

§ 7.27

36 CFR Ch. I (7-1-03 Edition)

§ 7.27 Fort Jefferson National Monument.

(a) *Fishing.* No species of coral, shells, shellfish, seafan, sponges, sea anemones or other forms of marine life found in the waters of the Monument, shall be taken or disturbed in any manner, except that fish, crawfish, and the common species of conch, may be taken in accordance with paragraphs (a) (2) to (7) of this section.

(1) *Protection of turtles.* Sea turtles and terrapins, turtle or terrapin nests and their eggs shall not be taken, disturbed or molested at any time.

(2) *Crawfish (Panulirus argus), Florida Lobster, Langouste.*

(i) The limit of catch of crawfish shall be two per person per day, except that the total for any one vessel having more than 12 persons aboard shall not exceed 25 crawfish.

(ii) The taking or catching of crawfish for commercial purposes is prohibited at all times.

(3) *Conch (Strombus gigas).* (i) The taking of Conchs shall be limited to the species (*Strombus gigas*), which is also known as Queen Conch or Pink Conch, and the limit per person, per day, is two Conch, except that the total for any vessel having more than 12 persons aboard shall not exceed twenty-five.

(ii) The taking or catching of Conchs for commercial purposes is prohibited at all times.

(4) Commercial fishing or shrimping or the taking of fish for the purpose of sale is prohibited in the area of the National Monument described as follows:

Beginning at Pulaski Shoal Light at latitude 24°41'36" N., longitude 82°46'23" W., thence on a straight line to a point at latitude 24°38'00" N., longitude 82°48'00" W.; thence on a straight line to buoy "N2" at latitude 24°37'23" N., longitude 82°49'48" W.; thence in a straight line to a buoy "C1" at latitude 24°35'35" N., longitude 82°52'19" W.; thence in a straight line to buoy "N8" at latitude 24°35'07" N., longitude 82°54'07" W.; thence in a straight line to a buoy "N2" at latitude 24°35'06" N., longitude 82°55'53" W.; thence in a straight line to a buoy "N10" at latitude 24°36'39" N., longitude 82°52'27" W.; thence in a straight line to a point at latitude 24°40'57" N., longitude 82°54'16" W.; thence in a straight line to a point at latitude 24°41'50" N., longitude 82°53'10" W.; thence in a straight line to a point at latitude 24°42'22" N., longitude 82°51'50" W.;

thence in a straight line to a point at latitude 24°42'53" N., longitude 82°49'34" W.; thence in a straight line to a point at latitude 24°42'44" N., longitude 82°48'20" W.; and thence in a straight line to the point of beginning at Pulaski Shoal Light.

(5)(i) The taking of live bait in the area described in paragraph (a)(4) of this section is prohibited, except that minnows or "pilchers" may be taken by sports fishermen by a cast net not to exceed 12 feet in diameter, or by hook and line, and that possession is limited to one day's supply.

(ii) No bait shall be taken for the purpose of sale.

(6) *Closed waters:* Marine life shall not be disturbed or taken from the moat or from waters within 500 feet of the moat wall at Garden Key, or from the cove bounded by Garden, Bush, and Long Keys north of the 5-foot channel, except that sport fishing in deep water channels and from any pier within that area is permitted.

(7) The use or possession of spears, gigs, or grains, within the boundaries of the National Monument, is prohibited at all times.

(b) *Designated anchorage.* All vessels entering Tortugas Harbor in the vicinity of Garden Key shall anchor only in the designated anchorage area of Bird Key Harbor southwest of Garden Key, which is designated Anchorage Area 202.190 on U.S. Coast and Geodetic Survey Chart No. 585, except that passenger-carrying vessels and yachts carrying visitors to historic Fort Jefferson may discharge passengers at the main docking area of Garden Key and may moor to the piers and anchor in the channel, harbor, or lagoons in the vicinity of Garden Key for not more than an eight hour period between sunrise and sunset by permission from the Superintendent or his representative.

