, address, telephone number, and the regions where they intend to fish. This information will be used by NOAA to conduct surveys on fishing effort and amounts of fish caught. Once anglers have registered, they may fish anywhere in U.S. federal waters, or in tidal waters for anadromous species, regardless of the region or regions they specified in their registration. The registration will be valid for one year from its date of issue. Anglers must comply with applicable state licensing requirements when fishing in state waters.

Saltwater anglers will be able to register online or by calling a toll-free telephone number that will be publicized, and will receive a registration certificate. Anglers will need to carry this certificate (or their state license from an exempt state) and produce it to an authorized enforcement officer if requested. No fee will be charged in 2010. An estimated fee of \$15 to \$25 per angler will be charged starting in 2011.

Anglers who fish only on licensed party, charter, or guide boats would not be required to register with NOAA since these vessels are surveyed separately from angler surveys. Those who hold angler permits to fish for highly migratory species, such as tunas or swordfish, and those fishing under commercial fishing licenses will also be exempt. Anglers registered or permitted to fish in a formal state or federal subsistence fishery will also be exempt, as will anglers under 16.

NOAA received nearly 500 comments from anglers, state officials, and fishing and environmental organizations on its proposed national registry rule during the comment period from June 12 until Aug. 21. The registry is one component of the agency's new Marine Recreational Information Program, an initiative to enhance data collection on recreational catch and effort.

To read the final registry rule and other information about the Marine Recreational Information Program, go to: <http://www.countmyfish.noaa.gov>

NOAA understands and predicts changes in the Earth's environment, from the depths of the ocean to the surface of the sun, and conserves and manages our coastal and marine resources. Visit <http://www.noaa.gov>.

On the Web:

NOAA's Fisheries Service: <http://www.nmfs.noaa.gov>

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## Preliminary National Standards for Recreational Survey Coverage and Basic Data Elements

Issued May 2009

These preliminary standards are intended to establish basic requirements regarding the coverage for, and basic data required to be produced by, conforming surveys of marine recreational fishing catch and effort. In general, these standards are necessary to provide an annual assessment of marine recreational fishing catch and effort for each state and for the nation, consistent with the publication requirements for *Fisheries of the United States* and *Fisheries Economics of the U.S* and for the purpose of determining and evaluating conservation and management measures for marine recreational fisheries and achieving optimum yield of the Nation's fisheries on a continuing basis.

The preliminary standards address basic survey coverage and data content requirements. In the future, the Marine Recreational Information Program will develop and publish supplements to these standards that may include, but not be limited to, standards and best practices for survey and sample design and estimation methodology, survey management and operations, data quality assurance and quality control, and survey data quality.

**Coverage Standards:** Surveys produce annual estimates by regions and for each state within a region. Regions are as identified in 50 CFR 600.1417(b)(1). States are as defined in 16 U.S.C. 1802. Surveys cover all recreational fishing for marine, estuarine and anadromous finfish in all marine waters and estuaries bordering the states.

**Required Data Elements:** The following estimates are produced not less frequently than annually for each state in a region:

1. Number of recreational fishing days;
2. Number of participating recreational fishers and number of participating for-hire fishing vessels derived from survey estimates or from directories based on license or registration data;
3. Recreational catch and landings in numbers of fish for each species (or, where multi-species groups are managed or assessed as a unit, by such species group), and further specified as:
  - a) By mode of fishing, including at a minimum, shore, private boat and for-hire modes; and
  - b) By area fished, including, at a minimum, EEZ, territorial sea, and internal waters of the state, or other primary jurisdictions applicable to regional management.

4. Unless not utilized in management or stock assessment for the species, mean weights of fish landed for each species (or, where multi-species groups are managed or assessed as a unit, by such species group), and further specified as:
  - a) By mode of fishing, including, at a minimum, shore, private boat and for-hire modes; and
  - b) By area fished, including, at a minimum, EEZ, territorial sea and internal waters of the state, or other primary jurisdictions applicable to regional management.
5. Mean lengths and weights of fish caught and released for each species, wherever direct observations and measurements can be obtained.

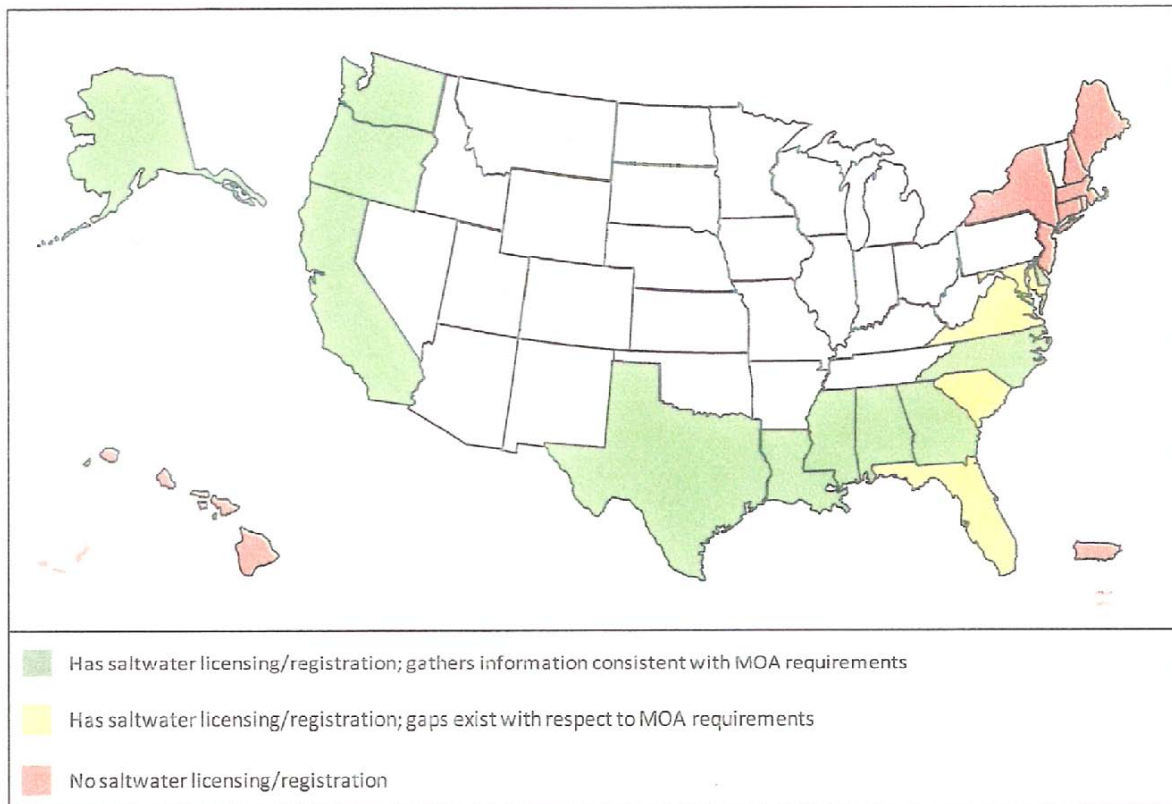
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# Saltwater Angler Registry Final Rule Fact Sheet

## Current status of state saltwater fishing license requirements

Beginning Jan. 1, 2009, NOAA will exempt states from the registration rule that have a system in place – such as licensing or registration – to provide complete information on their saltwater anglers to the national registry. If a state is exempted by NOAA, its anglers who abide by state licensing will not need a federal registration. Following is an overview of the current status of state saltwater licensing requirements.



# Saltwater Angler Registry Final Rule Fact Sheet

## Key Changes from the Proposed Rule

### Timing

- Saltwater recreational anglers and spearfishers who are not exempt from the requirement will need to be registered to fish in Federal waters beginning January 1, 2010. This one-year extension was granted at the request of numerous states that sought additional time to consider strategies for gathering and sharing the information required by the national registry.

### Exemptions

- Individuals who fish for salmon inland of tidal waters will not be required to register. This makes the treatment of salmon consistent with that of other anadromous species – fish that spend part of their lives in fresh water and part in salt water – like striped bass and steelhead trout.
- Individuals who hold a Highly Migratory Species angling permit, or a state or federal permit to participate in a subsistence fishery program, will be exempt from registering.
- Requirements for state exemptions based on participation in a regional survey of recreational fishing catch and effort were modified as follows:
  - State proposals need not be submitted annually.
  - The qualifying regions were changed to split the western Pacific into two regions, one for Hawaii and one for the western Pacific U.S. territories and Commonwealths.
  - It was clarified that a qualifying survey must include all of the states within a defined region.
  - The provision that a survey must include use of angler registries was modified to allow for use of other approved methods to collect effort data, and to require the use of angler registries only when a telephone survey is a component of a regional survey.

### Information gathering

- Date of birth has been added to the information that will be gathered for the registry.
- The following additional information will be included in the Memoranda of Agreement between NMFS and exempted states:
  - Provisions to assure the confidentiality of individuals' personal information.
  - A definition of the tidal waters within which state license or registration holders are identified in the data submitted to NOAA Fisheries.
  - A commitment by states, moving forward, to gather telephone number and date of birth information of license or registration holders. To receive an exemption, states that already have this data will be required to share it with NOAA Fisheries.



## GOVERNMENT OF THE VIRGIN ISLANDS OF THE UNITED STATES

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# DRAFT PUBLIC NOTICE

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## RECREATIONAL FISHING REGULATIONS PUBLIC MEETING

**St. Croix, VI, March 30, 2010**

Robert S. Mathes, Commissioner, Department of Planning and Natural Resources, wishes to announce to the public that the Department has received funds from the National Oceanic and Atmospheric Administration, Coral Reef Initiative Program, and Caribbean Fishery Management Council to develop recreational fishing regulations for the Territory. Public meetings will be conducted on St. Thomas on April 13, 2010 at the VI Gamefish Club in Red Hook from 7:00 to 10:00 pm and on St. Croix on April 14 at the University of the Virgin Islands, Northwest Wing Great Hall, from 7:00 to 10:00 pm. Draft documents are available at the Division of Fish and Wildlife and Environmental Enforcement offices, Enid Bough Public Library and Neptune Fishing Supply in St. Thomas and Florence Williams Public Library and Poolworks in St. Croix. The recreational fishing community is encouraged to attend, comment on the draft document and provide additional recommendations.

**Public Hearing Report:  
Proposed Recreational Licensing Program and Fishing Regulations Revision  
Public hearings: 7-10 pm  
St. Thomas – April 13, 2010  
St. Croix – April 14, 2010**

**April 7, 2010**

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### **1. Introduction**

The government of the US Virgin Islands has determined that a need exists to develop a recreational fishing licensing program and to revise the recreational fishing regulations. The federal government will require all saltwater fishers to register with a national program, unless the angler's state or territory has a saltwater license program that meets the federal standards. The proposed recreational licensing program will satisfy the federal requirement and will provide information for residents and non-residents who fish recreationally. The current recreational regulations are incomplete and out of date, and do not address current fishery resource issues such as bag limits, size limits, closed areas, or closed seasons. The proposed regulations will apply to pelagic fish (Scombridae – tunas and mackerels; Coryphanidae – dolphinfish; Xiphidae – swordfish; and Istiophoridae – marlin, sailfish), snook, permit, tarpon, bonefish, shark, baitfish (any species of the herring such as sprat (Clupeidae), anchovy (Engraulidae), halfbeak (Hemiramphidae), flying fish (Exocoetidae), needle fish/garfish (Belonidae) or silversides (Atherinopsidae) used as bait or chum for other piscivorous species), and reef fish (any other fish).

The Department of Planning and Natural Resources, Department of Fish and Wildlife (DPNR-DFW) hired MRAG Americas, Inc. to assist with the background information necessary to develop options for public review, and subsequently to help develop a recommendation from the St. Croix and St. Thomas-St. John Fishery Advisory Committees (FAC) to the Commissioners of DPNR and the Department of Agriculture. Following a meeting of the joint subcommittee of the two FACs on 17-18 October, 2009 and follow-up discussions of the FACs, the following proposals for USVI recreational regulations were developed.

Discussions of key components of fishery regulations attempted to find a single consensus recommendation as an alternative to the status quo for each component. However, such consensus rarely occurred, and the joint subcommittee typically put forward two or more alternatives that would go out for public comment. In all cases, the status quo is the default

alternative, and one or more alternatives to status quo is presented. See Appendix 1 for existing regulations.

## 2. Licensing

### 2.1 Alternative 1: Do not develop a recreational fishery license program (status quo)

Under this alternative, the USVI would not develop a recreational license program. Recreational fishers in the USVI would be subject to the requirements of the federal license registration program (including federal fees). The USVI government would not recoup any of the license fees to fund their own programs, and would not have a database to use for gathering information about recreational fishing in the USVI.

### 2.2 Alternative 2: Develop a recreational fishery license program

A number of recreational fishery licensing options have been proposed as noted below to gain information on who is fishing in the USVI and for what species. The fees proposed below are designed to encourage fishing and tourism while protecting marine resources and gathering funds for management and enforcement. License fees obtained from this effort could be used to fund USVI fishery management, research and enhancement and restoration programs. Subcommittee members recommend that licenses be available for purchase at numerous locations throughout the USVI including hotels, piers, dive shops, charter boats, and other convenient and secure locations. At the time of license purchase, fishermen would be given a copy of the USVI recreational regulations. See Appendix 2 for examples of license fees in British Virgin Islands, Puerto Rico, and Florida.

#### Comments:

St. Croix: Some participants expressed support for the development of a recreational fishery license program though some individuals were curious about how accessible it would be to get a license. Participants expressed an interest in obtaining the licenses online for both residents and non-residents as they believed people are now using the internet for applications and to access information such as fishing regulations.

St. Thomas: One individual noted that in the past recreational fishermen had no representation at the table when discussions about fishery resources started. A licensing program gives recreational fishermen a voice and representation.

#### 2.2.1 Age and Residency License Requirements

##### **For Residents:**

- c. Residency Requirements: To qualify as a resident, an individual must have proof of residency that he or she has lived in the USVI for at least one year.
- d. Age Requirements: Licenses will be required for all individuals between the ages of 16 and 62.

*The minimum age requirement of 16 was developed to encourage individuals younger than 16 to fish and to avoid penalizing young children from engaging in fishing.*

#### Comments:

St. Croix: One participant felt the license and fee program should apply to individuals between the ages of 12 and 62, instead of from 16 to 62.

St. Thomas: No opinions were stated regarding the age and residency requirements.

**For Non-Residents:** Two options were developed for non-residents.

Option 1: All non-residents would be required to purchase fishing licenses.

*Option 1 was developed to gain fees from non-residents to support fisheries management and enforcement.*

Option 2: All non-residents between the ages of 16 and 62 would be required to purchase a license.

*Option 2 was developed so that licenses would not need to be purchased for non-resident children under the age of 16. This option is also consistent with the recommendation for residents.*

#### Comments:

St. Croix: One participant felt the license and fee program should apply to individuals between the ages of 12 and 62, instead of from 16 to 62. He felt that teenagers make up a large component of fishers and should participate in the license program.

St. Thomas: No opinion was expressed.

## **2.2.2 Recreational License Fees**

**For Residents:** The sub-committee has considered two annual rate options.

Option 1: Individual angler license - \$20

*In option one, an individual angler buys a license and can then use it to fish on shore or on a boat.*

Option 2: Individual shoreline license - \$5 or \$10  
Vessel license - \$50

*In option two, an individual fishing on shore must purchase an individual shoreline license. Two possible annual rates were given for this license as some FAC sub-committee members wanted to ensure residents would be able to purchase a license and would not be penalized for fishing on shore. The second rate was proposed to maintain the on shore fishery but to place a higher value on the resource. In option two, a boat owner would need to purchase a vessel license, which would cover all individuals fishing on the vessel.*

#### Comments:

St. Croix: The public comments questioned whether spear gun fishing would be included in the shoreline license. Spear gun fishing was not specifically addressed, but any bag or size limits would apply to this fishing technique. Participants also inquired whether a kayak would be classified as a vessel, and the DFW responded that it would. Public comments supported both license fee options. One participant believed more money could be raised for resource management and enforcement by requiring every individual fisherman to buy an individual angler license (option 1). He felt that no one would have a problem with paying \$20 a year. He also felt that option 2 would be confusing and provided the example of what would be done if a boat owner is over 62 but brought others fishing on his vessel. He also said that boats are

already subjected to fees. Others were in support of option 2 because they felt it would be easier for a boat captain to bring whomever he wanted on his boat without having to get licenses for everyone, particularly in the instances of visiting friends. From an enforcement perspective, it would be easier to have a vessel licensed rather than having to check the licenses of everyone fishing on a boat. An enforcement officer pointed out that checking one license would detain a boat approximately 15 minutes. Additional time would be required if each individual had a license. Under option 2, one individual inquired whether with the requirement of an individual shoreline license if more shoreline fishing areas would be opened to fishing. Shoreline fishing access issues regarding closed and protected areas were discussed. Participants agreed that both perspectives would be presented to the FAC for discussion though there was considerable support for option 2 by the end of the discussion.

