

## Fishery Conservation and Management

## § 600.725

Vessel operators may wish to refer to USCG regulations found in the Code of Federal Regulations title 33—Navigation and Navigable Waters and 46—Shipping; 15 CFR part 904, subpart D—Permit Sanctions and Denials; and title 43—Public Lands (in regard to marine sanctuaries).

(b) *State responsibilities.* Certain responsibilities relating to data collection and enforcement may be performed by authorized state personnel under a state/Federal agreement for data collection and a tripartite agreement among the state, the USCG, and the Secretary for enforcement.

(c) *Submarine cables.* Fishing vessel operators must exercise due care in the conduct of fishing activities near submarine cables. Damage to the submarine cables resulting from intentional acts or from the failure to exercise due care in the conduct of fishing operations subjects the fishing vessel operator to the criminal penalties prescribed by the Submarine Cable Act (47 U.S.C. 21) which implements the International Convention for the Protection of Submarine Cables. Fishing vessel operators also should be aware that the Submarine Cable Act prohibits fishing operations at a distance of less than 1 nautical mile (1.85 km) from a vessel engaged in laying or repairing a submarine cable; or at a distance of less than 0.25 nautical mile (0.46 km) from a buoy or buoys intended to mark the position of a cable when being laid or when out of order or broken.

(d) *Marine mammals.* Regulations governing exemption permits and the recordkeeping and reporting of the incidental take of marine mammals are set forth in part 229 of this title.

(e) *Halibut fishing.* Fishing for halibut is governed by regulations of the International Pacific Halibut Commission set forth at part 300 of this title.

(f) *Marine sanctuaries.* All fishing activity, regardless of species sought, is prohibited under 15 CFR part 924 in the U.S.S. Monitor Marine Sanctuary, which is located approximately 15 miles southwest of Cape Hatteras off the coast of North Carolina.

### § 600.710 Permits.

Regulations pertaining to permits required for certain fisheries are set

forth in the parts of this chapter governing those fisheries.

### § 600.715 Recordkeeping and reporting.

Regulations pertaining to records and reports required for certain fisheries are set forth in the parts of this chapter governing those fisheries.

### § 600.720 Vessel and gear identification.

Regulations pertaining to special vessel and gear markings required for certain fisheries are set forth in the parts of this chapter governing those fisheries.

### § 600.725 General prohibitions.

It is unlawful for any person to do any of the following:

(a) Possess, have custody or control of, ship, transport, offer for sale, sell, purchase, land, import, or export, any fish or parts thereof taken or retained in violation of the Magnuson-Stevens Act or any other statute administered by NOAA and/or any regulation or permit issued under the Magnuson-Stevens Act.

(b) Transfer or attempt to transfer, directly or indirectly, any U.S.-harvested fish to any foreign fishing vessel, while such vessel is in the EEZ, unless the foreign fishing vessel has been issued a permit under section 204 of the Magnuson-Stevens Act, which authorizes the receipt by such vessel of U.S.-harvested fish.

(c) Fail to comply immediately with enforcement and boarding procedures specified in § 600.730.

(d) Refuse to allow an authorized officer to board a fishing vessel or to enter areas of custody for purposes of conducting any search, inspection, or seizure in connection with the enforcement of the Magnuson-Stevens Act or any other statute administered by NOAA.

(e) Dispose of fish or parts thereof or other matter in any manner, after any communication or signal from an authorized officer, or after the approach by an authorized officer or an enforcement vessel or aircraft.

(f) Assault, resist, oppose, impede, intimidate, threaten, or interfere with any authorized officer in the conduct of

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any search, inspection, or seizure in connection with enforcement of the Magnuson-Stevens Act or any other statute administered by NOAA.

(g) Interfere with, delay, or prevent by any means, the apprehension of another person, knowing that such person has committed any act prohibited by the Magnuson-Stevens Act or any other statute administered by NOAA.

(h) Resist a lawful arrest for any act prohibited under the Magnuson-Stevens Act or any other statute administered by NOAA.

(i) Make any false statement, oral or written, to an authorized officer concerning the taking, catching, harvesting, landing, purchase, sale, offer of sale, possession, transport, import, export, or transfer of any fish, or attempts to do any of the above.

(j) Interfere with, obstruct, delay, or prevent by any means an investigation, search, seizure, or disposition of seized property in connection with enforcement of the Magnuson-Stevens Act or any other statute administered by NOAA.

(k) Fish in violation of the terms or conditions of any permit or authorization issued under the Magnuson-Stevens Act or any other statute administered by NOAA.

(l) Fail to report catches as required while fishing pursuant to an exempted fishing permit.

(m) On a scientific research vessel, engage in fishing other than recreational fishing authorized by applicable state or Federal regulations.

(n) Trade, barter, or sell; or attempt to trade, barter, or sell fish possessed or retained while fishing pursuant to an authorization for an exempted educational activity.

(o) Harass or sexually harass an authorized officer or an observer.

(p) Fail to show proof of passing the USCG Commercial Fishing Vessel Safety Examination or the alternate NMFS safety equipment examination, or fail to maintain the vessel safety conditions necessary to pass the examination, when required by NMFS pursuant to § 600.746.

(q) Fail to display a Commercial Fishing Vessel Safety Examination

decal or a valid certificate of compliance or inspection pursuant to § 600.746.

(r) Fail to provide to an observer, a NMFS employee, or a designated observer provider information that has been requested pursuant to § 600.746, or fail to allow an observer, a NMFS employee, or a designated observer provider to inspect any item described at § 600.746.

(s) Fish without an observer when the vessel is required to carry an observer.

(t) Assault, oppose, impede, intimidate, or interfere with a NMFS-approved observer.

(u)(1) Prohibit or bar by command, impediment, threat, coercion, interference, or refusal of reasonable assistance, an observer from conducting his or her duties as an observer; or

(2) Tamper with or destroy samples or equipment.