(c) *Aircraft; designated landing areas.* Aircraft may be landed in the waters within a radius of 1 nautical mile of the Fort situated at Garden Key, but approaches, landings, and takeoffs shall not be made within 300 yards of Bush Key. Seaplanes may be moored or brought up on land only on the beach north of the main pier at Garden Key.

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Helicopters may land at the helipads on the coaling docks.

[25 FR 7102, July 27, 1960, as amended at 29 FR 6155, May 9, 1964; 33 FR 3227, Feb. 21, 1968]

### § 7.28 Olympic National Park.

(a) *Fishing*—(1) *General Provisions*. All waters within Olympic National Park are open to fishing in conformance with those seasons and limits published annually by the Washington State Department of Game and the Washington State Department of Fisheries applicable in the same watershed in adjoining counties, except as provided for below.

(i) *Possession limit*. This shall be the same as the daily limit for all species; *Provided however*, it is lawful to possess four steelhead over 20 inches regardless of weight. In the Queets River and tributaries the summer season possession limit is two steelhead over 20 inches.

(ii) *General summer season*. Daily steelhead catch limit shall not exceed two fish, *Provided however*:

(A) The Queets River and tributaries shall have a summer season daily limit of one steelhead over 20 inches in length.

(B) The Quinault River is closed to the taking of steelhead all year above the confluence of the North and East Forks, but is open in its entirety during the general summer season to the taking of two rainbow trout with a minimum six of 10 inches and maximum size of 20 inches.

(2) *Salmon Fishing*. Salmon fishing is permitted on the following park waters, exclusive of tributaries, when adjacent State waters are open:

Dickey River.  
Hoh River below confluence of South Fork.  
Kalaloch Creek.  
Ozette River.  
Queets River below Tshletshy Creek.  
Quillayute River.  
Quinault River below the bridge connecting North Fork and Graves Creek Roads.  
Salmon River.

Seasons and bag limits shall be established annually after consultation with the State and any affected Indian tribe.

(3) *Conservation waters*. After consultation with the State and, where appropriate, the concerned Indian tribe, the superintendent may, by local publication and conspicuous posting of signs, alter the season and change

daily limits for spawning, conservation or research purposes.

(4) *Closed waters*. That portion of the Morse Creek watershed within the park (except Lake Angeles and P.J. Lake) and that section of Kalaloch Creek which is used as domestic water supply (as posted) are closed to fishing. Fishing from boats is prohibited on the Hoh River upstream from the South Fork Hoh boat launch.

(5) *Fishing gear*. Fishing with a line, gear or tackle having more than two spinners, spoons, blades, flashers, or like attractions, or with more than one rudder, or more than two hooks (single, double, or treble barbed) attached to such line, gear, or tackle, is prohibited.

(6) *Bait*. The use of nonpreserved fish eggs is permitted.

(7) *License*. A license to fish in park waters is not required; however, an individual fishing for steelhead or salmon in park waters, except treaty Indians fishing in the exercise of rights secured by treaties of the United States, shall have in his/her possession a State of Washington punch card for the species being sought. Steelhead and salmon shall be accounted for on these cards as required by State regulations.

(8) *Indian treaty fishing*. (i) Subject to the limitations set forth below, all waters within the Olympic National Park which have been adjudicated to be usual and accustomed fishing places of an Indian tribe, having treaty-secured off-reservation fishing rights, are open to fishing by members of that tribe in conformance with applicable tribal or State regulations conforming to the orders of the United States District Court.

(ii) *Identification cards and tags*. Members of the tribes having treaty-secured fishing rights shall carry identification cards conforming to the requirements prescribed by the United States District Court and issued either by the Bureau of Indian Affairs or the applicable tribe when fishing in accordance with the tribe's reserved treaty fishing right. Such persons shall produce said card for inspection upon request of a National Park Service enforcement officer. A tribally issued identification tag shall be attached to any unattended fishing gear in park waters.