St. Thomas: The participants at the public hearing noted that they would prefer no fee, but if a fee is imposed, they would prefer a lower one. They also have to pay the BVI when they are fishing in BVI waters. The St. Thomas fishermen also questioned whether regulations applied to spear gun fishing. It was clarified that while no one brought them up for specific regulations, the bag and size limits would also apply to this gear type. No one at the meeting suggested spear gun regulations should be added.

**For Non-Residents:** The sub-committee has considered two rate options.

Option 1: Individual angler license -            3-day - \$5 or \$15  
   7-day - \$10 or \$30  
   6 months - \$50  
   Annual - \$25 or \$100

*In option 1, an individual non-resident angler can purchase a license which can be used to fish on shore or on a vessel. Two rates were given for public review. Some sub-committee members did not want a high fee to discourage tourism, while other members felt tourists should pay a slightly higher fee. The higher rate also was believed to place a value on the resource and allowed enough money to be collected for enforcement and management of the resource.*

Option 2: Individual shoreline license -        3-day - \$5  
   7-day - \$10  
   Annual - \$25  
Private vessel license -                                7-day - \$20 or \$50  
   1-month - \$50 or \$100  
   3-months - \$150 or \$250  
   1-year - \$250 or \$600

*In option two, a non-resident fishing on shore must purchase an individual shoreline license. A non-resident owner of a private vessel would need to purchase a private vessel license that would cover all individuals fishing on the vessel.*

Comments:

St. Croix: One participant expressed concern that if he bought a resident vessel permit but had non-residents visiting if he would also have to buy a non-resident vessel license, or if they would be covered under his resident permit. If the understanding is that non-residents vessels are those that are coming from outside of the USVI, then as he understands it, he would not have to buy a non-resident permit. Several individuals felt that the non-resident private vessel license fees were low enough that they would not dissuade tourists from participating in fishing tournaments. Some even suggested charging more and pointed out that the BVI charges

something on the order of \$200 for a 3-day license. Option 2 was agreed to be acceptable by all.

St. Thomas: No opinion was expressed.

### **2.2.3 For-Hire Charter Licenses**

The sub-committee has developed two options for licensing of for-hire charter vessels.

Alternative 1: Annual charter licenses as noted below would cover guests aboard charter vessels.

- c. Under 25 ft: \$50 or \$250
- d. 25 ft or larger: \$100 or \$500

*In option 1, guests aboard for-hire charter vessels would not need to purchase individual licenses but instead would be covered under the boat owner or operator's vessel license. Two rates were proposed by the sub-committee for public comment. The lower rate was developed to minimize impact on charter operators and to encourage tourism, whereas the higher rate was developed to place a higher value on the resource and to collect enough fees for management of the resource.*

Alternative 2: Guests would need individual licenses to fish aboard charter vessels. These licenses would be issued by the charter vessel operators. A specific fee for this license was not proposed.

#### Comments:

St. Croix: All but one individual supported Alternative 1. They felt like it was a simple, seamless plan. The one dissenting individual felt that everyone should have a license and the boat should be licensed.

St. Thomas: One for-hire captain expressed that he would prefer no license requirement, but if he had to have a license, he would rather the vessel have one rather than each individual fishermen. He said he could pass the cost to the tourists on his boat. Another individual also expressed support for alternative 1.

### **3. Fishing Regulations**

A number of recreational fishery management options have been proposed by species as noted below to sustainably manage the fish resources of the USVI. Some sub-committee members were concerned about overfishing during spawning aggregation periods. It was recommended that overfishing during this time will be addressed recreationally with bag limits. See Appendix 3 for examples of fishing regulations from the British Virgin Islands, Puerto Rico, and Florida.

#### **3.1 Reef Fish**

##### **3.1.1 Possession of Midnight, Rainbow, and Blue Parrotfish**

Alternative 1: Status quo. No possession restrictions of midnight, rainbow, and blue parrotfish.

Alternative 2: The St. Croix FAC recommends no possession of midnight, rainbow, and blue parrotfish.

*Prohibiting possession would allow recovery of these species from current overfishing.*



Comments:

St. Croix: A DFW representative mentioned that the Council suggested listing these species separately. He noted that the FAC would probably have to go with alternative 2 due to the status of these species. Others agreed that alternative 2 would be good since status quo is not working. There was no support for alternative 1 although one individual noted that more opinions on this subject are likely to be expressed with a more diverse group at the public hearing.

St. Thomas: One individual expressed support for alternative 2.

### **3.1.2 Reef Fish Bag Limit**

Alternative 1: Status quo. No bag limits for recreational catch of reef fish.

Alternative 2. The St Croix FAC recommends an aggregate bag limit of 10 reef fish per person per day or 30 fish per boat per day, whichever is less (the 10/30 rule).

*This bag limit would allow for substantial personal use and for sharing with neighbors and friends, but would provide incentives to not catch large quantities of recreational fish for sale.*

Comments:

St. Croix: One individual supported status quo and suggested no limit on reef fish. Several other individuals felt an aggregate bag limit was necessary. One example was given that a fishing vessel could come up to a spawning group and take the whole group. A limit should be put in place since we are talking about the recreational, not commercial, fishery.

St. Thomas: One individual expressed support for alternative 2.

### **3.1.3 Yellowtail Snapper Size Limit:**

Alternative 1: Status quo. No recreational size limits for yellowfin snapper

Alternative 2: The sub-committee recommends a minimum size limit of 12 inches for yellowtail snapper caught in territorial waters.

*This size limit is compatible with commercial and recreational regulations in federal waters. It allows for the regulation to be more easily enforced since an enforcement officer would not need to know where a fish was caught (federal versus territorial waters). Yellowtail snapper is a species that can be caught and released with a high probability of survival.*

Comments:

St. Croix: No opinions were expressed regarding the size limit for yellowtail snapper. The DFW pointed out that the bag limit from section 3.1.2 would include this species, but if the bag limit alternative was not adopted, there would be no bag limit on yellowtail snapper. The public discussed the 10/30 bag limit option and thought it would be good since it would not apply to commercial fishermen. One participant suggested adding a new alternative to present to the FAC regarding yellowtail snapper. He suggested considering allowing an incidental take of between 3 and 5 yellowtail snapper that are less than 12 inches in total length. He said that if a fisherman hooks an undersized fish (under 12 inches) and releases it, it attracts predators which can ruin fishing for the day. He noted that you cannot see the size of the fish when you are pulling it in. Some participants discussed whether or not this "incidental take" would be counted in the 10/30 bag limit. Opinions on both sides of this issue were expressed.

St. Thomas: One individual expressed support for alternative 2.

### **3.2 Pelagic Species**

#### **3.2.1 Regulations in territorial waters**

Alternative 1: Status quo. Leave management of pelagic species to the US government and the Caribbean Fishery Management Council in federal waters and do not manage in territorial waters.

Alternative 2: Adopt federal regulations in territorial waters.

*Adopting federal regulations in territorial waters would make the regulations consistent and provide for better enforcement across the federal-territorial boundary. Where no federal regulations exist; the USVI would implement them as necessary.*

#### Comments:

St. Croix: One participant was concerned about existing federal regulations for highly migratory species (HMS) in territorial waters. While not in the purview of this project, he wanted to inquire whether fishing for pelagic species within the USVI territorial waters could be exempted from federal HMS regulations. Some participants expressed interest in maintaining status quo.

St. Thomas: One individual felt that the USVI needs to make its own regulations instead of adopting either of these alternatives.

#### **3.2.2 Pelagic Fish Bag Limit**

Alternative 1: Status quo. Apply federal bag limits for recreational catch of pelagic fish in the EEZ.

Alternative 2. The St. Croix FAC recommends an aggregate bag limit of 10 pelagic fish per person per day or 30 fish per boat per day, whichever is less (the 10/30 rule).

*This bag limit would allow for substantial personal use and for sharing with neighbors and friends, but would provide incentives to not to catch large quantities of recreational fish for sale.*

#### Comments:

St. Croix: The pelagic fish bag limit was changed at the last Council meeting to be 3 per person and 10 per boat. Another option that was discussed at the public hearing included a 5/20 option (5 per person, 20 per boat). The participant that introduced this option felt that 3/10 was too low and 10/30 was too high as a bag limit. Other individuals agreed that 10/30 was a high limit and would allow for many more fish to be caught than was required to feed a fisherman's friends and family. The public agreed that all three options (3/10, 5/20, 10/30) should be presented to the FAC for consideration.

St. Thomas: One individual expressed support for alternative 2.

### **3.3 Shark Bag Limit**

Alternative 1: Status quo. Apply federal bag limits for recreational catch of shark in the EEZ.

Alternative 2. The St. Croix FAC recommends a bag limit of one shark per boat per day in Territorial waters.

*This bag limit would allow for substantial personal use and for sharing with neighbors and friends, but would provide incentives to not to catch large quantities of recreational fish for sale.*

Comments:

St. Croix: One individual said he did not know anyone who caught sharks. Another said that if a shark was caught during a tournament, it would a catch and release tournament. Although tournaments would be catch and release, one person suggested an exemption for incidental killing. Everyone at the hearing supported alternative 2.

St. Thomas: One individual expressed support for alternative 2.

### **3.4 Permit and Snook Bag Limit**

Alternative 1: Status quo. Do not apply bag limits for permit and snook.

Alternative 2. The St. Croix FAC recommends a bag limit of two permit and two snook per person per day.

*This bag limit would allow for some retention of permit and snook, but would limit the mortality of these species.*

Comments:

St. Croix: One participant supported alternative 1 and said that these fish species are only targeted by fly fishermen. He said they were only incidentally caught otherwise. Another individual said that if catch is so rare, then we should support alternative 2. Another individual agreed and said that if status quo created the problem and has make these species so rare now, then we should support alternative 2.

St. Thomas: One individual felt there should be a catch and release alternative. He thought that the few that are caught are usually released. He also said that there is nothing included for bone fish probably because everyone releases them. Bonefish is currently catch and release only.

### **3.5 Other Species of Concern**

a. **Lobster:** Several management options were proposed in addition to existing regulations.

Alternative 1: Status quo. Follow existing regulations but do not add additional regulations or fees for lobster fishing.

Alternative 2: Develop a stamp or fee requirement for individuals targeting lobster.

*The subcommittee wanted to receive input from the public before starting to develop a fee program. A fee program for lobster would allow information to be collected about how much effort is being targeted at the species. It also would allow for fees to be collected to aid in management of this resource. Some sub-committee members expressed concern over the status and resilience of lobster.*

Alternative 3: Limit recreational catch to one lobster per person per day and require that the lobster be caught while free diving.

*Some sub-committee members expressed concern over the status and resilience of lobster, and also believed a considerable amount of fishing pressure on lobster can be attributed to scuba divers.*

Alternative 4: Limit catch to six lobsters per person per day.

*This option was based on existing bag limits in Florida waters. However, some sub-committee members believe lobster populations are more stable in Florida, and that this bag limit is too high for USVI waters.*

Alternative 5: Limit catch to two lobsters per person per day and six lobsters per boat, and require that only male lobsters be retained by recreational fishers.

*This option was developed to remove fishing pressure from female lobsters and to limit fishing pressure on male lobsters.*

Alternative 6: Prohibit lobster fishing with scuba gear.

*Some sub-committee members expressed concern over the status and resilience of lobster, and also believed a considerable amount of fishing pressure on lobster can be attributed to scuba divers. Some commercial fishermen expressed fear that such a regulation would be extended to commercial fishermen.*

#### Comments:

St. Croix: There was a lot of discussion and varying opinions on lobster regulations. Several people strongly felt a bag limit was necessary for lobster as there are currently not enough. Others brought up that recreational catch and illegal sale of lobster created a problem for commercial fishermen. Recreational fishermen harvest lobster and sell them at restaurants cheaper than commercial fishermen do. There was not much support for a stamp or fee program. Support was expressed for alternatives 4, 5, and 6, or some combination of these options. Alternatives 4 and 5 were the most popular. One individual brought up that alternative 4 would not limit how many lobsters could be caught on a boat. Under this option, if there were ten people fishing on one boat, they could legally bring in 60 lobsters. Alternative 6 was a heavily debated topic with strong opinions on both sides of the issue. Some commercial fishermen were concerned that if scuba diving for lobster was banned for recreational fishermen, it would also be banned for commercial fishermen. Others believed that both scuba diving and spear gun fishing for lobsters by recreational fishermen should be banned; however, he noted that regulations are different for commercial fishermen.

St. Thomas: It was noted that scuba diving for lobster is an important tourist activity in St. Thomas, yet some limits should be set on how many lobsters one could catch. Several individuals opposed alternative 6 as they felt that scuba diving for lobster is important for tourism. They also noted that free diving with spear guns would increase if scuba diving for lobster was prohibited. In general, allowing only free diving usually creates refugia below depths that humans can get to which is important for stock rebuilding. However, in the USVI, there are not very many shallow areas where free diving would be possible so the tourist industry would be impacted with alternative 6. Instead, some individuals supported alternatives 2 and 5. One person supported a combination of these two alternatives. He also suggested designing a different stamp each year, utilizing local artists or involving school kids with a competition to raise awareness about the resources. He suggested the stamps could be something to give to tourists to take with them and collect over the years that they visit the islands. He also suggested that legislation would need to define where the fees would go and how it would be divided between enforcement and management otherwise the money would go to general funds and not be available for resource management.

**b. Queen Conch:**

Alternative 1: Status quo. Follow existing regulations but do not add additional regulations or fees for conch fishing.

Alternative 2: Prohibit catch by recreational fishers.

*Some sub-committee members expressed concern over the status and resilience of queen conch and felt like catch of this species needed to be limited.*

Alternative 3: Prohibit catch with scuba gear.

*Some sub-committee members expressed concern over the status and resilience of queen conch and felt like catch of this species needed to be limited.*

Alternative 4: Require recreational fishers to bring conch to shore in shell.

Alternative 5: Limit catch to three per person and twelve per boat.

*This option was developed to limit fishing pressure on queen conch, and to be consistent with federal fishing regulations.*

Alternative 6: Develop a stamp or fee requirement for individuals targeting queen conch.

*The subcommittee wanted to receive input from the public before starting to develop a fee program. A fee program for queen conch would allow information to be collected about how much effort is being targeted at the species. It also would allow for fees to be collected to aid in management of this resource. Some sub-committee members expressed concern over the status and resilience of queen conch.*

Comments:

St. Croix: Participants supported status quo which was explained by the DFW as a bag limit of 6 queen conch per person per day and 24 per boat in territorial waters. The federal and territorial size limit is a 9 inch shell length and a 3/8 inch lip thickness. Queen conch must be landed in the shell, and there is a closed season for queen conch annually from June-October.

St. Thomas: One individual expressed support for alternatives 4 and 5.

**c. Whelk:**

Alternative 1: Status quo. Follow existing regulations but do not add additional regulations or fees for whelk fishing.

Alternative 2: Limit catch to twenty-four whelk per person per day.

*Some sub-committee members felt that the whelk population was doing okay and a high number of whelk per individual was sustainable whereas others felt there should be more stringent limitations on allowed harvest.*

Alternative 3: Limit catch to twelve per person.

Alternative 4: Limit harvest to the contents of a five gallon bucket. All harvested whelk by an individual must fit in the bucket with the shell on the animal.

Alternative 5: Develop a stamp or fee requirement for individuals targeting whelk.

*The subcommittee wanted to receive input from the public before starting to develop a fee program. A fee program for whelk would allow information to be collected about how much effort is being targeted at the species. It also would allow for fees to be collected to aid in management of this resource.*

Comments:

St. Croix: One person supported alternative 4 while almost everyone else supported the status quo of no harvest limit but an existing size limit and a 6 month seasonal closure from April 1-September 30.

St. Thomas: One individual expressed support for a combination of alternatives 2 and 5.

**d. Southern Pink Shrimp:**

Alternative 1: Status quo. Follow existing regulations but do not add additional regulations or fees for southern pink shrimp fishing.

Alternative 2: Limit catch to one gallon per person.

Alternative 3: Develop a stamp or fee requirement for individuals targeting southern pink shrimp.

Comments:

St. Croix: A recreational permitting program already exists. Status quo already includes alternatives 2 and 3.

St. Thomas: No opinion was expressed.