(v) The use of any gear or participation in a fishery not on the following list of authorized fisheries and gear is prohibited after December 1, 1999. A fish, regardless whether targeted, may be retained only if it is taken within a listed fishery, is taken with a gear authorized for that fishery, and is taken in conformance with all other applicable regulations. Listed gear can only be used in a manner that is consistent with existing laws and regulations. The list of fisheries and authorized gear does not, in any way, alter or supersede any definitions or regulations contained elsewhere in this chapter. A person or vessel is prohibited from engaging in fishing or employing fishing gear when such fishing gear is prohibited or restricted by regulation under an FMP or other applicable law. However, after December 1, 1999, an individual fisherman may notify the appropriate Council, or the Director, in the case of Atlantic highly migratory species, of the intent to use a gear or participate in a fishery not already on the list. Ninety days after such notification, the individual may use the gear or participate in that fishery unless regulatory action is taken to prohibit the use of the gear or participate in the fishery (*e.g.*, through emergency or interim regulations). The list of authorized fisheries and gear is as follows:

**Fishery Conservation and Management**

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| Fishery   | Authorized gear types                        |
|---|--|
| <b>I. New England Fishery Management Council (NEFMC)</b>                        |  |
| 1. Atlantic Sea Scallop Fishery (FMP):  |  |
| A. Dredge fishery .....   | A. Dredge.                                   |
| B. Trawl fishery .....  | B. Trawl.                                    |
| C. Hand harvest fishery .....   | C. Hand harvest.                             |
| D. Recreational fishery .....   | D. Hand harvest.                             |
| 2. Iceland Scallop Fishery (Non-FMP):   |  |
| A. Dredge fishery .....   | A. Dredge.                                   |
| B. Trawl fishery .....  | B. Trawl.                                    |
| 3. Atlantic Salmon Fishery (FMP)  | No harvest or possession in the EEZ.         |
| 4. Striped Bass Fishery (Non-FMP)   | No harvest or possession in the EEZ.         |
| 5. Northeast (NE) Multispecies Fishery (FMP):                                   |  |
| A. NE multispecies sink gillnet fishery .....                                   | A. Gillnet.                                  |
| B. North Atlantic bottom trawl fishery .....                                    | B. Trawl.                                    |
| C. Groundfish hook and line fishery .....                                       | C. Longline, handline, rod and reel.         |
| D. Mixed species trap and pot fishery .....                                     | D. Trap, pot.                                |
| E. Dredge fishery .....   | E. Dredge.                                   |
| F. Seine fishery .....  | F. Seine.                                    |
| G. Recreational fishery .....   | G. Rod and reel, handline, spear.            |
| 6. American Lobster Fishery (FMP):  |  |
| A. Lobster pot and trap fishery .....   | A. Pot, trap.                                |
| B. North Atlantic bottom trawl fishery .....                                    | B. Trawl.                                    |
| C. Dredge fishery .....   | C. Dredge.                                   |
| D. Hand harvest fishery .....   | D. Hand harvest.                             |
| E. Gillnet fishery .....  | E. Gillnet.                                  |
| F. Recreational fishery .....   | F. Pot, trap, hand harvest.                  |
| 7. Atlantic Herring Fishery (FMP):  |  |
| A. Trawl fishery .....  | A. Trawl.                                    |
| B. Purse seine fishery .....  | B. Purse seine.                              |
| C. Gillnet fishery .....  | C. Gillnet.                                  |
| D. Herring pair trawl fishery .....   | D. Pair trawl.                               |
| E. Dredge fishery .....   | E. Dredge.                                   |
| F. Recreational fishery .....   | F. Hook and line, gillnet.                   |
| 8. Spiny Dogfish Fishery (FMP jointly managed by MAFMC and NEFMC):              |  |
| A. Gillnet fishery .....  | A. Gillnet.                                  |
| B. Trawl fishery .....  | B. Trawl.                                    |
| C. Hook and line fishery .....  | C. Hook and line, rod and reel, spear.       |
| D. Dredge fishery .....   | D. Dredge.                                   |
| E. Longline fishery .....   | E. Longline.                                 |
| F. Recreational fishery .....   | F. Hook and line, rod and reel, spear.       |
| 9. Atlantic Bluefish Fishery (FMP managed by MAFMC):                            |  |
| A. Pelagic longline and hook and line fishery .....                             | A. Longline, handline.                       |
| B. Seine fishery .....  | B. Purse seine, seine.                       |
| C. Mixed species pot and trap fishery .....                                     | C. Pot, trap.                                |
| D. Bluefish, croaker, flounder trawl fishery .....                              | D. Trawl.                                    |
| E. Gillnet fishery .....  | E. Gillnet.                                  |
| F. Dredge fishery .....   | F. Dredge.                                   |
| G. Recreational fishery .....   | G. Rod and reel, handline, trap, pot, spear. |
| 10. Atlantic Mackerel, Squid and Butterfish Fishery (FMP managed by the MAFMC): |  |
| A. Mackerel, squid, and butterfish trawl fishery .....                          | A. Trawl.                                    |
| B. Gillnet fishery .....  | B. Gillnet.                                  |
| C. Longline and hook-and-line fishery .....                                     | C. Longline, handline, rod and reel.         |
| D. Purse seine fishery .....  | D. Purse seine.                              |
| E. Mixed species pot and trap fishery .....                                     | E. Pot, trap.                                |
| F. Dredge fishery .....   | F. Dredge.                                   |
| G. Dip net fishery .....  | G. Dip net.                                  |
| H. Bandit gear fishery .....  | H. Bandit gear.                              |
| I. Recreational fishery .....   | I. Rod and reel, handline, pot, spear.       |
| 11. Surf Clam and Ocean Quahog Fishery (FMP managed by the MAFMC):              |  |
| A. Commercial fishery .....   | A. Dredge, hand harvest.                     |
| B. Recreational fishery .....   | B. Hand harvest.                             |
| 12. Atlantic Menhaden Fishery (Non-FMP):  |  |
| A. Purse seine fishery .....  | A. Purse seine.                              |
| B. Trawl fishery .....  | B. Trawl.                                    |
| C. Gillnet fishery .....  | C. Gillnet.                                  |
| D. Commercial hook-and-line fishery .....                                       | D. Hook and line.                            |
| E. Recreational fishery .....   | E. Hook and line, snagging, cast nets.       |
| 13. Weakfish Fishery (Non-FMP):   |  |
| A. Commercial fishery .....   | A. Trawl, gillnet, hook and line.            |
| B. Recreational fishery .....   | B. Hook and line, spear.                     |

| Fishery   | Authorized gear types   |
|---|---|
| 14. Atlantic Mussel and Sea Urchin Fishery (Non-FMP):                     |   |
| A. Dredge fishery .....   | A. Dredge.  |
| B. Hand harvest fishery .....   | B. Hand harvest.  |
| C. Recreational fishery .....   | C. Hand harvest.  |
| 15. Atlantic Skate Fishery (Non-FMP):                                     |   |
| A. Trawl fishery .....  | A. Trawl.   |
| B. Gillnet fishery .....  | B. Gillnet.   |
| C. Hook-and-line fishery .....  | C. Longline and handline.   |
| D. Dredge fishery .....   | D. Dredge.  |
| E. Recreational fishery .....   | E. Rod and reel.  |
| 16. Crab Fishery (Non-FMP):   |   |
| A. Dredge fishery .....   | A. Dredge.  |
| B. Trawl fishery .....  | B. Trawl.   |
| C. Trap and pot fishery .....   | C. Trap, pot.   |
| 17. Northern Shrimp Fishery (Non-FMP):                                    |   |
| A. Shrimp trawl fishery .....   | A. Trawl.   |
| B. Shrimp pot fishery .....   | B. Pot.   |
| 18. Monkfish Fishery (FMP jointly managed by NEFMC and MAFMC):            |   |
| A. Trawl fishery .....  | A. Trawl.   |
| B. Gillnet fishery .....  | B. Gillnet.   |
| C. Longline fishery .....   | C. Longline.  |
| D. Dredge fishery .....   | D. Dredge.  |
| E. Trap and pot fishery .....   | E. Trap, pot.   |
| F. Recreational fishery .....   | F. Rod and reel, spear.   |
| 19. Summer Flounder, Scup, Black Sea Bass Fishery (FMP managed by MAFMC): |   |
| A. Trawl fishery .....  | A. Trawl.   |
| B. Longline and hook and line fishery .....                               | B. Longline, handline.  |
| C. Mixed species pot and trap fishery .....                               | C. Pot, trap.   |
| D. Gillnet fishery .....  | D. Gillnet.   |
| E. Dredge fishery .....   | E. Dredge.  |
| F. Recreational fishery .....   | F. Rod and reel, handline, pot, trap, spear.  |
| 20. Hagfish Fishery (Non-FMP) .....                                       | Trap, pot.  |
| 21. Tautog Fishery (Non-FMP):   |   |
| A. Gillnet fishery .....  | A. Gillnet.   |
| B. Pot and trap fishery .....   | B. Pot, trap.   |
| C. Rod and reel, hook and line fishery .....                              | C. Rod and reel, handline, hook and line.   |
| D. Trawl fishery .....  | D. Trawl.   |
| E. Spear fishery .....  | E. Spear.   |
| F. Fyke net fishery .....   | F. Fyke net.  |
| G. Recreational fishery .....   | G. Rod and reel, hook and line, handline, spear.  |
| 22. Recreational Fishery (Non-FMP) .....                                  | Rod and reel, handline, spear, hook and line, hand harvest, bandit gear, powerhead, gillnet, cast net, pot, trap, dip net, bully net, snare.  |
| 23. Commercial Fishery (Non-FMP) .....                                    | Trawl, pot, trap, gillnet, pound net, dredge, seine, handline, longline, hook and line, rod and reel, hand harvest, purse seine, spear, bandit gear, powerhead, dip net, bully net, snare, cast net, barrier net, slurp gun, allowable chemicals. |
| 24. Dolphin/wahoo fishery (FMP managed by SAFMC) .....                    | Automatic reel, bandit gear, handline, pelagic longline, rod and reel, spear (including powerheads).  |

**II. Mid-Atlantic Fishery Management Council (MAFMC)**

|  |   |
|--|---|
| 1. Summer Flounder, Scup, Black Sea Bass Fishery (FMP):    |   |
| A. Trawl fishery .....                                     | A. Trawl.   |
| B. Pelagic longline and hook and line fishery .....        | B. Longline, handline, rod and reel.              |
| C. Mixed species pot and trap fishery .....                | C. Pot, trap.                                     |
| D. Gillnet fishery .....                                   | D. Gillnet.                                       |
| E. Dredge fishery .....                                    | E. Dredge.  |
| F. Recreational fishery .....                              | F. Rod and reel, handline, pot, trap, spear.      |
| 2. Atlantic Bluefish Fishery (FMP):                        |   |
| A. Bluefish, croaker, and flounder trawl fishery .....     | A. Trawl.   |
| B. Pelagic longline and hook and line fishery .....        | B. Longline, handline, bandit gear, rod and reel. |
| C. Mixed species pot and trap fishery .....                | C. Pot, trap.                                     |
| D. Gillnet fishery .....                                   | D. Gillnet.                                       |
| E. Seine fishery .....                                     | E. Purse seine, seine.                            |
| F. Dredge fishery .....                                    | F. Dredge.  |
| G. Recreational fishery .....                              | G. Rod and reel, handline, trap, pot, spear.      |
| 3. Atlantic Mackerel, Squid, and Butterfish Fishery (FMP): |   |
| A. Mackerel, squid, and butterfish trawl fishery .....     | A. Trawl.   |
| B. Gillnet fishery .....                                   | B. Gillnet.                                       |
| C. Longline and hook-and-line fishery .....                | C. Longline, handline, rod and reel.              |