**e. Octopus:**

Alternative 1: Status quo. Follow existing regulations but do not add additional regulations or fees for octopus fishing.

Alternative 2: Limit catch to four per person.

Alternative 3: Develop a stamp or fee requirement for individuals targeting octopus.

Alternative 4: Prohibit catch with scuba gear.

Alternative 5: Prohibit recreational catch of octopus.

Comments:

St. Croix: Currently there are no regulations for octopus. One individual supported alternative 2 and recommended no other changes. There was no support for alternatives 3, 4, or 5.

St. Thomas: No opinion was expressed.

**f. Crab:** One management option was proposed for all species of crab, and several management options were proposed for specific species as noted below.

- v. **All species:** Develop a stamp or fee requirement for individuals targeting any species of crab  
Option 1: Status quo. Do not add additional fees for crab fishing.  
Option 2: *The subcommittee wanted to receive input from the public before starting to develop a fee program. A fee program for crab would allow information to be collected about how much effort is being targeted at the species. It also would allow for fees to be collected to aid in management of this resource.*

Comments:

St. Croix: A stamp fee requirement for all crab species was not discussed at the public hearing.

St. Thomas: No opinion was expressed.

vi. **Portunid:**

- Option 1: Status quo. Follow existing regulations but do not add additional regulations for portunid fishing.  
Option 2: Limit catch to twelve per person.

Comments:

St. Croix: Regulations on portunid harvest was not discussed at the public hearing.

St. Thomas: No opinion was expressed.

vii. **Spider:**

- Option 1: Status quo. Follow existing regulations but do not add additional regulations for spider crab fishing.  
Option 2: Limit retention to males only.  
Option 3: Limit catch to one per person.

Comments:

St. Croix: One individual noted that there are no recreational fishermen targeting spider crab since they would have to use scuba gear to capture them. Another suggested requiring that only males could be retained, similar to lobsters.

St. Thomas: No opinion was expressed.

viii. **Land:**

- Option 1: Status quo. Follow existing regulations but do not add additional regulations for land crab fishing.  
Option 2: Develop a stamp or fee requirement for individuals specifically targeting land crabs.  
Option 3: Set a minimum carapace size of 2.5 inches for any harvested land crab.  
Option 4: Allow hand or net harvest only.  
Option 5: Allow harvest with traps.  
Option 6: Establish a harvest limit.  
*No specific harvest limit was proposed for land crabs.*

Comments:

St. Croix: One individual suggested that land crabs are a highly targeted species that is being overharvested. Currently, there are no size or bag limits, but something needs to be done to limit harvest. Several individuals supported options 3 and 6. Participants agreed that size and bag limits should be established once the results of a recent study on status and maturity are available.

St. Thomas: No opinion was expressed.

4. Charter Vessel Fish Sales

The sale of fish by recreational anglers is not permitted. Some charter vessel operators possess a commercial fishing license which enables them to sell their catch. Others do not possess a commercial fishing license but sell their catch to defray vessel operation costs, which is against the law. The illegal sale of catch from charter vessel operators competes with and adversely impacts the ability of licensed commercial fishers to sell their catch.

To address illegal sale of fish from charter boats without commercial fishing licenses, three management options were proposed:

Alternative 1: Do not change regulations but increase enforcement of existing regulations. *Some subcommittee members believe this would put some charter vessels out of business.*

Alternative 2: Establish a mechanism such as a special permit program to allow charter boats to sell some fish. *Some subcommittee members believed that charter vessels without licenses would continue to sell fish illegally and that there should be a way for them to legally sell their fish in order to remain in business.*

Alternative 3: Add a trip reporting requirement for charter boats with commercial licenses to notify enforcement when embarking on a commercial fishing trip. *The requirement for a vessel to declare a commercial trip before fishing is intended to prohibit a charter vessel from taking passengers on a trip and then selling the catch from the trip.*

Comments:

St. Croix: One participant noted that recreational fishermen are selling their catch already. The public can decide if they want to legalize it by requesting a change to the moratorium to commercial fishing licenses, or if they want to increase enforcement to make the practice stop. Recreational anglers can undercut the price of commercial sales or barter or trade for their catch. One individual noted that the charter fishery was less represented at the public hearing than other components of the recreational fishery, and more feedback from this sector was necessary to gauge these alternatives. One suggestion that garnered support included developing a special permit program for charter for-hire vessels that would allow them to sell their catch to licensed commercial fishermen but not to restaurants, hotels, or any other party. Other agreed that this strategy would also work for for-hire boats participating in tournaments since the fishermen could sell the fish at a low price to the commercial fishermen who could turn around and sell it for more. On the other hand, there should also be a requirement for markets to buy local fish from licensed commercial fishermen. There was no support for alternative 3.



St. Thomas: Fishermen would like a provision for sale of charter caught fish. One individual felt that there should be no limit to what they can sell since most restaurants prefer to buy the larger fish that recreational boats are catching; however, some commercial fishermen felt that recreational boats could get to the restaurants before they could. A participant suggested a combination of alternatives 2 and 3.

## 5. Penalties

### 5.1 Fishing Without a License

Alternative 1: Status quo. No penalty for fishing without a license

Alternative 2: A penalty of ten times the licensing fee was proposed for individuals or vessels fishing without the required license.

*This rate of ten times the licensing fee was believed to deter individuals from fishing without the required license without imposing economic hardships on individuals.*

#### Comments:

St. Croix: It was noted that while we cannot regulate penalties since they need to come from the judicial system, the public can make recommendations. Everyone at the meeting felt like status quo was no longer acceptable and that there should be a penalty of fishing without a license.

St. Thomas: No opinion was expressed.

### 5.2 Violating Size or Bag Limits

Alternative 1: Status quo. No penalty for violating size or bag limits

Alternative 2: Vessels or individuals with catches exceeding established limits would also be fined with a penalty. *A specific penalty was not proposed by the sub-committee. The subcommittee wanted to receive input from the public before starting to develop a fee program.*

#### Comments:

St. Croix: The public comments stressed that the second offense of a bag or size limit violation should be much steeper than the first since it is possible a fisherman would not know the regulations at the first offense. The public suggested fees of \$50, \$250, and \$500 for the first, second, and third offenses, respectively. One participant also suggested that a fisherman would lose his license for a specified amount of time if they exceed three offenses.

St. Thomas: One individual expressed support for alternative 2.

## 6. Seabird Conservation

To address concerns of seabird entanglement in monofilament line and other fishing gear used in the USVI, the subcommittee recommends outreach and education, including that:

- c. Fisheries managers develop mitigation recommendations through consultation with charter boat captains and other individuals familiar with seabird disentanglement procedures and provide this information to fishermen at the time of licensing.

- d. Brochures designed to educate fishermen about seabird entanglement issues and disentanglement procedures be available in tackle shops and other locations convenient to fishermen.

Comments:

St. Croix: The public was interested in learning what can be done with monofilament, specifically if it can be recycled or what is the proper way to dispose of it. If there is a fine or penalty for improper disposal of monofilament line, then fishermen must be educated on the proper method. While everyone agreed that voluntary mitigation and education is better than management measures, they also said that DFW needs to identify exactly where the problem exists (i.e. ghost fishing, active line, or disposed gear) before the problem can be solved.

Other comments:

At both meetings, some participants expressed disappointment at the turn-out as a result of too short of notice. FAC members encouraged fishermen to pass additional comments to them or to write written comments to DFW for consideration at the next FAC joint meeting.

St. Croix: Interest in closed areas and their effectiveness in the USVI were expressed. Individuals wanted to know if closed areas had been deemed to be effective. Some people were also interested in the use of zone closures like in Canada, or complete closures for a predefined period of time like in the Grand Cayman. In the latter region, an area has been closed to all activities so it is easy to enforce.

St. Thomas: One St. Thomas FAC subcommittee member expressed concern that several recommendations from the St. Croix FAC were included in the public hearing document without consultation with St. Thomas. He felt the St. Thomas FAC should have been informed of this addition more formally. It was agreed that the addition went against the spirit of the effort and that future steps would be taken as a group involving both islands. In addition to the DFW doing outreach, the game fish club could also do outreach to fishermen for free, such as through a public service announcement.

One individual expressed concern about putting too many restrictions on non-resident boats. He expressed that the BVI has taken a negative approach to tourists and confiscates boats that are caught fishing without the appropriate license. The individual felt that the USVI has little to offer tourists recreationally and did not want to discourage tourism. It was explained that the licensing program would be a way to raise fees for resource management and that people who take from the resource should pay for management of it. If the USVI wants low fees for a license, there will be less available for management, and if higher fees are chosen, there will be more fees for management but also more barriers for people to fish.

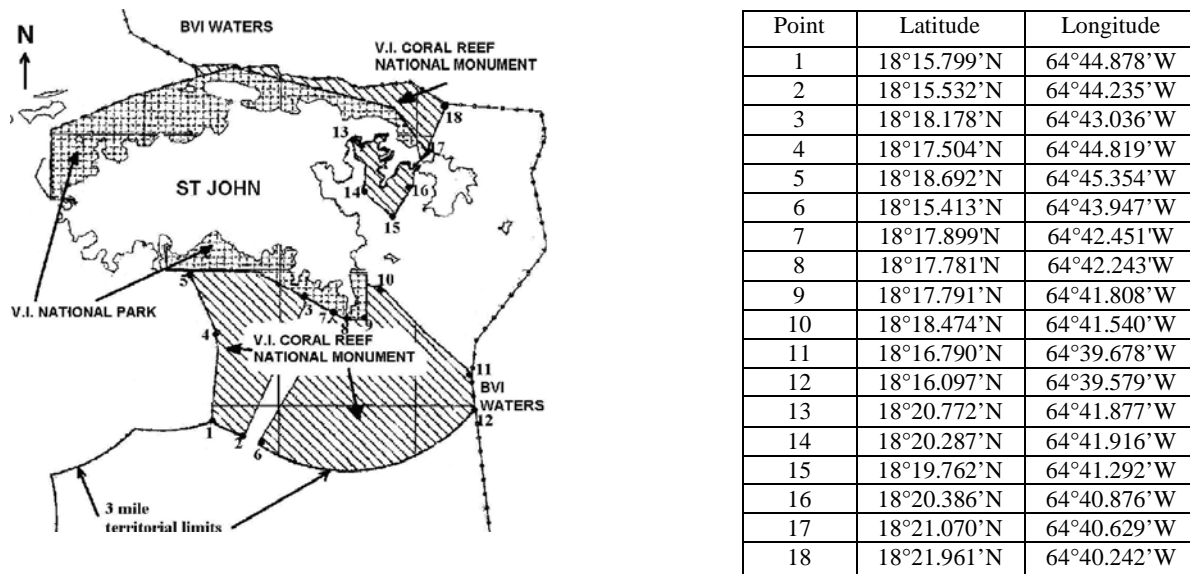
Due to concerns and fees for fishing in BVI waters, the participants expressed interested in having the US negotiate with the BVI for fishermen's rights and a joint conservation area. It was noted that this interest is beyond the extent of the current licensing and regulation work and not an issue that the FAC can address directly, but the participants wanted the issue noted.

One individual suggested developing regulations that are updated every 5 years so that they can be modified if a stock's status changes or if the economy changes.

Appendix 1 General Rules For All Fishers

7. **Boat registration number** (*V.I.C., Title 12, Chapter 9A, § 311 & 312*) - All motorboats must be registered and must display the registration number properly. Annual registration is required on or before July 1st. For commercial fishers, boat registration is at the same time as commercial fishing permit renewal.
8. **Boat safety standards** - All motorboats must meet the safety standards of the Virgin Islands Code and the Federal Boating Safety Act of 1972.
9. **Fishing in BVI/Puerto Rico** -The British Virgin Islands and Puerto Rico each have their own laws and regulations pertaining to fishing. Your U.S. Virgin Islands fishing permit does not permit you to fish in their waters.
10. **V.I. Marine Reserve System** - For information on the rules and regulations of the Virgin Islands Marine Reserve System call the Division of Environmental Enforcement (address on back cover). Also see pages 5-6, and Appendix 1.2. For information on the St. Croix East End Marine Park, contact the Marine Park Coordinator at (340) 773-3367.
11. **Virgin Islands Coral Reef National Monument** – Anchoring is prohibited, and all fishing is prohibited, except bait fishing in Hurricane Hole and fishing for blue runner. Both require a special permit from National Park Service. For up-to-date information and regulations regarding the V.I. Coral Reef National Monument (south and northeast of St. John, see Figure 1), please contact the U.S. National Park Service’s St. John office at (340) 776-6201 x 254. **The rules and regulations for the V.I. Coral Reef National Monument are different from those of the V.I. National Park waters** (see #6, below).

Figure 1. Virgin Islands National Park and the V.I. Coral Reef National Monument

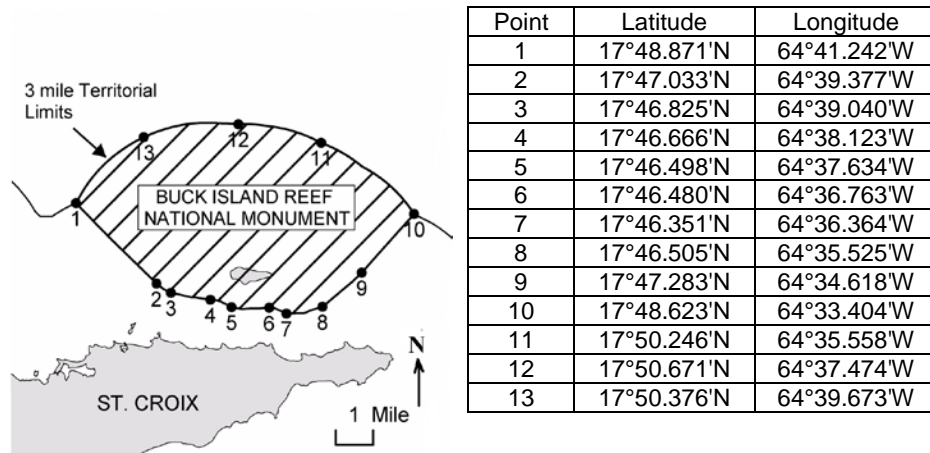


12. **Virgin Islands National Park** – The Virgin Islands National Park on St. John (see Figure 1) has separate and specific regulations on fishing. Fishing using rod and reel, handline, traps, and bait fish nets is permitted. However, there are restrictions on gear

such as trap size and baitfish net size. In addition, there are regulations and limits on the harvest of lobsters, conch, and whelk. The current regulations allow for the harvest of two lobster and/or conch per person per day, and one gallon of whelk in the shell. The use and possession of spearfishing equipment within the park is prohibited. There are three area fishing closures within the V.I. National Park: (1) Red Hook Dock, (2) Cruz Bay Finger Pier and Bulkhead, and (3) all boat exclusion areas. For up-to-date information on fishing regulations within the Virgin Islands National Park, contact the National Park Service on St. John at (340) 776-6201 x 254.

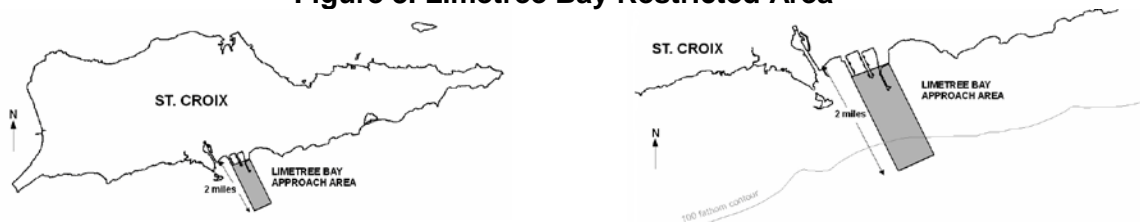
7. **Buck Island Reef National Monument** (36 CFR part 7, 57.73) – All anchoring and fishing are prohibited. For up-to-date information regarding rules and regulations in the Buck Island Reef National Monument, St. Croix (see Figure 2), please contact the U.S. National Park Service’s St. Croix office at (340) 773-1460. Marker buoys located at points 2 thru 9 on Figure 2 below.

Figure 2. Buck Island Reef National Monument [figure re-sized]



8. **Limetree Bay Restricted Area, St. Croix** – No vessels may enter the HOVENSA or Cross channels or pass inside the fringing reef upon entering or leaving Alucroix Channel (see Figure 3). This area includes all waters two miles seaward of the HOVENSA facility waterfront. Anchoring or mooring is not permitted. Boats wishing to transit must first obtain permission from HOVENSA. For up-to-date information on restrictions, please contact the HOVENSA Port Captain at (340) 692-3488 or (340) 692-3494 or on VHF Radio channel 11 and the U.S. Coast Guard at (340) 772-5557.