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| Fishery   | Authorized gear types  |
|---|--|
| D. Purse seine fishery .....  | D. Purse seine.  |
| E. Mixed species pot and trap fishery .....                         | E. Pot, trap.  |
| F. Dredge fishery .....   | F. Dredge.   |
| G. Dip net fishery .....  | G. Dip net.  |
| H. Bandit gear fishery .....  | H. Bandit gear.  |
| I. Recreational fishery .....                                       | I. Rod and reel, handline, pot, spear.   |
| 4. Surf Clam and Ocean Quahog Fishery (FMP):                        |  |
| A. Commercial fishery .....   | A. Dredge, hand harvest.   |
| B. Recreational fishery .....                                       | B. Hand harvest.   |
| 5. Atlantic Sea Scallop Fishery (FMP managed by NEFMC):             |  |
| A. Dredge fishery .....   | A. Dredge.   |
| B. Trawl fishery .....  | B. Trawl.  |
| C. Hand harvest fishery .....                                       | C. Hand harvest.   |
| D. Recreational fishery .....                                       | D. Hand harvest.   |
| 6. Atlantic Menhaden Fishery (Non-FMP):                             |  |
| A. Purse seine fishery .....  | A. Purse seine.  |
| B. Trawl fishery .....  | B. Trawl.  |
| C. Gillnet fishery .....  | C. Gillnet.  |
| D. Commercial hook-and-line fishery .....                           | D. Hook and line.  |
| E. Recreational fishery .....                                       | E. Hook and line, snagging, cast nets.   |
| 7. Striped Bass Fishery (Non-FMP) .....                             | No harvest or possession in the EEZ.   |
| 8. Northern Shrimp Trawl Fishery (Non-FMP) .....                    | Trawl.   |
| 9. American Lobster Fishery (FMP managed by NEFMC):                 |  |
| A. Pot and trap fishery .....                                       | A. Pot, trap.  |
| B. Hand harvest fishery .....                                       | B. Hand harvest.   |
| C. Trawl fishery .....  | C. Trawl.  |
| D. Dredge fishery .....   | D. Dredge.   |
| E. Gillnet fishery .....  | E. Gillnet.  |
| F. Recreational fishery .....                                       | F. Pot, trap, hand harvest.  |
| 10. Weakfish Fishery (Non-FMP):                                     |  |
| A. Commercial fishery .....   | A. Trawl, gillnet, hook and line, rod and reel.  |
| B. Recreational fishery .....                                       | B. Hook and line, spear.   |
| 11. Whelk Fishery (Non-FMP):  |  |
| A. Trawl fishery .....  | A. Trawl.  |
| B. Pot and trap fishery .....                                       | B. Pot, trap.  |
| C. Dredge .....   | C. Dredge.   |
| D. Pound net, gillnet, seine .....                                  | D. Pound net, gillnet, seine.  |
| E. Recreational fishery .....                                       | E. Hand harvest.   |
| 12. Monkfish Fishery (FMP jointly managed by NEFMC and MAFMC):      |  |
| A. Trawl fishery .....  | A. Trawl.  |
| B. Longline fishery .....   | B. Longline, rod and reel.   |
| C. Gillnet fishery .....  | C. Gillnet.  |
| D. Dredge fishery .....   | D. Dredge.   |
| E. Trap and pot fishery .....                                       | E. Trap and pot.   |
| F. Recreational fishery .....                                       | F. Rod and reel, spear.  |
| 13. Tilefish Fishery (Non-FMP):                                     |  |
| A. Groundfish hook-and-line fishery .....                           | A. Longline, handline, rod and fishery reel.   |
| B. Trawl fishery .....  | B. Trawl.  |
| C. Recreational fishery .....                                       | C. Rod and reel, spear.  |
| 14. Spiny Dogfish Fishery (FMP jointly managed by MAFMC and NEFMC): |  |
| A. Gillnet fishery .....  | A. Gillnet.  |
| B. Trawl fishery .....  | B. Trawl.  |
| C. Hook and line fishery .....                                      | C. Hook and line, rod and reel, spear.   |
| D. Dredge fishery .....   | D. Dredge.   |
| E. Longline fishery .....   | E. Longline.   |
| F. Recreational fishery .....                                       | F. Hook and line, rod and reel, spear.   |
| 15. Tautog Fishery (Non-FMP):                                       |  |
| A. Gillnet fishery .....  | A. Gillnet.  |
| B. Pot and trap fishery .....                                       | B. Pot, trap.  |
| C. Rod and reel, hook and line handline fishery .....               | C. Rod and reel, hook and line, handline.  |
| D. Trawl fishery .....  | D. Trawl.  |
| E. Spear fishery .....  | E. Spear.  |
| F. Fyke net fishery .....   | F. Fyke net.   |
| G. Recreational fishery .....                                       | G. Rod and reel, handline, hook and line, spear.   |
| 16. Coastal Gillnet Fishery (Non-FMP) .....                         | Gillnet  |
| 17. Recreational Fishery (Non-FMP) .....                            | Rod and reel, handline, spear, hook and line, hand harvest, bandit gear, powerhead, gillnet, cast net. |
| 18. NE Multispecies Fishery (FMP managed by NEFMC):                 |  |
| A. NE multispecies sink gillnet fishery .....                       | A. Gillnet.  |
| B. North Atlantic bottom trawl fishery .....                        | B. Trawl.  |
| C. Groundfish hook and line .....                                   | C. Longline, handline, rod and fishery reel.   |
| D. Mixed species trap and pot fishery .....                         | D. Trap, pot.  |
| E. Dredge fishery .....   | E. Dredge.   |

| Fishery   | Authorized gear types  |
|---|--|
| F. Seine fishery .....  | F. Seine.  |
| G. Recreational fishery .....   | G. Rod and reel, handline, spear.  |
| 19. Atlantic Skate Fishery (Non-FMP):   |  |
| A. Trawl fishery .....  | A. Trawl.  |
| B. Gillnet fishery .....  | B. Gillnet.  |
| C. Hook-and-line fishery .....  | C. Longline and handline.  |
| D. Dredge fishery .....   | D. Dredge.   |
| E. Recreational fishery .....   | E. Rod and reel.   |
| 20. Crab Fishery (Non-FMP):   |  |
| A. Dredge fishery .....   | A. Dredge.   |
| B. Trawl fishery .....  | B. Trawl.  |
| C. Trap and pot fishery .....   | C. Trap, pot.  |
| 21. Atlantic Herring Fishery (FMP managed by the NEFMC):                          |  |
| A. Trawl fishery .....  | A. Trawl.  |
| B. Purse seine fishery .....  | B. Purse seine.  |
| C. Gillnet fishery .....  | C. Gillnet.  |
| D. Herring pair trawl fishery .....   | D. Pair trawl.   |
| E. Dredge fishery .....   | E. Dredge.   |
| F. Recreational fishery .....   | F. Hook and line, gillnet.   |
| 22. South Atlantic Snapper-Grouper Fishery (FMP managed by the SAFMC):            |  |
| A. Commercial fishery .....   | A. Longline, rod and reel, bandit gear, handline, spear, powerhead.  |
| B. Black sea bass trap and pot fishery .....                                      | B. Pot, trap.  |
| C. Wreckfish fishery .....  | C. Rod and reel, bandit gear, handline.  |
| D. Recreational fishery .....   | D. Handline, rod and reel, bandit gear, spear, powerhead.  |
| 23. South Atlantic Coastal Migratory Pelagics Fishery (FMP managed by the SAFMC): |  |
| A. Commercial Spanish mackerel fishery .....                                      | A. Handline, rod and reel, bandit gear, gillnet, cast net.   |
| B. Commercial king mackerel fishery .....   | B. Handline, rod and reel, bandit gear.  |
| C. Other commercial coastal migratory pelagics fishery .....                      | C. Longline, handline, rod and reel, bandit gear.  |
| D. Recreational fishery .....   | D. Bandit gear, rod and reel, handline, spear.   |
| 24. Calico Scallops Fishery (Non-FMP):  |  |
| A. Trawl fishery .....  | A. Trawl.  |
| B. Dredge fishery .....   | B. Dredge.   |
| C. Recreational fishery .....   | C. Hand harvest.   |
| 25. Sargassum Fishery (Non-FMP) .....   | Trawl.   |
| 26. South Atlantic Shrimp Fishery (FMP) .....                                     | Trawl.   |
| 27. Commercial Fishery (Non-FMP) .....  | Trawl, pot, trap, gillnet, pound net, dredge, seine, handline, longline, hook and line, rod and reel, spear. |
| 28. Dolphin/wahoo fishery (FMP managed by SAFMC) .....                            | Automatic reel, bandit gear, handline, pelagic longline, rod and reel, spear (including powerheads).         |