Figure 3. Limetree Bay Restricted Area



**U.S. VIRGIN ISLANDS TERRITORIAL WATERS  
SUMMARY OF FISHING REGULATIONS**

**TERRITORIAL WATERS EXTEND FROM SHORE TO 3 MILES OFFSHORE**

- 1 **Whelk:** *V.I.C., Title 12, Chapter 9A, §316-6 & 316-7.*  
Size Limit: Minimum size of shell must be greater than 2 7/16 inches in diameter.  
Landing Restriction: Must be landed whole in the shell (see Appendix 1.1).  
  
Closed Season: April 1-September 30.
  
- 2 **Queen Conch:** *V.I.C., Title 12, Chapter 9A, §316-1 & 316-4.*  
Size Limit: Minimum size of 9 inch shell length from the spire to the distal end, or 3/8 inch lip thickness (see Appendix 1.1).  
No harvest of undersized conch.  
Harvest Quota: No possession of conch meats smaller than two per pound uncleaned or three per pound cleaned.  
200 conch per day per **registered commercial fishing vessel**.  
Landing Restriction: 6 conch per day per **recreational (personal use) fisher**; not to exceed 24 per boat per day.  
Total annual landings of conch must not exceed 50,000 lbs on St. Croix & 50,000lbs on St. Thomas/St. John. Thereafter the season will be closed until November 1<sup>st</sup> of that year.  
Must be landed alive and whole in the shell at final landing site.  
No disposal of shell at sea before landing. Taking conch to offshore cays and islands for purpose of removing from shell is prohibited.  
Transport of conch meat out of shell over open water is prohibited.  
No sale of undersized conch shell or meat from undersized conch.  
No sale of imported conch meat unless shipment is accompanied by a CITES export permit and shipment is cleared at the Port of Miami.  
Sale Restriction: (see Conch Imports, page 8 for exceptions and further information).  
Closed Season: June 1 - October 31. Possession of queen conch during the closed season is illegal.
  
- 3 **Caribbean Spiny Lobster:** *V.I.C., Title 12, Chapter 9A, §319.*  
Size Limit: 3 ½ inch carapace length (see Appendix 1.1).  
Landing Restriction: Must be landed whole.  
No harvest of females with eggs.  
Gear Restrictions: No spearfishing, hooks, gigs or use of chemicals.
  
- 4 **Shrimp:** *Commissioner Prescribed Rule, V.I.C., Title 12, Chapter 9A, §303(1).*  
No commercial harvest in Altona Lagoon and Great Pond.  
No sale.  
Recreational permit is required (see page 1).
  
- 5 **Goliath Grouper (jewfish):** *V.I.C., Title 12, Chapter 9A, §316-14.*  
Endangered species. Harvest prohibited, no possession.

- 6 **Nassau Grouper** *V.I.C. Title 12, Chapter 9A, §316-14 (e).*  
The possession of Nassau grouper is prohibited year round in the territory until the CFMC has determined that it has recovered.
- 7 **Billfish:** *V.I.C., Title 12, Chapter 9A.*  
  
Federal regulations for billfish apply in territorial waters. See page 16 for specific regulations.
- 8 **Billfish, Swordfish, Tuna & Shark:** *V.I.C., Title 12, Chapter 9A.*  
Federal regulations and federal permit requirements apply in territorial waters. See page 16 for specific regulations.
- 9 **Tarpon & Bonefish:** *V.I.C., Title 12, Chapter 9A, §316-14.*  
No harvest. Catch and release using hook and line only.
- 10 **Sea Turtles:** *V.I.C., Title 12, Chapter 9A, §318.*  
Endangered species. No harvest, no possession and no harassment of sea turtles or their eggs.
- 11 **Seabirds** *V.I.C. Title 12, Chapter 2.*  
Seabirds are protected under the Endangered and Indigenous Species Act of 1990. To minimize injury to seabirds, do not discard fishing line at sea.
- 12 **Aquarium Collecting:** *V.I.C., Title 12, Chapter 9A, §106c.*  
Permit required from the Department of Planning and Natural Resources, Division of Fish and Wildlife.
- 13 **Traps:** *V.I.C., Title 12, Chapter 9A §304-4, 304-6, & 321.*  
**District of St. Thomas/St. John** All fish traps must have minimum 2 inch square or 2 inch hexagonal as the smallest mesh used. All fish traps must be inspected and tagged by the Division of Environmental Enforcement.
- District of St. Croix** *V.I.C., Title 12, Chapter 9A §304-5,304-6, & 321.*  
All old and new traps placed in Territorial waters must have a minimum of 1 ½ inch hexagonal mesh as the smallest mesh on two sides of the fish traps. All fish traps must be inspected and tagged by the Division of Environmental Enforcement.
- Both Districts:** *V.I.C., Title 12, Chapter 9A §321.*  
**Gear Restrictions:** Each trap must have a minimum of one escape panel fastened by biodegradable material (for example, 1/8 inch untreated jute twine). Colors and license numbers must be displayed on each trap.
- 14 **Nets:** *V.I.C., Title 12, Chapter 9A, §321.*  
**Mesh Restrictions:** Haul seines must have mesh size greater than 1 ½ inch stretch mesh. Seines for catching baitfish must have a mesh size greater

than 1 ¼ inch stretch mesh. Haul seines and bait seines may not be taken up to the shore or removed from the water to withdraw fish.

**Gear Prohibition:**

*V.I.C., Title 12, Chapter 9A, §321-1.*

The use of all gill or trammel nets (single or multiple wall entanglement) are prohibited, with the exception of single-wall surface gillnets for the baitfish ballyhoo, gar and flyingfish. Surface gillnets must be tended at all times, may not be more than 1,800 ft. in length, as measured by the float line, and may not be used within 20 ft from the bottom. Mesh size may not be smaller than ¾ inch square or 1.5 inch stretch. Only one 1,800 ft bait net is permitted per boat. The penalties for gill and trammel net violations are \$1,000 fine and confiscation of vessel and equipment.

**15 Year-Round Closures/Marine Reserves:**

**St. James Reserve  
Permitted Acts:**

No fishing or collecting of any kind is allowed except as noted below.

*V.I.C., Title 12, Chapter 1, §96-3 & 96-4.*

The use of a cast net with a minimum square mesh size of ¼ inch to capture bait fish (“fry”) within 50 feet of the shoreline. Cow and Calf Rocks (in area “C” on Appendix 1.2 map) are off-limits and are not considered as shorelines. Hook and line fishing is allowed with a permit. See Appendix 1.2, area “C” for the boundary map.

**Fishing Permits:**

A special monthly permit obtained from the Division of Environmental Enforcement is required to catch baitfish or hook & line fish in the Reserve. See page 1 for permit details.

**Cas Cay/Mangrove Lagoon Reserve  
Permitted Acts:**

*V.I.C., Title 12, Chapter 1, §96-5.*

The use of a cast net with a minimum square mesh size of ¼ inch to capture bait fish (“fry”) within 50 feet of the north and west shorelines of Cas Cay only. See Appendix 1.2, area “B” and area “A”.

**Fishing Permits:**

A special monthly permit obtained from the Division of Environmental Enforcement is required to catch baitfish in the Reserves (see page 1 for permit details).

**Prohibited Acts:**

In the Inner Mangrove Lagoon (see Appendix 1.2 map, area “A”), no fishing, no traps, and no seines. In short, no take at all. Use of internal combustion engines is prohibited.

**Compass Point Marine Reserve and Wildlife Sanctuary, St. Thomas**

*V.I.C., Title 12, Chapter 1, §96-2.*

Designated September 24, 1992. No fishing, hunting or taking of any plant or animals within the marine reserve and wildlife sanctuary. See Appendix 1.2 map, area “D”.

**Salt River Marine Reserve and Wildlife Sanctuary, St. Croix**

*V.I.C., Title 12, Chapter 1, §96-12.*

Designated July 19, 1995. It is unlawful to (1) collect, take or possess any fish, coral, bird or other wildlife, or part thereof: (2) use

or possess any firearm, bow and arrow, speargun or any trap, net or other contrivance designed to be, or capable of being used to take birds, fish or other wildlife, with the exception of recreational catch and release line fishing with barbless hooks, or to discharge any firearm or release any arrow into the sanctuary. Contact the Division of Environmental Enforcement for complete regulations (address on back cover).

The Small Pond at Frank Bay Wildlife and Marine Sanctuary, St. John

*V.I.C., Title 12, Chapter 1, §96-4.*

Designated on March 24, 2000, signed on April 11, 2001. There are numerous specific prohibitions regarding the sanctuary. Those that relate to fisheries include the following: no hunting, fishing or harvest of fisheries or wildlife resources; the use of a motorized vessel is prohibited within Frank Bay Pond.

16 **Seasonal Area Closure:**  
Mutton Snapper Spawning Area:

*V.I.C., Title 12, Chapter 9A, §316-13.*

No harvest of any species from March 1 through June 30 within the Mutton Snapper Spawning Area (see Appendix 1.5 map). Joint Territorial and Federal closure is between Long Point and the southwest tip of Sandy Point about 2 miles offshore and is 2.5 miles long and 1 mile wide (see Appendix 1.5 map).

17 **Territorial Marine Parks:**  
St. Croix East End Marine Park

*V.I.C., Title 12, Chapter 1, §98.*

Designated on January 9, 2003. Regulations are pending that will designate certain restricted zones within the park boundaries. Contact the Division of Environmental Enforcement for regulations at (340) 773-5774 or the Marine Park Coordinator at (340) 773-1082 x 2204.

18 **Altona Lagoon and Great Pond Shrimp Management**

*Commissioner Prescribed Rule 1992 under V.I.C. Title 12, Chapter 9A §303(1).*

- j. All seine nets, gill nets and traps are prohibited in Altona Lagoon, Great Pond and their respective connecting channels to the sea.
- k. All seine nets, gill nets and traps are prohibited in Christiansted Harbor within 100 yards of the mouth of Altona Lagoon channel. All seine nets, gill nets and traps are prohibited in Great Pond Bay within 100 yards of the mouth of Great Pond channel.
- l. No motorized vessels are allowed in Altona Lagoon, Great Pond and their respective connecting channels to the sea.
- m. A recreational shrimp fishing permit from the Division of Environmental Enforcement is required to harvest shrimp on St. Croix. The annual fee for this license is \$10.00.
- n. Monofilament or nylon cast nets of 3/8 inch square mesh (3/4 inch stretch mesh) may be used to harvest shrimp in Altona Lagoon channel and Great Pond channel. Cast nets of knotless nylon netting are prohibited.
- o. Cast nets of 1 inch square mesh (2 inch stretch mesh) may be used to harvest fish in Altona Lagoon, Great Pond and their respective connecting channels to the sea. Cast nets of knotless nylon netting are prohibited.
- p. The sale of southern pink shrimp is prohibited. Vendors selling shrimp must possess a certificate of origin for the shrimp.



- q. The use of lights to attract shrimp for harvest is prohibited.
- r. Recreational handlining and rod and reel fishing are permitted in Altona Lagoon, Great Pond and their respective connecting channels to the sea.

19 **Seasonal Species**

**Closure:**

Groupers:

*V.I.C., Title 12, Chapter 9A, §316-14(a).*

From February 1 through April 30, each year, no possession of red, black, tiger, yellowfin, or yellowedge grouper.

Snappers:

*V.I.C., Title 12, Chapter 9A, §316-14(b).*

From October 1 through December 31, each year, no possession of vermilion, black, silk, or blackfin snapper.

*V.I.C., Title 12, Chapter 9A, §316-14(c)(d).*

From April 1 through June 30, each year, no possession of lane or mutton snapper.

20 **General Provision:**

Filleting:

*V.I.C., Title 12, Chapter 9A, §316-14(f).*

The filleting of fish in Territorial/Federal waters of the US Caribbean is prohibited and it is required that fish captured or possessed in territorial waters be landed with heads and fins intact.

**WEBSITE REFERENCES**

Virgin Islands Code - <http://www.loc.gov/law/guide/us-vi.html>

Code of Federal Regulations (CFR) – <http://www.gpoaccess.gov/cfr/index.html>

DPNR – Division of Fish and Wildlife – <http://www.vifishandwildlife.com/fish.htm>

Caribbean Fisheries Management Council – <http://www.caribbeanfmc.com/>

National Marine Fisheries Service – <http://www.nmfs.noaa.gov/>

# FEDERAL WATERS AROUND THE U.S. VIRGIN ISLANDS

## SUMMARY OF FISHING REGULATIONS

### FEDERAL WATERS EXTEND FROM 3 TO 200 NAUTICAL MILES OFFSHORE

- 1 **Yellowtail Snapper:** 50 CFR 622.37(a) – Minimum 12 inches total length (Appendix 1.1).
- 2 **Nassau Grouper:** 50 CFR 622.32(b)(ii) - No harvest or possession
- 3 **Goliath Grouper (jewfish):** 50 CFR 622.32(b)(ii) - No harvest or possession.
- 4 **Queen Conch:** 50 CFR 622.32(b)(1)(iv) - No person may fish for, or possess on board a fishing vessel, a Caribbean queen conch in or from the Caribbean EEZ, except during October 1 through June 30 in the area east of 64°34' W. longitude which includes Lang Bank east of St. Croix, U.S. Virgin Islands. 50 CFR 622.37(g) - Minimum size of 9 inch shell length from the spire to the distal end, or 3/8 inch lip thickness (see Appendix 1.1). 50 CFR 622.38(f) - Queen conch in or from the Caribbean EEZ must be maintained with meat and shell intact. 50 CFR 622.39(e)(2) - The recreational bag limit for queen conch is 3 per person or, if more than 4 persons are aboard, 12 per boat. 50 CFR 622.41(f) - No person may harvest queen conch by diving while using a device that provides a continuous air supply from the surface. 50 CFR 622.44(e) - The bag limit for commercial fishers is not more than 150 queen conch per day.
- 5 **Caribbean Spiny Lobster** 50 CFR 622.2 - Caribbean spiny lobster means *Panulirus argus*. 50 CFR 622.37(b) – Minimum size 3.5 inches carapace length. 50 CFR 622.38(b) - A Caribbean spiny lobster must be maintained with head and carapace intact. 50 CFR 622.32(b) (iii) - Egg-bearing spiny lobster in the Caribbean EEZ must be returned to the water unharmed. An egg-bearing spiny lobster may be retained in a trap, provided the trap is returned immediately to the water. An egg-bearing spiny lobster may not be stripped, scraped, shaved, clipped, or in any other manner molested, in order to remove the eggs. 50 CFR 622.31(j) - Spears and hooks. A spear, hook, or similar device may not be used in the Caribbean EEZ to harvest a Caribbean spiny lobster. The possession of a speared, pierced, or punctured Caribbean spiny lobster in or from the Caribbean EEZ is prima facie evidence of violation of this section.
- 6 **Aquarium Trade:** 50 CFR 622.45(b) - A live red hind or live mutton snapper may not be sold or purchased and used in the marine aquarium trade.

- 7 **Corals:** *50 CFR 622.2* - Caribbean prohibited coral means, a gorgonian, Class Anthozoa, Subclass Octocorallia, Order Gorgonacea; a live rock; or a stony coral, Class Hydrozoa (fire corals and hydrocorals) or of the Class Anthozoa, Subclass Hexacorallia, Orders Scleractinia (stony corals) and Antipatharia (black corals); or a part thereof. *50 CFR 622.32(b)(1)(i)* - Caribbean prohibited coral may not be fished for or possessed in or from the Caribbean EEZ. *50 CFR 622.45(a)* - No person may sell or purchase a Caribbean prohibited coral harvested in the Caribbean EEZ. A Caribbean prohibited coral that is sold in the U.S. Virgin Islands will be presumed to have been harvested in the Caribbean EEZ, unless it is accompanied by documentation.
- 8 **Billfish:** *50 CFR 635* - **No commercial harvest; no sale**  
 Minimum Size Long Bill Spearfish – Retention is prohibited.  
 Regulations: Blue Marlin– 99” Lower Jaw Fork Length (see Appendix 1.1);  
 White Marlin – 66” Lower Jaw Fork Length (see Appendix 1.1);  
 Sailfish – 63” Lower Jaw Fork Length (see Appendix 1.1);  
 Swordfish – 47” Lower Jaw Fork Length (see Appendix 1.1 and #9 below).
- 9 **Billfish, Swordfish, Tuna & Shark:** *50 CFR 635* - The NOAA Fisheries, Highly Migratory Species Management Division, regulates billfish, swordfish, tuna, and sharks in all waters of the Caribbean Sea.  
 Permits: **All owners/operators of commercial and recreational vessels harvesting swordfish and certain species of tuna described below and all dealers of these species MUST obtain the required Federal permits:**  
 Recreational: The NOAA Fisheries requires that all vessels involved in the recreational billfish fishery to register and purchase a Highly Migratory Species Permit (HMSP) to participate in billfish fisheries in the Caribbean. The permit also covers tuna (excluding blackfin), sharks, and swordfish. Permit holders are required to report total landings of species covered by HMSP to NOAA Fisheries.  
 Commercial: Commercial fishers must obtain a federal harvest permit to catch and keep yellowfin, bigeye, bluefin, skipjack and albacore tunas.  
 Commercial fishers must obtain a federal dealer’s permit to sell any of the above regulated tuna species. A commercial harvest permit does not allow participation in HMS recreational tournaments.  
 Permit Application:

Permit applications are available at the Division of Fish and Wildlife (address on back cover). For permit information or questions

Size Restrictions:

regarding HMSP regulations, contact: Highly Migratory Species Management Office, NOAA Fisheries, 1 Blackburn Drive,

Bag Limit:

Gloucester, MA 01930-2298, phone: (978) 281-9260 or (888) 872-8862; or Christopher Rogers, Chief, Highly Migratory Species Management Division, Office of Sustainable Fisheries, NOAA-Fisheries, 1315 East-West Highway, Silver Springs, Maryland 20910-3282, phone: (301) 713-2347.

The commercial and recreational minimum legal harvest size for yellowfin and bigeye tuna is 27" fork length (see Appendix 1.1). The recreational minimum for bluefin tuna is 27", however, check NOAA Fisheries for current commercial bluefin limits. Recreational bag limit (possession) is three yellowfin tuna per person per day. No limit for bigeye, albacore, and skipjack tunas. Check NOAA Fisheries for current bluefin limits.

10 **Sea Turtles:**

*50 CFR 17.11* - No harvest, possession, or harassment of sea turtles or their eggs.

11 **Seabirds:**

*50 CFR 10.12* – Seabirds are protected under the Migratory Bird Treaty Act. To minimize injury to seabirds, do not discard fishing line at sea.

12 **Traps:**

Marking:

*50 CFR 622.6(b)(1)(i)(A)* - Trap must display the official number specified for the vessel by the U.S. Virgin Islands. *50 CFR 622.6(b)(1)(ii)(A)* - All individual traps or end of trap lines require a surface buoy that must display the official number and color code.

Unmarked Traps:

*50 CFR 622.6(b)(1)(iv)* - An unmarked trap or a buoy deployed is illegal and may be disposed of by an authorized officer.

Trap Tending:

*50 CFR 622.40(a)(1)* - A trap may be pulled or tended only by a person (other than an authorized officer) aboard the trap owner's vessel.

Fish Traps:

*50 CFR 622.40(c)(1)* - A bare-wire fish trap that has hexagonal mesh openings must have a minimum mesh size of 1.5 inches in the smallest dimension measured between centers of opposite strands. A

bare-wire fish trap that has other than hexagonal mesh openings or a fish trap of other than bare wire, such as coated wire or plastic, must have a minimum mesh size of 2.0 inches in the smallest dimension measured between centers of opposite strands.

*50 CFR 622.40(b)(1)(i)* - A fish trap must have a panel located on one side of the trap, excluding the top, bottom, and side containing the trap entrance. The opening covered by the panel must measure not less than 8 by 8 inches. The mesh size of the panel may not be smaller than the mesh size of the trap. The panel must be attached to the trap with untreated jute twine with a diameter not exceeding 1/8 inch. An access door may serve as the panel, provided it is on an appropriate side, it is hinged only at its bottom, its only other fastening is untreated jute twine with a diameter not exceeding 1/8 inch, and such fastening is at the top of the door so that the door will fall open when such twine degrades. Jute twine used to secure a panel may not be wrapped or overlapped.

Lobster Trap:

*50 CFR 622.40(b)(1)(ii)* - A spiny lobster trap must contain on any vertical side or on the top a panel no smaller in diameter than the throat or entrance of the trap. The panel must be made of or attached by either: untreated fiber of biological origin with a diameter not exceeding 1/8 inch. This includes, but is not limited to tyre palm, hemp, jute, cotton, wool, or silk, or ungalvanized or uncoated iron wire with a diameter not exceeding 1/16 inch that is, 16 gauge wire.

13 **Year-Round**

**Closures:**

Hind Bank Marine Conservation District (MCD), St. Thomas:

*50 CFR 622.33(b)* - The following activities are prohibited within the Hind Bank MCD: fishing for any species and anchoring by fishing vessels. Appendix 1.3 provides coordinates and a map of the boundaries of the MCD.

14 **Seasonal Area**

**Closures:**

Grammanik Bank, St. Thomas:

*50 CFR 622.33(a)* - Fishing with pots, traps, bottom longlines, gillnets or trammel nets is prohibited year-round in the three seasonally closed areas specified below.

*50 CFR 622.33(a)(3)* - From February 1 through April 30, each year, no person may fish for or possess any species of fish, except highly migratory species, in or from the Grammanik Bank closed area. "Highly migratory species" means bluefin, bigeye, yellowfin, albacore, and skipjack tunas; swordfish; sharks, and white marlin, blue marlin, sailfish, and longbill spearfish. Appendix 1.3 provides coordinates and a map of the boundaries of the Grammanik Bank seasonal closure area.

Red Hind Spawning Aggregation Area, St. Croix:

*50 CFR 622.33(a)(2)* - From December 1 through February 28, each year, fishing is prohibited in those parts of the following areas that

are in the EEZ. Appendix 1.4 provides coordinates and a map of the boundaries of the Red Hind Spawning Aggregation seasonal closure area.

Mutton Snapper

Spawning

Aggregation Area, St.

Croix:

*50 CFR 629.21&24* - From March 1 through June 30, each year, fishing is prohibited in that part of the following area that is in the EEZ. Appendix 1.5 provides coordinates and a map of the boundaries of the Mutton Snapper Spawning Aggregation seasonal closure area.

15 **Seasonal Species**

**Closures:**

Groupers:

*50 CFR 622.33(a)(4)* - From February 1 through April 30, each year, no person may fish for or possess red, black, tiger, yellowfin, or yellowedge grouper.

Snappers:

*50 CFR 622.33(a)(6)* – From October 1 through December 31, each year, no person may fish for or possess vermilion, black, silk, or blackfin snapper.

*50 CFR 622.33(a)(7)* – From April 1 through June 30, each year, no person may fish for or possess lane or mutton snapper.

16 **Gear Prohibition:**

Net Fishing:

*50 CFR 622.31(l)* - A gillnet or trammel net may not be used to fish for Caribbean reef fish or Caribbean spiny lobster. Possession of a gill or trammel net and any Caribbean reef fish or Caribbean spiny lobster is prima facie evidence of violation. A gillnet or trammel net used in the Caribbean EEZ to fish for any other species must be tended at all times.

17 **General Provision:**

Filleting:

*50 CFR 622.3(a)* – Finfish must be maintained with head and fins intact. *50 CFR 622.3(c)* - Shark, swordfish, and tuna species are exempt from this requirement. *50 CFR 622.3(c)(1)* - Bait is exempt from the requirement to be maintained with head and fins intact. *50 CFR 622.3(c)(2)* - Legal-sized finfish possessed for consumption at sea on the harvesting vessel are exempt from the requirement to have head and fins intact, provided: (i) such finfish do not exceed any applicable bag limit; (ii) such finfish do not exceed 1.5 lb (680 g) of finfish parts per person aboard; and (iii) the vessel is equipped to cook such finfish on board.

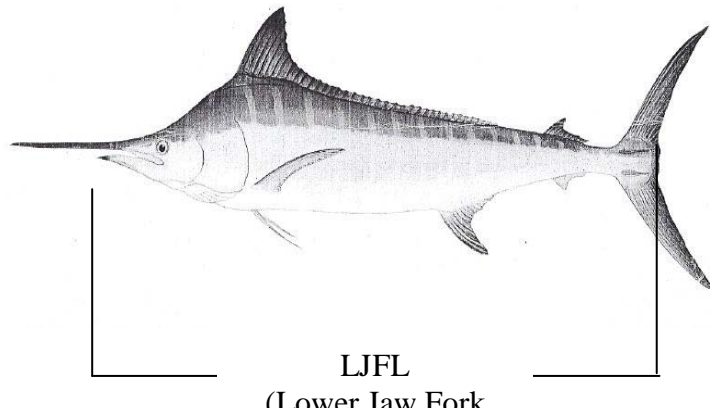
Anchoring:

*50 CFR 622.41(b)* - Any fishing vessel, recreational or commercial, that fishes for or possesses Caribbean reef fish must ensure that the

vessel uses only an anchor retrieval system that recovers the anchor by its crown, thereby preventing the anchor from dragging along the bottom during recovery. For a grapnel hook, this could include an incorporated anchor rode reversal bar that runs parallel along the shank, which allows the rode to reverse and slip back toward the crown. For a fluke- or plow-type anchor, a trip line consisting of a line from the crown of the anchor to a surface buoy would be required.

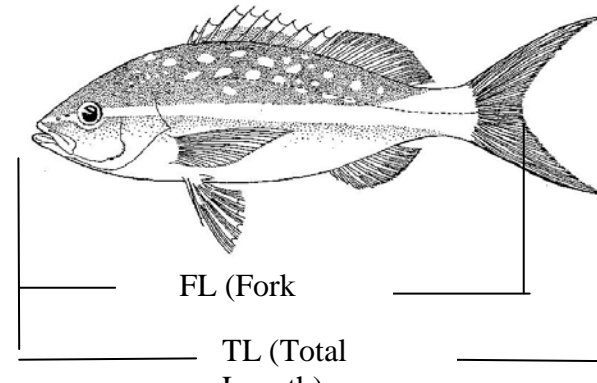
**APPENDIX 1.1 Length Measurements for Billfish, Finfish, Spiny Lobster, Conch and Whelk**  
**Medidas de longitud para Peces de Pico, Finfish, Langostas, Burgaos y Carruchos**

BILLFISH (Peces de Pico, Pez Espada, Marlin, Pez Vela)

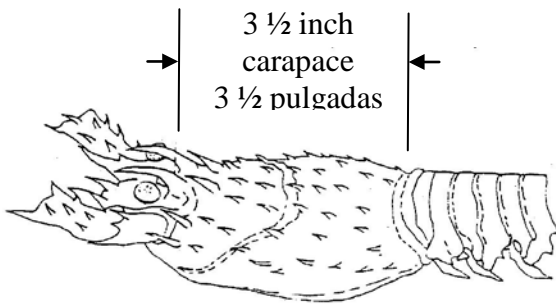


Blue Marlin 99" ; Sailfish 63" ; White Marlin 66" ; Swordfish 47"

FINFISH  
 (Such as Yellowtail Snapper or Tuna)  
 (Como Colirrubias o Atunes)



LOBSTER  
 LANGOSTA

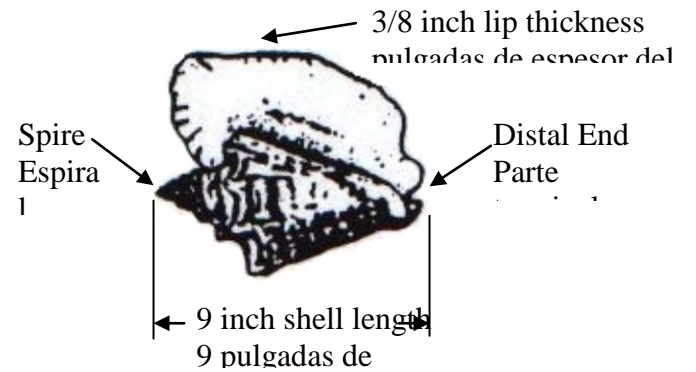


Carapace length is measured along the midline

WHELK  
 BURGAO

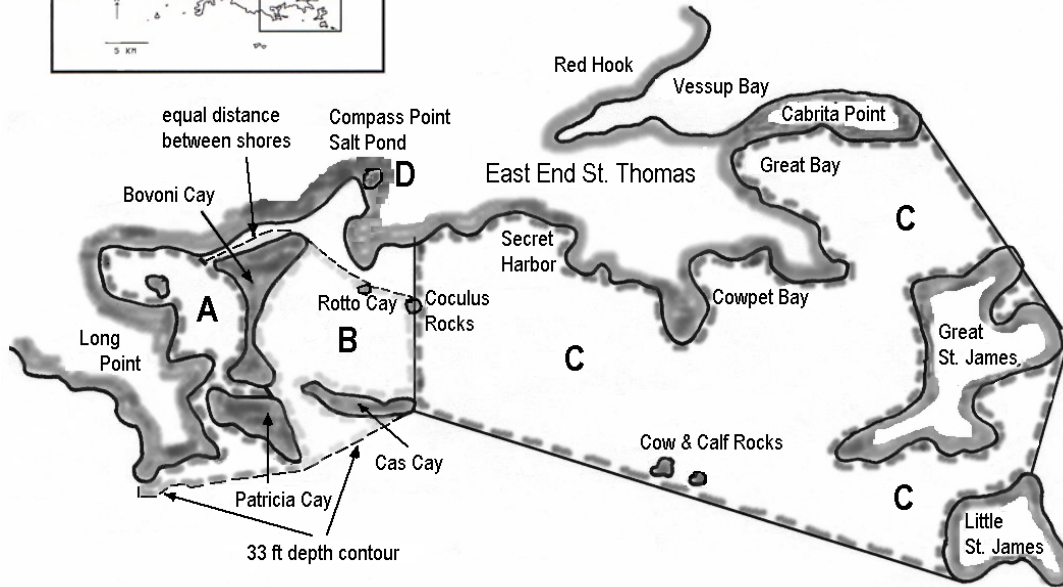
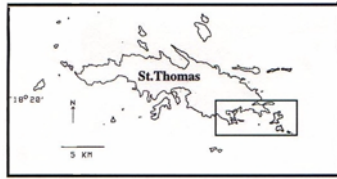


CONCH  
 CARRUCHO





**APPENDIX 1.2 Southeast St. Thomas Marine Reserves and Wildlife Sanctuaries**



**For A, B, C, and D - No take of conch, lobster, and whelk**



These areas have been protected for a variety of reasons, all of which will benefit your use and enjoyment of our marine natural resources. These marine reserves:

4. Contribute to commercial and recreational fishery resources by protecting a portion of the spawning stock from exploitation.
5. Preserve important coral reef, mangrove, and seagrass habitats for larval, juvenile, and adult fish and invertebrates, such as lobster and conch.
6. Provide coastal and marine viewing and recreation areas for the general public, snorkel and SCUBA divers, school groups, and scientists.

For more information on these marine reserves and wildlife sanctuaries, please call the Division of Fish and Wildlife, DPNR, at 775-6762. To obtain permits or to report violations, please call the Division of Environmental Enforcement at 774-3320.

**REGULATIONS**

**A. Inner Mangrove Lagoon:** No fishing or take of any natural resources is allowed. No internal combustion engines are allowed. Electric motors, sails or paddles are acceptable. Engines cause wakes, noise, and pollution.



**B. Cas Cay/Mangrove Lagoon:** No fishing or take of any natural resources is allowed, except that use of a cast net for baitfish within 50 feet of the north and west shorelines of Cas Cay is allowed only with a permit from DPNR Enforcement (774-3320).



**C. St. James** – No fishing or take of any natural resources is allowed, except that baitfishing using a cast net within 50 feet of the shoreline (except for Cow and Calf Rocks) and fishing by hook and line is allowed only with a permit from DPNR Enforcement (774-3320).

**D. Compass Point Salt Pond** – No fishing, hunting, or take of any natural resources is allowed within this marine reserve and wildlife sanctuary.