**III. South Atlantic Fishery Management Council**

|  |   |
|--|---|
| 1. Golden Crab Fishery (FMP) .....                           | Trap.   |
| 2. Crab Fishery (Non-FMP):                                   |   |
| A. Dredge fishery .....                                      | A. Dredge.  |
| B. Trawl fishery .....                                       | B. Trawl.   |
| C. Trap and pot fishery .....                                | C. Trap, pot.   |
| 3. Atlantic Red Drum Fishery (FMP) .....                     | No harvest or possession in the EEZ.                                |
| 4. Coral and Coral Reef Fishery (FMP):                       |   |
| A. Octocoral commercial fishery .....                        | Hand harvest.   |
| B. Live rock aquaculture fishery .....                       | Hand harvest.   |
| 5. South Atlantic Shrimp Fishery (FMP) .....                 | Trawl.  |
| 6. South Atlantic Snapper-Grouper Fishery (FMP):             |   |
| A. Commercial fishery .....                                  | A. Longline, rod and reel, bandit gear, handline, spear, powerhead. |
| B. Black sea bass pot fishery .....                          | B. Pot.   |
| C. Wreckfish fishery .....                                   | C. Rod and reel, bandit gear, handline.                             |
| D. Recreational fishery .....                                | D. Handline, rod and reel, bandit gear, spear, powerhead.           |
| 7. South Atlantic Spiny Lobster Fishery (FMP):               |   |
| A. Commercial fishery .....                                  | A. Trap, pot, dip net, bully net, snare, hand harvest.              |
| B. Recreational fishery .....                                | B. Trap, pot, dip net, bully net, snare, hand harvest.              |
| 8. South Atlantic Coastal Migratory Pelagics Fishery (FMP):  |   |
| A. Commercial Spanish mackerel fishery .....                 | A. Handline, rod and reel, bandit gear, gillnet, cast net.          |
| B. Commercial king mackerel fishery .....                    | B. Handline, rod and reel, bandit gear.                             |
| C. Other commercial coastal migratory pelagics fishery ..... | C. Longline, handline, rod and reel, bandit gear.                   |

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| Fishery  | Authorized gear types  |
|--|--|
| D. Recreational fishery .....  | D. Bandit gear, rod and reel, handline, spear.   |
| 9. Spiny Dogfish Fishery (FMP jointly managed by NEFMC and SAFMC):                             |  |
| A. Gillnet fishery .....   | A. Gillnet.  |
| B. Trawl fishery .....   | B. Trawl.  |
| C. Hook and line fishery .....   | C. Hook and line, rod and reel, spear, bandit gear.  |
| D. Dredge fishery .....  | D. Dredge.   |
| E. Longline fishery .....  | E. Longline.   |
| F. Recreational fishery .....  | F. Hook and line, rod and reel, spear.   |
| 10. Smooth Dogfish Fishery (Non-FMP):  |  |
| A. Gillnet fishery .....   | A. Gillnet.  |
| B. Trawl fishery .....   | B. Trawl.  |
| C. Hook and line fishery .....   | C. Hook and line, rod and reel, spear, bandit gear.  |
| D. Dredge fishery .....  | D. Dredge.   |
| E. Longline fishery .....  | E. Longline.   |
| F. Recreational fishery .....  | F. Hook and line, rod and reel, spear.   |
| 11. Atlantic Menhaden Fishery (Non-FMP):   |  |
| A. Purse seine fishery .....   | A. Purse seine.  |
| B. Trawl fishery .....   | B. Trawl.  |
| C. Gillnet fishery .....   | C. Gillnet.  |
| D. Commercial hook-and-line .....  | D. Hook and line fishery.  |
| E. Recreational fishery .....  | E. Hook and line, snagging, cast nets.   |
| 12. Atlantic Mackerel, Squid, and Butterfish Trawl Fishery (Non-FMP) ....                      | Trawl.   |
| 13. Bait Fisheries (Non-FMP) .....   | Purse seine.   |
| 14. Weakfish Fishery (Non-FMP):  |  |
| A. Commercial fishery .....  | A. Trawl, gillnet, hook and line.  |
| B. Recreational fishery .....  | B. Hook and line, spear.   |
| 15. Whelk Fishery (Non-FMP):   |  |
| A. Trawl fishery .....   | A. Trawl.  |
| B. Pot and trap fishery .....  | B. Pot, trap.  |
| C. Dredge fishery .....  | C. Dredge.   |
| D. Recreational fishery .....  | D. Hand harvest.   |
| 16. Marine Life Aquarium Fishery (Non-FMP) .....   | Dip net, slurp gun, barrier net, drop net, allowable chemical, trap, pot, trawl.                                       |
| 17. Calico Scallop Fishery (Non-FMP):  |  |
| A. Dredge fishery .....  | A. Dredge.   |
| B. Trawl fishery .....   | B. Trawl.  |
| C. Recreational fishery .....  | C. Hand harvest.   |
| 18. Summer Flounder Fishery (FMP managed by MAFMC):  |  |
| A. Commercial fishery .....  | A. Trawl, longline, handline, rod and reel, pot, trap, gillnet, dredge.  |
| B. Recreational fishery .....  | B. Rod and reel, handline, pot, trap, spear.   |
| 19. Bluefish, Croaker, and Flounder Trawl and Gillnet Fishery (Bluefish FMP managed by MAFMC). | Trawl, gillnet.  |
| 20. Commercial Fishery (Non-FMP) .....   | Trawl, gillnet, longline, handline, hook and line, rod and reel, bandit gear, cast net, pot, trap, lampara net, spear. |
| 21. Recreational Fishery (Non-FMP) .....   | Rod and reel, handline, spear, hook and line, hand harvest, bandit gear, powerhead, gillnet, cast net.                 |
| 22. Sargassum Fishery (Non-FMP) .....  | Trawl.   |
| 23. Octopus Fishery (Non-FMP) .....  | Trap, pot.   |
| 24. Dolphin/wahoo fishery (FMP) .....  | Automatic reel, bandit gear, handline, pelagic longline, rod and reel, spear (including powerheads).                   |

**IV. Gulf of Mexico Fishery Management Council**

|   |   |
|---|---|
| 1. Gulf of Mexico Red Drum Fishery (FMP) .....                        | No harvest or possession in the EEZ.                            |
| 2. Coral Reef Fishery (FMP):  |   |
| A. Commercial fishery .....   | A. Hand harvest.  |
| B. Recreational fishery .....   | B. Hand harvest.  |
| 3. Gulf of Mexico Reef Fish Fishery (FMP):                            |   |
| A. Snapper-Grouper reef fish longline and hook and line fishery ..... | A. Longline, handline, bandit gear, rod and reel, buoy gear.    |
| B. Other commercial fishery .....                                     | B. Spear, powerhead, cast net, trawl.                           |
| C. Recreational fishery .....   | C. Spear, powerhead, bandit gear, handline, rod reel, cast net. |
| 4. Gulf of Mexico Shrimp Fishery (FMP):                               |   |
| A. Gulf of Mexico commercial fishery .....                            | A. Trawl butterfly net, skimmer, cast net.                      |
| B. Recreational fishery .....   | B. Trawl.   |
| 5. Gulf of Mexico Coastal Migratory Pelagics Fishery (FMP):           |   |
| A. Large pelagics longline fishery .....                              | A. Longline.  |
| B. King/Spanish mackerel gillnet fishery .....                        | B. Gillnet.   |
| C. Pelagic hook and line fishery .....                                | C. Bandit gear, handline, rod and reel.                         |