**APPENDIX 1.3**

**HIND BANK MARINE CONSERVATION DISTRICT, ST. THOMAS**

The Hind Bank Marine Conservation District (MCD) is **closed year round**. Fishing is prohibited in the 14 square mile area south of western St. Thomas. The following points define the corners of the closed area:

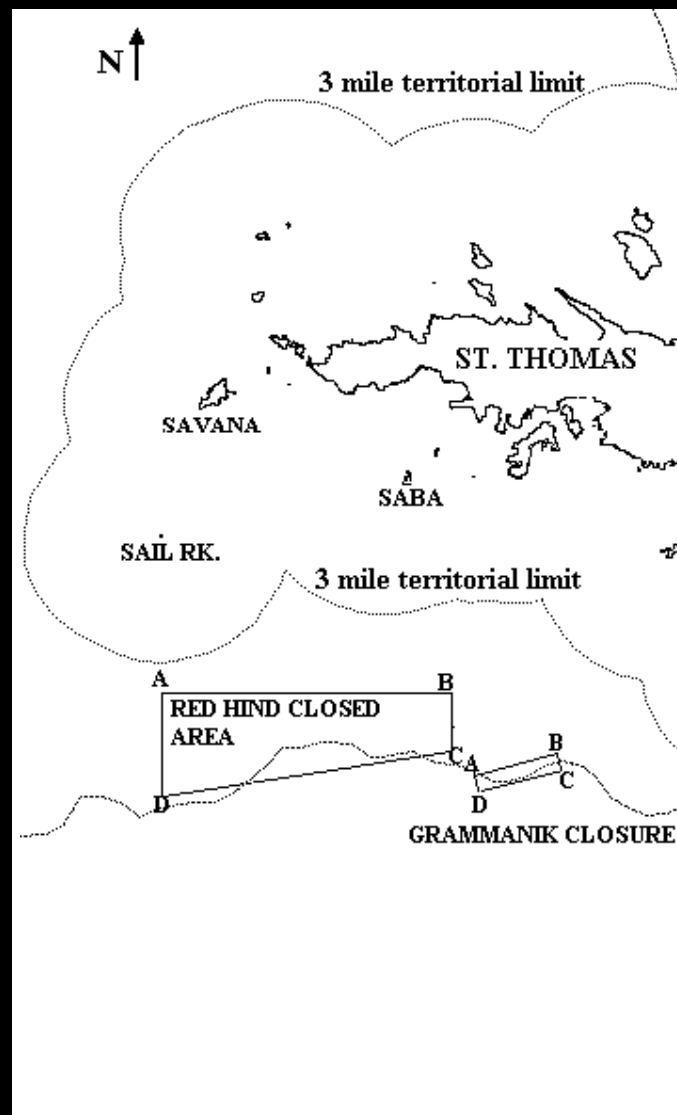
- A – 18<sup>0</sup> 13.2’N, 65<sup>0</sup> 06.0’W
- B – 18<sup>0</sup> 13.2’N, 64<sup>0</sup> 59.0’W
- C – 18<sup>0</sup> 11.8’N, 64<sup>0</sup> 59.0’W
- D – 18<sup>0</sup> 10.7’N, 65<sup>0</sup> 06.0’W

**GRAMMANIK BANK SEASONAL CLOSURE, ST. THOMAS**

February 1 to April 30

**The Grammanik Bank Seasonal Closure is from February 1 to April 30. The following points define the corners of the closed area:**

- A – 18<sup>0</sup> 11.898’N, 64<sup>0</sup> 56.328’W
- B – 18<sup>0</sup> 11.645’N, 64<sup>0</sup> 56.225’W



**CIERRE DEL AREA DE MERO PINTO EN EL DISTRITO DE CONSERVACION MARINA EN ST. THOMAS, ISLAS VIRGENES AMERICANAS**

El area de desove para el mero pinto (cabrilla) esta **cerrada todo el año**. Pescar esta prohibido en el area de 14 millas cuadradas al sur-oeste de la isla de San Thomas. Las coordenadas siguientes definen los limites del area cenada:

- A – 18<sup>0</sup> 13.2’N, 65<sup>0</sup> 06.0’W
- B – 18<sup>0</sup> 13.2’N, 64<sup>0</sup> 59.0’W
- C – 18<sup>0</sup> 11.8’N, 64<sup>0</sup> 59.0’W
- D – 18<sup>0</sup> 10.7’N, 65<sup>0</sup> 06.0’W

**CIERRE DEL BANCO GRAMMANIK, ST. THOMAS**

Del 1 de Febrero al 30 de Abril

El cierre de temporada en el “Grammanik Bank” en St. Tomas, va desde el 1 de Febrero hasta el 30 de Abril. Las coordenadas siguientes designan el area de cierre:

- A – 18<sup>0</sup> 11.898’N, 64<sup>0</sup> 56.328’W
- B – 18<sup>0</sup> 11.645’N, 64<sup>0</sup> 56.225’W

**C – 18<sup>0</sup> 11.058’N, 64<sup>0</sup> 57.810’W**

**D – 18<sup>0</sup> 11.311’N, 64<sup>0</sup> 57.913’W**

*Fishing with pots, traps, bottom  
longlines, gillnets or trammel nets is  
prohibited year-round here.*

**C – 18<sup>0</sup> 11.058’N, 64<sup>0</sup> 57.810’W**

**D – 18<sup>0</sup> 11.311’N, 64<sup>0</sup> 57.913’W**

Pescar con nasa, palangres de fondo,  
trasmallos mallorquines y de ahorque  
esta prohibido durante todo el año.

## APPENDIX 1.4

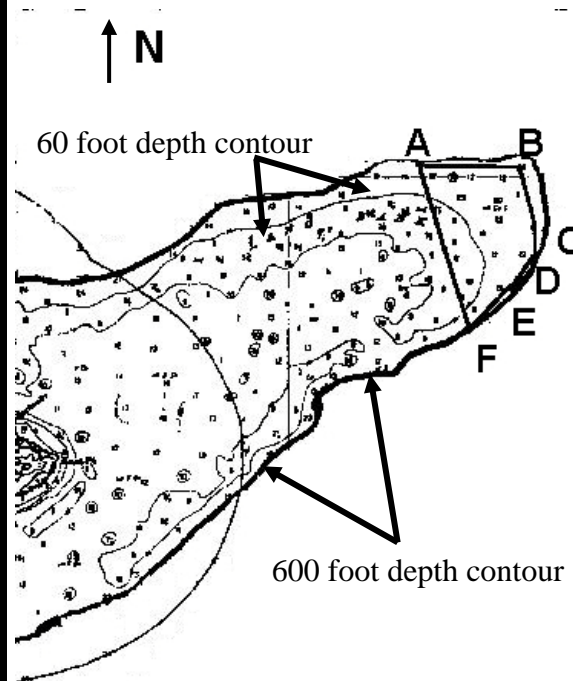
### RED HIND SPAWNING AGGREGATION SEASONAL CLOSURE, ST. CROIX

December 1 to February 28

The Red Hind Spawning Aggregation seasonal closure is from December 1 to February 28. Fishing is prohibited. The following points define the corners of the closed area:

- A – 17° 50.2'N, 64° 27.9'W
- B – 17° 50.1'N, 64° 26.1'W
- C – 17° 49.2'N, 64° 25.8'W
- D – 17° 48.6'N, 64° 25.8'W
- E – 17° 48.1'N, 64° 26.1'W
- F – 17° 47.5'N, 64° 26.9'W

*Fishing with pots, traps, bottom longlines, gillnets or trammel nets is prohibited year-round here.*



### CIERRE DE MERO PINTO (CABRILLA) SANTA CRUZ, ISLAS VIRGENES, AMERICANAS

El area de desove del mero cabrilla estara cerrada desde el 1 de Diciembre hasta el 28 de Febrero. Los siguientes puntos definen los limites del area cerrada:

- A – 17° 50.2'N, 64° 27.9'W
- B – 17° 50.1'N, 64° 26.1'W
- C – 17° 49.2'N, 64° 25.8'W
- D – 17° 48.6'N, 65° 25.8'W
- E – 17° 48.1'N, 64° 26.1'W
- F – 17° 47.5'N, 64° 26.9'W

Pescar con nasa, palangres de fondo, trasmallos mallorquines y de ahorque esta prohibido durante todo el año.

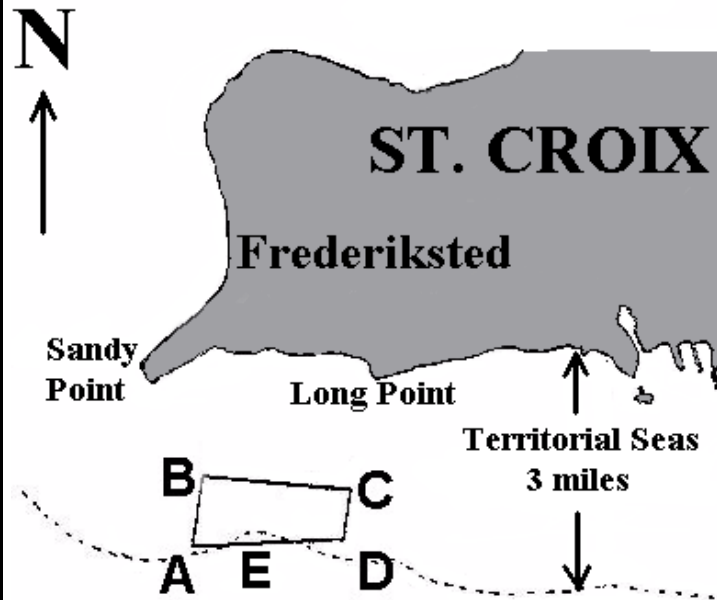
**APPENDIX 1.5**

**MUTTON SNAPPER SPAWNING  
AGGREGATION SEASONAL  
CLOSURE, ST. CROIX  
March 1 to June 30**

The Mutton Snapper Spawning Aggregation seasonal closure is from March 1 to June 30. The area is partly in territorial waters and partly in federal waters. The area closure is 2.5 miles in length, about 1 mile in width, and starts 2.0 miles from shore (see map). The area is defined by the following points:

- A - 17° 37.8'N, 64° 53.0'W
- B - 17° 39.0'N, 64° 53.0'W
- C - 17° 39.0'N, 64° 50.5'W
- D - 17° 38.1'N, 64° 50.5'W
- E - 17° 37.8'N, 64° 52.5'W

*Fishing with pots, traps, bottom longlines, gillnets or trammel nets is prohibited year-round here.*



**CIERRE DE AREA DE  
DESOVE DE LA SAMA EN  
SANTA CRUZ, ISLAS  
VIRGENES, AMERICANAS  
MARZO 1 – JUNIO 30**

El área de cierre comienza Marzo 1 y termina Junio 30 de cada año. El área cerrada es de 2.5 millas a lo largo, 1 milla de ancho empezando a 2.0 millas de distancia de la costa (ver mapa). El área de cierre es la que se encuentra dentro de las siguientes coordenadas:

- A - 17° 37.8'N, 64° 53.0'W
- B - 17° 39.0'N, 64° 53.0'W
- C - 17° 39.0'N, 64° 50.5'W
- D - 17° 38.1'N, 64° 50.5'W
- E - 17° 37.8'N, 64° 52.5'W

Pescar con nasa, palangres de fondo, trasmallos mallorquines y de ahorque esta prohibido durante todo el año.

**APPENDIX 1.6**

**FISH AGGREGATING DEVICES (FADS)**

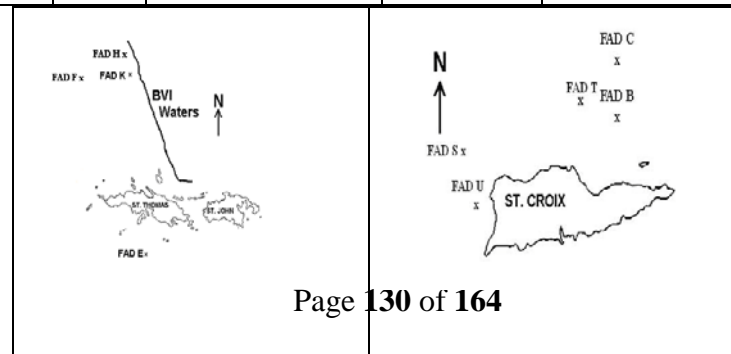
The Division of Fish and Wildlife has deployed fish aggregating devices (FADs). The surface FADs consist of a 58” diameter steel sphere surface buoy with a radar reflector and strobe light. Submerged FADs consist of 1 or 2 metal canisters at least 50 ft below the surface.

**Please record your catch near each buoy in your catch reports.**

Tying off to FADs is prohibited.

**PLEASE REPORT LOST OR DAMAGED FADs IMMEDIATELY TO THE DIVISION OF FISH AND WILDLIFE – WE MIGHT BE ABLE TO FIND IT AND RE-USE IT.**

<u>Island</u> <u>Isla</u>	<u>FAD</u> <u>Boya</u>	<u>Geographic Coordinates</u> <u>Coordenadas Geográficas</u>	<u>Depth (ft)</u> <u>Profundidad</u>	<u>Location from Land</u> <u>localización</u>
St. Croix	S	17° 49.96' N; 65° 01.2' W	1,980	Surface buoy, 6.5 nm NW of Butler Bay
St. Croix	C	17° 58.87' N; 64° 30.26' W	5,400	Surface buoy, 17 nm NE of C’sted harbor
St. Croix	B	17° 51.72' N; 64° 30.873' W	3,400	Surface buoy, 7 nm NE of East Point
St. Croix	U	17° 44.0' N; 64° 54.6' W	2,000	Submerged buoy, 2 nm W of Sprat Hole* U.S. Navy underwater
St. Thomas	E	18° 11.05' N; 64° 55.87' W	1,465	Submerged buoys; 10 nm S. of Charlotte Amalie Harbour
St. Thomas	F	18° 35.4' N; 65° 03.4' W	1,360	Surface buoy; 9.8 nm north of Cricket Rock
St. Thomas	K	18° 36.4' N; 64° 58.4' W	235	Submerged buoy; 13 nm north of Little Hans Lollick
St. Thomas	L	18 09.26' N; 64 50.167' W	2501	Surface buoy; 12nm SE of Charlotte Amalie
St. Thomas	H	18° 38.3' N; 65° 58.8' W	1,610	Surface buoy; 14.5 nm north of Outer Brass Island



**ARTEFACTO ATRACTOR DE PECES (FADS)**

El Departamento de Planificación y Recursos Naturales, División de Pesca y Vida Salvaje ha colocado artefactos atractores de peces, (FADs). Los atractores son boyas de 58” pulgadas de diámetro esfericas metalicas con reflectores de radar y señalización luminosa.

**Por favor registre sus capturas cerca de los FADs en su reporte pesquero mensual.**

**Atar la embarcación a un FAD es ilegal.**

**POR FAVOR EN EL CASO DE OBSERVAR UN FAD A LA DERIVA O AVERIADO COMUNIQUESE INMEDIATAMENTE CON LA DIVISION DE FISH & WILDLIFE (QUIZAS PODAMOS RECUPERARLO Y REUTILIZARLO).**

**Appendix 1.7**

<b>ARTIFICIAL REEFS</b>	<b><u>Island</u></b>	<b><u>Articial Reef No.</u></b>	<b><u>Geographic Coordinates*</u></b>	<b><u>Depth (ft)</u></b>	<b><u>Location from Land</u></b>	<b>ARRECIFES ARTIFICIALES</b>
<p>The Division of Fish and Wildlife has various artificial reef sites permitted.</p>	St. Thomas	B	18 <sup>0</sup> 17.4' N 64 <sup>0</sup> 59.0' W	85- 100	1 nm SE of Saba Island	<p>La División de Pesca y Vida Silvestre del Departamento de Planificación y Recursos Naturales, ha implantado varios arrecifes artificiales alrededor de las Islas Vírgenes Americanas.</p>
	St. Croix	D	17 <sup>0</sup> 45.1'N 64 <sup>0</sup> 53.8'W	45- 120	Butler Bay	
<p>*note: The geographic coordinates identify the center point of the artificial reef site. Each site is approximately 1 square nautical mile (<math>\pm</math> 1/2 mile from the center point listed above).</p>						



	Geographic Coordinates		Description of Materials
1	18° 17.811'N	64° 59.501'W	Steel barge
2	18° 17.772'N	64° 59.460'W	Steel debris
3	18° 17.767'N	64° 59.433'W	Cargo ship
4	18° 17.501'N	64° 59.139'W	Steel ferry
5	18° 17.051'N	64° 58.981'W	Steel freighter
6	18° 17.393'N	64° 58.665'W	Bow section of fiberglass boat
7	18° 17.481'N	64° 58.667'W	Steel I-beams
8	18° 17.421'N	64° 58.695'W	Steel I-beams
9	18° 17.566'N	64° 58.658'W	Concrete dock slabs
10	18° 17.014'N	64° 58.593'W	Steel barge
11	18° 17.410'N	64° 58.408'W	Steel barge
12	18° 17.456'N	64° 59.618'W	Steel barge
13	18° 17.995'N	64° 58.752'W	Sailboat
14	18° 17.945'N	64° 58.708'W	Steel debris and scrap metal