| Fishery   | Authorized gear types  |
|---|--|
| D. Pelagic species purse seine fishery .....                    | D. Purse seine.  |
| E. Recreational fishery .....                                   | E. Bandit gear, handline, rod and reel, spear.   |
| Gulf of Mexico Spiny Lobster Fishery (FMP):                     |  |
| A. Commercial fishery .....                                     | A. Trap, pot, dip net, bully net, hoop net, trawl, snare, hand harvest.  |
| C. Recreational fishery .....                                   | C. Dip net, bully net, pot, trap, snare, hand harvest.   |
| 6. Stone Crab Fishery (FMP):                                    |  |
| A. Trap and pot fishery .....                                   | A. Trap, pot   |
| B. Recreational fishery .....                                   | B. Trap, pot, hand harvest.  |
| 7. Blue Crab Fishery (Non-FMP) .....                            | Trap, pot.   |
| 8. Golden Crab Fishery (Non-FMP) .....                          | Trap.  |
| 9. Mullet Fishery (Non-FMP):                                    |  |
| A. Trawl fishery .....  | A. Trawl.  |
| B. Gillnet fishery .....  | B. Gillnet.  |
| C. Pair trawl fishery .....                                     | C. Pair trawl.   |
| D. Cast net fishery .....                                       | D. Cast net.   |
| E. Recreational fishery .....                                   | E. Bandit gear, handline, rod and reel, spear, cast net.   |
| 10. Inshore Coastal Gillnet Fishery (Non-FMP) .....             | Gillnet.   |
| 11. Octopus Fishery (Non-FMP) .....                             | Trap, pot.   |
| 12. Marine Life Aquarium Fishery (Non-FMP) .....                | Dip net, slurp gun, barrier net, drop net, allowable chemical, trap, pot, trawl.   |
| 13. Coastal Herring Trawl Fishery (Non-FMP) .....               | Trawl.   |
| 14. Butterfish Trawl Fishery (Non-FMP) .....                    | Trawl.   |
| 15. Gulf of Mexico Groundfish (Non-FMP):                        |  |
| A. Commercial fishery .....                                     | A. Trawl, purse seine, gillnet.  |
| B. Recreational fishery .....                                   | B. Hook and line, rod and reel, spear.   |
| 16. Gulf of Mexico Menhaden Purse Seine Fishery (Non-FMP) ..... | Purse seine.   |
| 17. Sardine Purse Seine Fishery (Non-FMP) .....                 | Purse seine.   |
| 18. Oyster Fishery (Non-FMP) .....                              | Dredge, tongs.   |
| 19. Commercial Fishery (Non-FMP) .....                          | Trawl, gillnet, hook and line, longline, handline, rod and reel, bandit gear, cast net, lampara net, spear.  |
| 20. Recreational Fishery (Non-FMP) .....                        | Bandit gear, handline, rod and reel, spear, bully net, gillnet, dip net, longline, powerhead, seine, slurp gun, trap, trawl, harpoon, cast net, hoop net, hook and line, hand harvest. |

**V. Caribbean Fishery Management Council**

|  |  |
|--|--|
| 1. Caribbean Spiny Lobster Fishery (FMP):        |  |
| A. Trap/pot fishery .....                        | A. Trap/pot.   |
| B. Dip net fishery .....                         | B. Dip net.  |
| C. Hand harvest fishery .....                    | C. Hand harvest, snare.  |
| D. Recreational fishery .....                    | D. Dip net, trap, pot.   |
| 2. Caribbean Reef Fish Fishery (FMP):            |  |
| A. Longline/hook and line fishery .....          | A. Longline, hook and line.  |
| B. Trap/pot fishery .....                        | B. Trap, pot.  |
| C. Recreational fishery .....                    | C. Dip net, handline, rod and reel, slurp gun, spear.  |
| D. Other commercial fishery .....                | D. Spear.  |
| 3. Coral and Reef Resources Fishery (FMP):       |  |
| A. Commercial fishery .....                      | A. Dip net, slurp gun.   |
| B. Recreational fishery .....                    | B. Dip net, slurp gun, hand harvest.   |
| 4. Queen Conch Fishery (FMP):                    |  |
| A. Commercial fishery .....                      | A. Hand harvest.   |
| B. Recreational fishery .....                    | B. Hand harvest.   |
| 5. Caribbean Pelagics Fishery (Non-FMP):         |  |
| A. Pelagics drift gillnet fishery .....          | A. Gillnet.  |
| B. Pelagics longline/hook and line fishery ..... | B. Longline/hook and line.   |
| C. Recreational fishery .....                    | C. Spear, handline, longline, rod and reel.  |
| 6. Commercial Fishery (Non-FMP) .....            | Trawl, gillnet, hook and line, longline, handline, rod and reel, bandit gear, cast net, spear. |
| 7. Recreational Fishery (Non-FMP) .....          | Rod and reel, hook and line, spear, powerhead, handline, hand harvest, cast net.               |

**VI. Pacific Fishery Management Council**

|   |                   |
|---|-------------------|
| 1. Washington, Oregon, and California Salmon Fisheries (FMP): |                   |
| A. Salmon set gillnet fishery .....                           | A. Gillnet.       |
| B. Salmon hook and line fishery .....                         | B. Hook and line. |
| C. Trawl fishery .....  | C. Trawl.         |
| D. Recreational fishery .....                                 | D. Rod and reel.  |
| 2. West Coast Groundfish Fisheries (FMP):                     |                   |
| A. Pacific groundfish trawl fishery .....                     | A. Trawl.         |
| B. Set gillnet fishery .....                                  | B. Gillnet.       |



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| Fishery  | Authorized gear types  |
|--|--|
| C. Groundfish longline and setline fishery .....   | C. Longline.   |
| D. Groundfish handline and hook and line fishery .....   | D. Handline, hook and line.  |
| E. Groundfish pot and trap fishery .....   | E. Pot, trap.  |
| F. Recreational fishery .....  | F. Rod and reel, handline, spear, hook and line.   |
| 3. Northern Anchovy Fishery (FMP) .....  | Purse seine, lampara net.  |
| 4. Angel Shark, White Croaker, California Halibut, White Sea Bass, Pacific Mackerel Large-Mesh Set Net Fishery (Non-FMP) ..... | Gillnet.   |
| 5. Thresher Shark and Swordfish Drift Gillnet Fishery (Non-FMP) .....  | Gillnet.   |
| 6. Pacific Shrimp and Prawn Fishery (Non-FMP):   |  |
| A. Pot and trap fishery .....  | A. Pot, trap.  |
| B. Trawl fishery .....   | B. Trawl.  |
| 7. Lobster and Rock Crab Pot and Trap Fishery (Non-FMP) .....  | Pot, trap.   |
| 8. Pacific Halibut Fishery (Non-FMP):  |  |
| A. Longline and setline fishery .....  | A. Longline.   |
| B. Hook-and-line fishery .....   | B. Hook and line.  |
| 9. California Halibut Trawl and Trammel Net Fishery .....  | Trawl, trammel net.  |
| 10. Shark and Bonito Longline and Setline Fishery (Non-FMP) .....  | Longline.  |
| 11. Dungeness Crab Pot and Trap Fishery (Non-FMP) .....  | Pot, trap.   |
| 12. Hagfish Pot and Trap Fishery (Non-FMP) .....   | Pot, trap.   |
| 13. Pacific Albacore and Other Tuna Hook-and-line Fishery (Non-FMP) .....  | Hook and line.   |
| 14. Pacific Swordfish Harpoon Fishery (Non-FMP) .....  | Harpoon.   |
| 15. Pacific Scallop Dredge Fishery (Non-FMP) .....   | Dredge.  |
| 16. Pacific Yellowfin, Skipjack Tuna, Purse Seine Fishery, (Non-FMP) .....   | Purse seine.   |
| 17. Market Squid Fishery (Non-FMP) .....   | Purse seine, dip net.  |
| 18. Pacific Sardine, Pacific Mackerel, Pacific Saury, Pacific Bonito, and Jack Mackerel Purse Seine Fishery (Non-FMP) .....    | Purse seine.   |
| 19. Finfish and Shellfish Live Trap, Hook-and-line, and Handline Fishery (Non-FMP) .....                                       | Trap, handline, hook and line.   |
| 20. Recreational Fishery (Non-FMP) .....   | Spear, trap, handline, pot, hook and line, rod and reel, hand harvest.                         |
| 21. Commercial Fishery (Non-FMP) .....   | Trawl, gillnet, hook and line, longline, handline, rod and reel, bandit gear, cast net, spear. |

**VII. North Pacific Fishery Management Council**

|  |  |
|--|--|
| 1. Alaska Scallop Fishery (FMP) .....  | Dredge.  |
| 2. Bering Sea (BS) and Aleutian Islands (AI) King and Tanner Crab Fishery (FMP): |  |
| Pot fishery .....  | Pot.   |
| 3. Bering Sea (BS) and Aleutian Islands (AI) King and Tanner Crab Fishery (FMP): |  |
| Recreational fishery .....   | Pot.   |
| 4. BS and AI Groundfish Fishery (FMP):   |  |
| A. Groundfish trawl fishery .....  | A. Trawl.  |
| B. Bottomfish hook-and-line, and handline fishery .....                          | B. Hook and line, handline.  |
| C. Longline fishery .....  | C. Longline.   |
| D. BS and AI pot and trap fishery .....  | D. Pot, trap.  |
| 5. BS and AI Groundfish Recreational Fishery (Non-FMP) .....                     | Handline, rod and reel, hook and line, pot, trap.  |
| 6. Gulf of Alaska (GOA) Groundfish Fishery (FMP):                                |  |
| A. Groundfish trawl fishery .....  | A. Trawl.  |
| B. Bottomfish hook-and-line and handline fishery .....                           | B. Hook and line, handline.  |
| C. Longline fishery .....  | C. Longline.   |
| D. GOA pot and trap fishery .....  | D. Pot, trap.  |
| E. Recreational fishery .....  | E. Handline, rod and reel, hook and line, pot, trap.   |
| 7. Pacific Halibut Fishery (Non-FMP):  |  |
| A. Commercial (IFQ and CDQ) .....  | A. Hook and line.  |
| B. Recreational .....  | B. Single line with no more than 2 hooks attached or spear.  |
| C. Subsistence .....   | C. Setline gear and hand held gear of not more than 30 hooks, including longline, handline, rod and reel, spear, jig, and hand-troll gear. |
| 8. Alaska High Seas Salmon Hook and Line Fishery: (FMP) .....                    | Hook and line.   |
| 9. Alaska Salmon Fishery (Non-FMP):  |  |
| A. Hook-and-line fishery .....   | A. Hook and line.  |
| B. Gillnet fishery .....   | B. Gillnet.  |
| C. Purse seine fishery .....   | C. Purse seine.  |
| D. Recreational fishery .....  | D. Handline, rod and reel, hook and line.  |
| 10. Finfish Purse Seine Fishery (Non-FMP) .....                                  | Purse seine.   |
| 11. Octopus/Squid Longline Fishery (Non-FMP) .....                               | Longline.  |
| 12. Finfish Handline and Hook-and-line Fishery (Non-FMP) .....                   | Handline, hook and line.   |
| 13. Recreational Fishery (Non-FMP) .....   | Handline, rod and reel, hook line.   |
| 14. Commercial Fishery (Non-FMP) .....   | Trawl, gillnet, hook and line, longline, handline, rod and reel, bandit gear, cast net, spear.   |