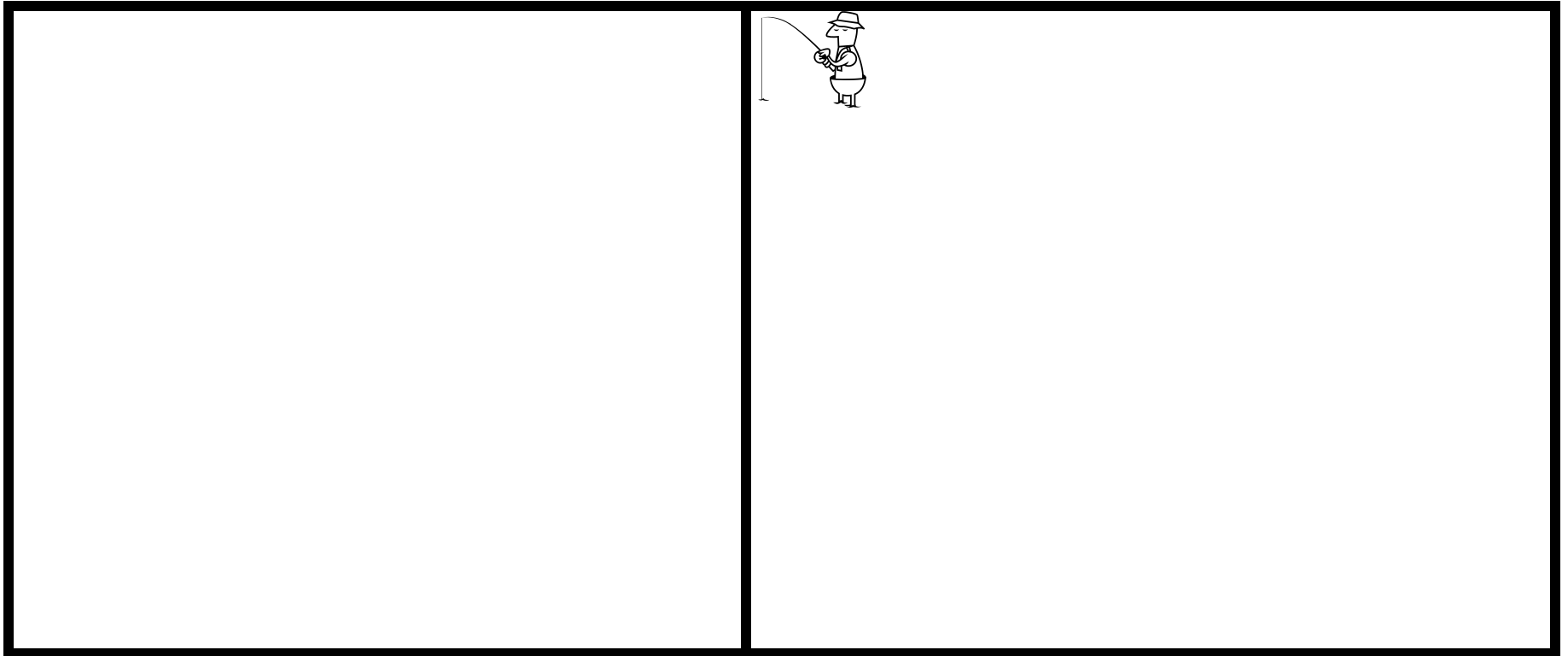
Specific Items at the St. Thomas Artificial Reef



Specific Items at the St. Croix Artificial Reef

	Geographic Coordinates		Description of Materials
1	17° 44.963'N	64° 53.815'W	Tires; Autos
2	17° 45.043'N	64° 53.716'W	Steel Tugboat, <i>North Wind</i>
3	17° 45.138'N	64° 53.713'W	Steel freighter; <i>Suffolk Maid</i>
4	17° 45.066'N	64° 53.073'W	Steel cylinders
5	17° 45.131'N	64° 53.731'W	Steel cargo vessel; <i>Rosa Maria</i>
6	17° 45.061'N	64° 53.755'W	Fuel barge; <i>Virgin Islander</i>
7	17° 44.899'N	64° 53.788'W	Pier debris
8	17° 45.181'N	64° 53.727'W	Steel Tugboat; <i>Coakley Bay</i>





Appendix 2. Example License Programs from Other Regions

**Florida**

In Florida state waters, all persons engaged in saltwater sport fishing must possess a license, which is non-transferable. License holders must agree to provide statistics on fishing activity, and pay appropriate fees. To qualify as a resident, an individual must have resided in Florida for six continuous months prior to applying for a resident license and must claim Florida as their primary residence. A resident license is also valid for any member of the U.S. Armed Forces who is stationed in this state. Exemptions to the residency requirements exist under certain circumstances including but not limited to if an individual is under 16 years of age or older than 65 years of age, if an individual is fishing from a for-hire vessel, or if an individual fishes from a non-for-hire vessel with a recreational vessel fishing license. Exempt residents are encouraged to still buy a license to contribute to wildlife conservation. The money collected from saltwater fishing licenses is used to improve and restore fish habitat and for marine fisheries research, law enforcement, and public education on marine resources.

Recreational saltwater licenses for residents are either annual (\$17) or for 5-years (\$79). Lifetime and hunting/fresh-water combination licenses are also available. Non-residents can purchase recreational saltwater licenses for 3-day (\$17), 7-day (\$30), or annual (\$47). Non-for-hire vessels may obtain a recreational vessel fishing license for \$2001.50. For-hire vessel fees are: four or fewer customers = \$201.50; five to ten customers = \$401.50; and eleven or more customers = \$801.50.

**British Virgin Islands**

In BVI waters, fishing vessels must register and display the registration number on the vessel. Owners or operators of registered vessels may obtain a local fishing vessel license for those who meet residency requirements and foreign vessel license for those who do not. The BVI does not provide for license for individual fishers. Fishing licenses are designated as commercial (catch fish for sale); sport (for hire; catch and release and personal consumption up to 30 pounds per vessel); and pleasure (personal consumption up to 30 pounds per vessel). The BVI registers vessels as local and foreign and for the following lengths: Class A, subclass 1 = 8-16 ft; Class A, subclass 2 = greater than 16 feet to 25 ft; Class B, subclass 1 = greater than 25 ft to 45 ft; and Class B, subclass 2 = greater than 45 ft. The following fees apply:

<b>Category</b>	<b>Class A-1</b>	<b>Class A-2</b>	<b>Class B-1</b>	<b>Class B-2</b>
Certificate of Registration	\$20	\$25	\$60	\$110
Local pleasure license				
Application	\$10	\$10	\$10	\$10
License	\$45	\$50	\$85	\$135
Foreign pleasure – locally based				
Application	\$10	\$10	\$10	\$10
License	\$65	\$70	\$105	\$155
Foreign pleasure – not locally based				
Application	\$10	\$10	\$10	\$10
License	\$100	\$150	\$200	\$300
Local sport (for hire) license				
Application	\$10	\$10	\$10	\$10
License	\$100	\$150	\$200	\$250

<b>Category</b>	<b>Class A-1</b>	<b>Class A-2</b>	<b>Class B-1</b>	<b>Class B-2</b>
Foreign sport – locally based				
Application	\$10	\$10	\$10	\$10
License	\$500	\$560	\$575	\$610
Foreign sport – not locally based				
Application	\$10	\$10	\$10	\$10
License	\$500	\$1000	\$2000	\$2500

## **Puerto Rico**

Puerto Rico requires a license for all persons aged 13 or older fishing for recreational purposes, and includes freshwater and salt water licenses. Individuals younger than 14 or more than 60 may obtain licenses at no cost. The following fees apply:

<b>Type of License</b>	<b>Cost</b>		
	<b>1-year</b>	<b>7 day</b>	<b>1 day</b>
Resident aged 13-14	\$0.00	\$0.00	\$0.00
Resident aged 15-21	\$5.00	\$5.00	\$3.00
Resident aged 22-60	\$20.00	\$5.00	\$3.00
Residents more than 60 years old	\$0.00	\$0.00	\$0.00
Non-resident US citizen	\$35.00	\$7.00	\$5.00
Visitor, foreign citizen	\$50.00	\$10.00	\$7.00

Clients of rental boats (charter boats and headboats) do not require a license when fishing with the owner of said vessel.

Puerto Rico requires permits for the species below, with fees as indicated:

<b>Category</b>	<b>1-year</b>	<b>7 day</b>	<b>1 day</b>
Common lobster	\$25.00	\$15.00	\$10.00
Conch	\$25.00	\$15.00	\$10.00
Common land crab	\$25.00	\$15.00	\$10.00
Billfish	\$25.00	\$15.00	\$10.00
Freshwater shrimp	\$10.00	\$7.00	\$5.00
Sirajo goby	\$10.00	\$7.00	\$5.00

Owners of rental boats (charter boats and headboats) must obtain permits for all clients.

## Appendix 3. Example Fishing Regulations from Other Regions

### Florida

The following fishing regulations provide an example from Florida state waters in the Atlantic Ocean unless otherwise noted.

#### a. Bag Limits:

**Silk, Queen, Yellowtail, and Lane Snappers:** Snapper aggregate bag limit of 10 per harvester per day

**Parrotfish:** 20 organisms per person per day; only 5 of any one species allowed within the 20 organisms bag limit

**Hogfish:** 5 per harvester per day in Atlantic; 4 per harvester per day in Gulf of Mexico

**Red Hind:** Included in Atlantic grouper aggregate bag limit of 5 per harvester per day; 4 per harvester per day in Gulf of Mexico

#### b. Size Limits:

**Silk, Queen, and Yellowtail Snappers:** 12 inches

**Parrotfish:** 12 inches

**Lane Snapper:** 8 inches

**Hogfish:** 12 inches

#### c. Stamps/Fees:

Fishing for snook, tarpon, and lobster requires an additional permit (\$2 for one year, \$10 for five years for snook and lobster; \$51 for tarpon).

#### d. Legal gear

##### Hook and line

##### Nets

Bully nets (for lobster only) no greater than 3 feet in diameter.

Frame nets and push nets (for shrimp only) no greater than 16 feet in perimeter. Hand held landing or dip nets no greater than 96 inches in perimeter.

Cast nets measuring 14 feet or less stretched length

##### Spears

Many species prohibited from take by spears

Many closed areas

#### BVI

Fishing regulations restrict sport and pleasure fishing to hook and line or rod and reel, with no more than 6 rods or reels; prohibits traps and nets except for cast and landing nets; prohibits fishing for snappers and other bottom-dwelling fish and fishing for lobsters with hooks; and requires catch and release for blue and white marlin, sailfish, and swordfish.

## **Puerto Rico**

Bag limits and size limits are specified as follows:

- Conch: three per person or 12 per boat, whichever is less
- Dolphinfish, wahoo, or king mackerel: five of each species per day per fisher or 10 animals per day per boat, whichever is less; DNER may authorize a larger bag limit for tournaments upon application to and approval by the Director-General
- Mountain mullet or sleepers: five per fisher per day

Recreational fishers may not sell, exchange, or barter products of recreational fishing; may not use spear guns and SCUBA at the same time; may not use nets except for hand nets and freshwater shrimp nets of two feet or less diameter; and may not use gear other than hook and line or rod and reel except for conch, lobster, and crab, and spear guns while snorkeling.

## Appendix 4. Example Penalties from Other Regions

### **BVI**

Fines up to \$1000 after conviction.

### **Puerto Rico**

1. First offense – fines will be not less than one hundred (\$100) dollars nor greater than one thousand (\$1,000) dollars.
2. Second offense – fines will be no less than two hundred (\$200) dollars nor greater than two thousand (\$2,000) dollars.
3. Third offense and subsequent – fines will be no less than one thousand (\$1,000) dollars and no greater than five thousand (\$5,000) dollars



**GOVERNMENT OF THE VIRGIN ISLANDS OF THE UNITED STATES**

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**DEPARTMENT OF PLANNING AND NATURAL RESOURCES**

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Tuesday, July 06, 2010

**FOR IMMEDIATE RELEASE**

**RECREATIONAL FISHING REGULATIONS PUBLIC MEETING**

Commissioner Robert S. Mathes of the Department of Planning and Natural Resources (DPNR) announces that the Division of Fish and Wildlife will be holding a second round of public meetings to develop recreational fishing regulations for the Territory.

The meetings will be conducted on St. Croix on Monday, July 19, 2010 at the University of the Virgin Islands, West Wing Great Hall, from 7:00 to 10:00 pm. and on St. Thomas on Tuesday, July 20, 2010 at the VI Gamefish Club in Red Hook from 7:00 to 10:00 pm.

Draft documents are available at the Florence Williams Public Library, Poolworks, and United Sporting Goods in St. Croix, the Enid Baa Public Library and Neptune Fishing Supply in St. Thomas, and at the Divisions of Fish and Wildlife and Environmental Enforcement offices on both islands.

The recreational fishing community is encouraged to attend and provide recommendations. The recreational fishery regulation development is being conducted with funds received from the National Oceanic and Atmospheric Administration, Coral Reef Initiative Program, and Caribbean Fishery Management Council. For more information, please contact the Division of Fish and Wildlife – 772-1955 (STX)/775-6762 (STT).

**ATTENDANCE SHEET**

**Recreational Fishing License/Regulations Public Meeting #2 - July 19, 2010**

Name	Phone Number	E-Mail
Jed Brown - DFW	340 773-1082 x2263	Jed.Brown@dpr.gov.vi
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LARRY WILLARD	340 692 1111	
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Nicki MP-8	344-9944	<del>XXXXXXXXXX</del>
Ruberto Rivera	772-5691	
Carlos Farchette	340 244 8061	CarlosFarchette@gmail.com
EDWARD Schuster	340 513-3365	secta@maic.org



Report of Public Hearing  
St. Croix, July 19, 2010

**License program**

After the introduction to the proposed license program, meeting participants brought up a number of issues of concern to them. The meeting discussed these issues before moving to the alternatives. Participants wanted to know who would enforce a license program if established by DPNR or by NOAA. As DPNR enforcement officers are cross deputized by NOAA, they could enforce either a DPNR or NOAA license program. Because of the cultural access to fishing without licenses and with little restriction, extensive education and outreach would be necessary before the program goes into effect. After implementation of a program, a phase in of penalties was recommended to help transition from no regulations to the license program. Several participants were concerned about the use of the license fees, and wanted the funds to go toward enforcement and management, and not to general purpose use. They recommended transparency in the expenditures of the funds, perhaps on the DPNR website. After these discussions, the participants nearly all agreed to recommend a DPNR license program.

Resident licenses Participants agreed to require the purchase of licenses to residents aged 16 to 62. Younger and older would be issued licenses without fee.

Non-resident licenses Participants agreed to recommend Option 2, requiring non-residents aged 16 to 62 to purchase licenses. Younger and older would be issued licenses without fee.

Resident fees The participants all agreed to recommend Option 1, but with a lower fee of \$10. They felt that a higher fee would lead to fishermen not buying a license but continuing to fish. The lower fee would more likely result in compliance. They strongly rejected Option 2, with a license for shore fishermen and a license for vessels. They felt that all individuals should have a license.

Participants stated that the fees proposed are arbitrary, and not related to the expected revenues relative to the cost of administering a license program. They were concerned that fees could go up substantially if the costs end up more than the revenue. They recommended that the FAC initiate an analysis to estimate a range of revenues and a range of costs.

The license program is not primarily oriented to income, but rather to help identify the universe of recreational fishermen and to lead to improved data collection for the recreational fishery. The participants supported using revenue from license sales for management of the fishery resources, but recommended keeping the license costs low.

Non-resident fees Participants recommended a simple and accessible program that would not lead to non-residents foregoing a license. They recommended something on the order of a one week license at \$20 and an annual license at \$30. They felt that these fees were reasonable and would not drive off non-resident fishermen. They rejected option 2, similar to the resident fees.

For-hire charter fees Participants had a different opinion on the options for charter fees. The majority felt that Option 1 would make the charter fishery simpler, by having the boat fishing license cover all fishermen on board. The vessel operator would not have any responsibility for assuring that clients had licenses, and would not require handling payments on-board and remitting the payments to DPNR. Clients may have a hard time purchasing a license if they arrive the day before the charter.

A strong minority felt that all fishermen should have a license. Also, as the charter operator would pass on the vessel license fee on the customer, the incremental cost for a single client would be very small compared to the rate paid by residents and non-residents who buy a license. A charter operator who took 500 customers and paid a \$500 fee would essentially charge each client \$1, compared to the \$10, \$20, or \$30 paid by individuals.

## **Regulations**

Reef fish – parrotfish retention Participants all agreed that the midnight, rainbow, and blue parrotfish should have protection through a moratorium on harvest. However, they recommended that DFW initiate a scientific study of abundance and conduct a review after a period of time to determine if the abundance of these species had increased. They wanted the moratorium lifted when harvest could occur, with catch limits if appropriate.

Reef fish – bag limits Participants all agreed that an aggregate bag limit for reef fish was a good idea. However, they split in the size of the bag limit. One group supported the recommendation for the smaller of 10 fish per person or 30 fish per boat, because this provided sufficient fish for personal consumption. Others felt that the bag limit should be higher because reef fish are often small and 30 fish may not feed a larger group; they recommended an aggregate bag limit of 20 per person or 60 per boat. Participants recognized that yellowtail snapper is the main species subject to high catch, and some who supported the lower bag limit recommended consideration of a higher bag limit for yellowtail snapper but a 10/30 bag limit for other reef fish species.

Yellowtail size limit The participants had a difference of opinions on the two options for a size limit. One group supported status quo, no size limit, because many children often catch and keep yellowtail smaller than 12 inches. The other group supported the 12 inch limit to make the regulation consistent with Federal regulations, which would make enforcement easier. This group pointed out that many children fishing with groups such as fishing clubs will release fish. Several people spoke in favor of a slot limit, with prohibition on retention below and above the minimum and maximum retention sizes, to protect the larger spawning fish. Several people recommended matching the minimum size to the average size at first spawning.

Pelagic species – regulations in Territorial waters The group had general agreement that pelagic species regulations should be the same in Federal and Territorial waters. One person spoke against more Federal regulations. As HMS species (tuna, swordfish, billfish, and sharks) regulations already apply in Territorial waters, this provision would apply to regulations developed through the Caribbean Fishery Management Council. The group had a serious concern that species illegal for retention in the USVI, such as marlin, can be legally imported and sold in the USVI from countries where the species are legal. They requested an evaluation of US and

USVI law to determine if there is a way to prohibit import of species illegal to retain in USVI waters.

Pelagic species – bag limit A split similar to the reef fish bag limit occurred within the group, with everyone supporting a bag limit but a disagreement on the size. One portion felt that the potential for sale and the substantial quantity available for personal consumption made even more justification for a bag limit of 10 per person or 30 per boat. The other faction supported a larger gag limit of 20 per person and 60 per boat. The group supporting a larger bag limit suggested limiting the larger limit to tournaments.

Shark bag limit The group uniformly supported status quo, on the grounds that current Federal regulations adequately protected sharks, making the option for a one shark bag limit unnecessary.

Snook and permit bag limits The majority of participants recommended some bag limit for snook and permit, but could not agree on the size. Two fish of each species as proposed in option 2 seemed sufficient to many. A minority suggested that a limit for St. Croix is unnecessary as the fishing pressure is not high. St. Thomas has more habitat and more fishing for these species than does St. Croix.

Spiny lobster management measures The options consisted of combinations of a fee, bag limits, male-only harvest, and ban on harvest using SCUBA. The participants all supported a bag limit, but did not agree on the size. Some supported the 6 lobster per person limit of option 4, on the basis that the total recreational catch at this level would still be small compared to the commercial catch. Others supported the 2 lobster per person of option 5, on the basis that this limit is adequate for personal consumption and would minimize illegal sales. The participants did not see a need for a ban on SCUBA during lobster fishing if a bag limit went into place. Limited support for a fee developed; some were concerned that the recreational fishery would have a fee while the commercial fishery would not. A fee for commercial lobster fishing is under consideration by the FAC, and some suggested that a fee should come up for both sectors at the same time.

Conch management measures The participants supported option 5 to make the regulations consistent with Federal regulations. They agreed that the overfished status of the resource justified putting restrictive regulations in place. Some support developed for a fee, to support research and management for conch.

Whelk management measures The group supported alternative 1, status quo. They felt that the current regulations of a size limit, closed area, and the rough water conditions typical of whelk habitat were sufficient.

Southern pink shrimp management measures The group supported Alternative 1, status quo. [need justification] A \$10 fee currently exists for shrimp, and no increase is necessary.

Crab management measures Although three types of crab had proposed alternatives, the group considered only land crabs. Land crabs are a traditional food, with a long history of harvest.

However, in recent years new trapping methods, especially traps made of PVC pipe, have increased catch. Participants observed that the average size of land crabs seems to have decreased from earlier years, and they suspect that overharvest is the cause. Two general recommendations were provided by the participants: ban all but traditional traps or ban all traps. The participants acknowledged that management of land crabs will be difficult.

Charter sales The participants took a strong position for Alternative 1, status quo. They felt that the moratorium on licenses should be either maintained for all, or lifted for all. Any legal sales of fish by the for-hire sector would violate the moratorium. Charter operators should not build a business plan on illegal sales, and long standing illegal operations should not be justification for legalizing the charter sales.

One speaker at the hearing felt that a shortage of pelagic species occurs at restaurants, resulting in a need to import fish that USVI fishermen could otherwise provide.

The group felt that Alternative 3 was unrealistic to implement.

Penalties for non-compliance The group agreed that regulations without penalties would not work. They recommended a progressive, 3-step fine structure: where the proposed penalty for fishing without a license was 10 times the license fee, the group recommended twice the fee for first offense, 5 times for the second offense, and 10 times for the third.

The group recommended a similar 3-step fine structure for violations of other regulations, but did not recommend a base fine.

Seabird conservation The group concurred with the suggestion for greater outreach and education on the dangers of discarded monofilament for seabirds, and supported DFW taking the lead in this effort.

APPENDIX III  
DRAFT RECREATIONAL FISHING REGULATIONS

## U.S. VIRGIN ISLANDS

### DRAFT RECREATIONAL FISHING REGULATIONS

Item 1.0 Recreational Fishing License Program

Item 1.1 Rationale

- The government of the US Virgin Islands has determined that a need exists to develop a recreational fishing licensing program and to revise the recreational fishing regulations. The federal government requires all saltwater fishers to register with a national program, unless the angler's state or territory has a saltwater license program that meets the federal standards. The proposed recreational licensing program will satisfy the federal requirement and will provide information for residents and non-residents who fish recreationally.

Item 1.2 Definition

- Recreational Fisher – Any person who fishes for personal consumption, recreation or subsistence and not for sale, trade or barter.

Item 1.3 Gear Restrictions

- Recreational fishers may not use fish traps, lobster traps or nets with the exception of a cast net. Permitted gear includes handline, rod and reel and hand harvest for lobster, conch, whelk and crab.

Item 1.4 Education and Outreach

Item 1.5 Enforcement of Regulations

Item 1.6 Generated Revenue

- Management
- Enforcement

Item 2.0 Age and Residency License Requirements

Item 2.1 Residents

- One-year proof of residency in the Virgin Islands
- Licenses required for all individuals between the ages of 16 and 62
- Identification required for all individuals under 16 and over 62

- Item 2.1.1 Non-residents
  - Licenses required for all individuals between the ages of 16 and 62
  - Identification required for all individuals under 16 and over 62
  
- Item 2.2.0 License Fees
- Item 2.2.1 Resident License Fee (shoreline or from a boat)
  - Individual License Fee - \$10.00/year
- Item 2.2.2 Non-resident License Fee (shoreline or from a boat)
  - 3 day                 \$10.00
  - 7 day                 \$20.00
  - Annual                \$30.00
- Item 2.2.3 For-hire Charter Vessel Fees
  - Annual charter license to vessel (no license required for individual customers)
  - Vessel <25 ft in length         \$50.00/year
  - Vessel >25 ft in length         \$100.00/year
  
- Item 3.0 Fishing Regulations
- Item 3.1 Reef Fish
- Item 3.1.1 Midnight (*Scarus coelestinus*), Rainbow (*Scarus guacamaia*) and Blue (*Scarus coeruleus*) Parrotfish Retention
  - No possession of midnight, rainbow and blue parrotfish
- Item 3.1.2 Reef Fish Bag Limit
  - Aggregate bag limit 10 fish per person per day; maximum of 30 fish per boat per day (10/30 rule)
- Item 3.1.3 Yellowtail Snapper (*Ocyurus chrysurus*)
  - Size Limit - Minimum size limit of 12 inches total length (tip of snout to end of tail fin when upper and lower lobes are held together) when fishing from a boat
  - Shoreline fishers may take two fish per person per day smaller than 12 inches total length but greater than 6 inches total length

- Item 3.2.1 Pelagic Species
- Mackerels and Tunas (*Scombridae*) and Dolphin (*Coryphaenidae*)
- Item 3.2.2 Pelagic Fish Bag Limit
- Aggregate bag limit of 3/5/10 fish per person per day; 10/20/30 fish per boat per day
- Item 3.3.1 Shark Bag Limit
- Apply federal regulations for recreational shark catch in the EEZ
- Item 3.4.1 Permit (*Trachinotus falcatus*) and Snook (*Centropomus undecimalis*) Bag Limit
- Two permit and two snook per person per day, shoreline or boat
- Item 3.5.1 Tarpon (*Megalops atlanticus*) and Bonefish (*Albula vulpes*)
- Harvest Restrictions - Recreational sport fish; no possession
  - Gear Restrictions - Hook and line only
  - Landing Restrictions - Catch and release only
- Item 3.6.0 Spiny Lobster (*Panulirus argus*)
- Item 3.6.1 Spiny Lobster Regulations
- Size Limit – 3.5 inches carapace length
  - Landing Restrictions - No harvest of females with eggs  
Must be landed whole
  - Gear Restrictions - Hand harvest only; no hooka gear, no spearfishing, use of hooks, gigs or chemicals
- Item 3.6.2 Spiny Lobster Bag Limit
- Maximum of two (2) lobster per person per day
- Item 3.7.0 Queen Conch (*Strombus gigas*)
- Item 3.7.1 Queen Conch Regulations
- Size Limit – Minimum size 9 inch shell length from the spire to the distal end or 3/8 inch lip thickness
  - Harvest Quota – 6 conch per person per day not to exceed 24 per boat per day



- Landing Restriction – Must be landed alive and whole in the shell; no disposal of shell at sea; no possession of conch meats smaller than two per pound uncleaned or three per pound cleaned.
- Closed Season – June 1 through October 31. Total annual landings of conch must not exceed 50,000 pounds on St. Croix and 50,000 pounds on St. Thomas/St. John combined commercial and recreational quota. Thereafter the season will be closed until November 1<sup>st</sup> of that year. Possession of queen conch during the closed season is illegal.

Item 3.8.0 Whelk (*Cittarium pica*)

Item 3.8.1 Whelk Regulations

- Size Limit – Minimum size of shell must be greater than 2 7/16 inch in diameter.
- Landing Restrictions – Must be landed whole in the shell.
- Closed Season – April 1 through September 30.

Item 3.9.0 Southern Pink Shrimp (*Peneaus notialis*)

Item 3.9.1 Southern Pink Shrimp Regulations (Altona Lagoon and Great Pond, St. Croix)

- Gear Restrictions – Use of monofilament or nylon cast with 3/8 inch square mesh (3/4 inch stretch mesh) only; cast nets of knotless nylon netting are prohibited. Use of lights to attract shrimp are prohibited. Recreational handline and rod and reel fishing is permitted in Altona Lagoon and Great Pond.
- License Fee – A recreational shrimp fishing license is required. The license fee is \$10.00 per year.

Item 3.10.0 Goliath (*Epinephelus itajara*) Grouper

Item 3.10.1 Goliath Grouper Regulations

- Harvest Restrictions - Endangered species. Harvest prohibited; no possession.

Item 3.11.0 Nassau (*Epinephelus striatus*) Grouper

Item 3.11.1 Nassau Grouper Regulations

- Harvest Restrictions – Harvest prohibited; no possession.

Item 3.12.0 Billfish: Longbill Spearfish (*Tetrapterus pfluegeri*), Blue Marlin (*Makaira nigricans*), White Marlin (*Tetrapterus albidus*), Sailfish (*Istiophorus albicans*), Swordfish (*Xiphius gladius*)

Item 3.12.1 Billfish Regulations (federal regulations apply)

- Minimum Size – Longbill Spearfish – no possession  
Blue Marlin – 99” lower jaw fork length  
White Marlin – 66” lower jaw fork length  
Sailfish – 63” lower jaw fork length  
Swordfish – 47’ lower jaw fork length

Item 3.13.0 Billfish, Swordfish, Tuna and Sharks (federal regulations apply)

- Permits – All operators of recreational vessels harvesting swordfish, bluefin tuna, bigeye tuna, albacore tuna, yellowfin tuna and skipjack tuna must obtain required federal permits from the NOAA Fisheries, Highly Migratory Species management Division.
- Recreational Vessels – NOAA Fisheries requires all vessels involved in the recreational billfish fishery to register and purchase a Highly Migratory Species Permit (HMSP) to participate in billfish fisheries in the Caribbean. The permit also covers tuna (excluding blackfin tuna), sharks and swordfish. Permit holders are required to report total landings of species covered by HMSP to NOAA Fisheries.

Item 3.14.0 Year-Round Closures

- Hind Bank Marine Conservation District (MCD), St. Thomas

Item 3.14.1 Hind Bank Marine Conservation District Regulations

- Fishing for any species and anchoring by fishing vessels is prohibited.

Item 3.15.0 Year-Round Closures/Marine Reserves

Item 3.15.1 St. James Reserve (St. Thomas) Regulations

- Permitted Acts – The use of a cast net with a minimum square mesh size of ¼ inch to capture bait fish within 50 feet of the shoreline. Cow and Calf Rocks are off-limits and are not considered as shorelines. Hook and line fishing is allowed with a permit.
- Fishing Permits – A special monthly permit obtained from the Division of Environmental Enforcement is required to catch baitfish or hook and line fish in the reserve.

- Item 3.15.2 Cas Cay/Mangrove Lagoon Reserve (St. Thomas) Regulations
- Permitted Acts – The use of a cast net with a minimum square mesh size of ¼ inch to capture bait fish within 50 feet of the north and west shorelines of Cas Cay only.
  - Fishing Permits - A special monthly permit obtained from the Division of Environmental Enforcement is required to catch baitfish or hook and line fish in the reserve.
  - Prohibited Acts – No fishing is allowed in the Inner Mangrove Lagoon.
- Item 3.15.3 Compass Point Marine Reserve and Wildlife Sanctuary (St. Thomas) Regulations
- Prohibited Acts – No fishing, hunting or taking of any plant or animal within the marine reserve and wildlife sanctuary.
- Item 3.15.4 Salt River Marine Reserve and Wildlife Sanctuary (St. Croix) Regulations
- It is unlawful to (1) collect, take or possess any fish, coral, bird or other wildlife, or part thereof: (2) sue or possess any firearm, bow and arrow, speargun or any trap, net or other contrivance designated to b, or capable of being used to take birds, fish or other wildlife, with the exception of recreational catch and release line fishing with barbless hooks, or to discharge any firearm or release any arrow into the sanctuary.
- Item 3.15.5 The Small Pond at Frank Bay Wildlife and Marine Sanctuary (St. John) Regulations
- No hunting, fishing or harvest of fisheries or wildlife resources; no use of a motorized vessel.
- Item 3.16.0 Seasonal Area Closure
- Item 3.16.1 Mutton Snapper Spawning Area (St. Croix) Regulations
- No harvest of any species from March 1 through June 30 within the Mutton Snapper Spawning Area.
- Item 3.17.0 Territorial Marine Park
- Item 3.17.1 St Croix East End Marine Park Regulations
- Regulations are pending that will designate certain restricted zones within the park boundaries.

- Item 3.18.0 Seasonal Species Closures
- Item 3.18.1 Red (*Epinephelus morio*), Black (*Mycteroperca bonaci*), Tiger (*Mycteroperca tigris*), Yellowfin (*Mycteroperca venenosa*) and Yellowedge (*Epinephelus flavolimbatus*) Grouper Regulations
- No possession of red, black, tiger, yellowfin or yellowedge grouper from February 1 through April 30 each year.
- Item 3.18.2 Vermilion (*Rhomboplites aurorubens*), Black (*Apsilus dentatus*), Silk (*Lutjanus vivanus*) or Blackfin (*Lutjanus buccanella*) Snapper Regulations
- No possession of vermilion, black, silk or blackfin snapper from October 1 through December 31 each year.
- Item 3.18.3 Lane (*Lutjanus synagris*) and Mutton (*Lutjanus analis*) Snapper Regulations
- No possession of lane or mutton snapper from April 1 through June 30 each year.
- Item 3.19.0 Filleting of Fish at Sea
- Item 3.19.1 Filleting Regulations – The filleting of fish in territorial and federal waters of the U.S. Caribbean is prohibited and it is required that fish captured or possessed be landed with heads and fins intact (Shark, tuna and swordfish are exempt from this regulation).
- Item 3.20.0 Seabirds
- Item 3.20.1 Seabird Regulations
- Seabirds are protected under the Endangered and Indigenous Species Act of 1990. Discard of fishing line at sea is prohibited.