| Fishery  | Authorized gear types   |
|--|---|
| <b>VIII. Western Pacific Fishery Management Council</b>                    |   |
| 1. Western Pacific Crustacean Fishery (FMP) (Fishery Ecosystem Plan, FEP). | Trap, hand harvest, hoop net.   |
| 2. Western Pacific Crustacean Fishery (Non-FEP):                           |   |
| A. Commercial fishery .....  | A. Gillnet, hand harvest, hoop net, spear, snare, trap, trawl.  |
| B. Recreational fishery .....  | B. Gillnet, hand harvest, hoop net, spear, snare, trap.   |
| C. Charter fishery .....   | C. Hand harvest, spear.   |
| 3. Western Pacific Precious Corals Fishery (FEP):                          |   |
| A. Tangle net dredge fishery .....   | A. Tangle net dredge.   |
| B. Submersible fishery .....   | B. Submersible.   |
| C. Dive fishery .....  | C. Hand harvest.  |
| D. Recreational fishery .....  | D. Hand harvest.  |
| 4. Western Pacific Precious Corals Fishery (Non-FEP) .....                 | Hand harvest, submersible, tangle net dredge.   |
| 5. Western Pacific Bottomfish and Seamount Groundfish Fishery (FEP):       |   |
| A. Bottomfish hook-and-line fishery .....                                  | A. Bandit gear, buoy gear, handline, hook and line, rod and reel, hand harvest.   |
| B. Seamount groundfish fishery .....                                       | B. Longline, trawl.   |
| C. Bottom longline fishery .....   | C. Longline, hook and line.   |
| D. Trap fishery .....  | D. Trap.  |
| E. Spear fishery .....   | E. Spear, powerhead.  |
| 6. Western Pacific Bottomfish and Seamount Groundfish Fishery (Non-FEP):   |   |
| A. Commercial fishery .....  | A. Bandit gear, buoy gear, gillnet, handline, hook-and-line, longline, rod and reel, spear, trap.   |
| B. Recreational fishery .....  | B. Bandit gear, buoy gear, Gillnet, handline, hook and line, longline, rod and reel, spear, trap, slurp gun, hand harvest.  |
| C. Charter fishery .....   | C. Bandit gear, buoy gear, handline, hook-and-line, rod and reel, spear.  |
| 7. Western Pacific Pelagics Fishery (FEP):                                 |   |
| A. Longline Fishery .....  | A. Longline.  |
| B. Hook and line fishery .....   | B. Bandit gear, buoy gear, handline, hook and line, rod and reel.   |
| C. Purse seine fishery .....   | C. Lampara net, purse seine.  |
| D. Spear fishery .....   | D. Spear, powerhead.  |
| E. Squid jig fishery .....   | E. Squid jig.   |
| 8. Western Pacific Pelagics Fishery (Non-FEP):                             |   |
| A. Recreational fishery .....  | A. Bandit gear, buoy gear, dip net, handline, hook and line, hoop net, powerhead, rod and reel, spear.  |
| B. Commercial fishery .....  | B. Bandit gear, buoy gear, dip net, handline, hook and line, hoop net, powerhead, rod and reel, spear.  |
| C. Charter fishery .....   | C. Bandit gear, buoy gear, dip net, handline, hook and line, hoop net, powerhead, rod and reel, spear.  |
| 9. Western Pacific Coastal Pelagics Fishery (Non-FEP) .....                | Bandit gear, buoy gear, dip net, gillnet, handline, hook and line, hoop net, lampara net, purse seine, rod and reel, spear.   |
| 10. Western Pacific Squid and Octopus Fishery (Non-FEP) .....              | Bandit gear, hand harvest, hook and line, rod and reel, spear, trap.  |
| 11. Western Pacific Coral Reef Fishery (Non-FEP) .....                     | Allowable chemical, barrier net, dip net, gillnet, hand harvest, seine, slurp gun, trap, spear, rod and reel, hook and line.  |
| 12. Recreational Fishery (Non-FEP) .....                                   | Rod and reel, hook and line, handline, hand harvest, spear.   |
| 13. Commercial Fishery (Non-FEP) .....                                     | Trawl, gillnet, hook and line, longline, handline, rod and reel, bandit gear, cast net, spear.  |
| <b>IX. Secretary of Commerce</b>   |   |
| 1. Atlantic Highly Migratory Species Fisheries (FMP):                      |   |
| A. Swordfish handgear fishery .....  | A. Rod and reel, harpoon, handline, bandit gear, buoy gear.   |
| B. Swordfish recreational fishery .....                                    | B. Rod and reel, handline.  |
| C. Pelagic longline fishery .....  | C. Longline.  |
| D. Shark gillnet fishery .....   | D. Gillnet.   |
| E. Shark bottom longline fishery .....                                     | E. Longline.  |
| F. Shark handgear fishery .....  | F. Rod and reel, handline, bandit gear.   |
| G. Shark recreational fishery .....  | G. Rod and reel, handline.  |
| H. Tuna purse seine fishery .....  | H. Purse seine.   |
| I. Tuna recreational fishery .....   | I. Speargun gear (for bigeye, albacore, yellowfin, and skipjack tunas only); Rod and reel, handline (all tunas); green-stick gear (HMS Charter/Headboat Category only). |

| Fishery   | Authorized gear types   |
|---|---|
| J. Tuna handgear fishery .....                  | J. Rod and reel, harpoon, handline, bandit gear.  |
| K. Tuna harpoon fishery .....                   | K. Harpoon.   |
| L. Atlantic billfish recreational fishery ..... | L. Rod and reel.  |
| M. Tuna green-stick fishery .....               | M. Green-stick gear.  |
| 2. Commercial Fisheries (Non-FMP) .....         | Rod and reel, handline, longline, gillnet, harpoon, bandit gear, purse seine, green-stick gear. |

(w) Fail to maintain safe conditions for the protection of observers including compliance with all U.S. Coast Guard and other applicable rules, regulations, or statutes applicable to the vessel and which pertain to safe operation of the vessel.

[61 FR 32540, June 24, 1996]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 600.725, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at [www.fdsys.gov](http://www.fdsys.gov).

**§ 600.730 Facilitation of enforcement.**

(a) *General.* The operator of, or any other person aboard, any fishing vessel subject to parts 622 through 699 of this chapter must immediately comply with instructions and signals issued by an authorized officer to stop the vessel and with instructions to facilitate safe boarding and inspection of the vessel, its gear, equipment, fishing record (where applicable), and catch for purposes of enforcing the Magnuson-Stevens Act or any other statute administered by NOAA and this chapter.

(1) For the purposes of this section “freeboard” means the working distance between the top rail of the gunwale of a vessel and the water’s surface. Where cut-outs are provided in the bulwarks for the purpose of boarding personnel, freeboard means the distance between the threshold of the bulwark cut-out and the water’s surface.

(2) For the purposes of this section, “pilot ladder” means a flexible ladder constructed and approved to meet the U.S. Coast Guard standards for pilot ladders at 46 CFR subpart 163.003 entitled Pilot Ladder.

(b) *Communications.* (1) Upon being approached by a USCG vessel or aircraft, or other vessel or aircraft with an authorized officer aboard, the operator of a fishing vessel must be alert for communications conveying enforcement instructions.

(2) VHF-FM radiotelephone is the preferred method for communicating between vessels. If the size of the vessel and the wind, sea, and visibility conditions allow, a loudhailer may be used instead of the radio. Hand signals, placards, high frequency radiotelephone, or voice may be employed by an authorized officer, and message blocks may be dropped from an aircraft.

(3) If other communications are not practicable, visual signals may be transmitted by flashing light directed at the vessel signaled. USCG units will normally use the flashing light signal “L” as the signal to stop. In the International Code of Signals, “L” (—) means “you should stop your vessel instantly.” (Period (.) means a short flash of light; dash (–) means a long flash of light.)

(4) Failure of a vessel’s operator promptly to stop the vessel when directed to do so by an authorized officer using loudhailer, radiotelephone, flashing light signal, or other means constitutes prima facie evidence of the offense of refusal to permit an authorized officer to board.

(5) The operator of a vessel who does not understand a signal from an enforcement unit and who is unable to obtain clarification by loudhailer or radiotelephone must consider the signal to be a command to stop the vessel instantly.

(c) *Boarding.* The operator of a vessel directed to stop must:

(1) Guard Channel 16, VHF-FM, if so equipped.

(2) Stop immediately and lay to or maneuver in such a way as to allow the authorized officer and his/her party to come aboard.

(3) Except for fishing vessels with a freeboard of 4 feet (1.25 m) or less, provide, when requested by an authorized officer or observer personnel, a pilot ladder capable of being used for the