

**Fishery Conservation and Management**

**§ 665.403**

Guam subarea of the Mariana fishery management area.

*Mariana bottomfish management unit species (Mariana bottomfish MUS) means the following fish:*

Local name Chamorro/Carolinian	English common name	Scientific name
Lehi/maroobw .....	red snapper, silvermouth .....	<i>Aphareus rutilans.</i>
Gogunafon/aiwe .....	gray snapper, jobfish .....	<i>Aprion virescens.</i>
Tarakitu/etam .....	Giant trevally, jack .....	<i>Caranx ignobilis.</i>
Tarakiton attelong/orong .....	Black trevally, jack .....	<i>Caranx lugubris.</i>
Gadao/metyeil .....	blacktip grouper .....	<i>Epinephelus fasciatus.</i>
Bueli/bwele .....	lunartail grouper .....	<i>Variola louti.</i>
Buninas agaga/falaghal moroobw .....	red snapper .....	<i>Etelis carbunculus.</i>
Abuninas/taighulupegh .....	red snapper .....	<i>Etelis coruscans.</i>
Mafuti/atigh .....	redgill emperor .....	<i>Lethrinus rubrioperculatus.</i>
Mafuti/loot .....	Ambon emperor .....	<i>Lethrinus amboinensis.</i>
Funai/saas .....	blueline snapper .....	<i>Lutjanus kasmira.</i>
Buninas/falaghal-maroobw .....	yellowtail snapper .....	<i>Pristipomoides auricilla.</i>
Buninas or pakapaka/falaghal-maroobw ...	pink snapper .....	<i>Pristipomoides filamentosus.</i>
Buninas/falaghal-maroobw .....	yelloweye snapper .....	<i>Pristipomoides flavipinnis.</i>
Buninas rayao amariyu/falaghal-maroobw	pink snapper .....	<i>Pristipomoides seiboldii.</i>
Tarakiton tadong/Meseyugh .....	snapper .....	<i>Pristipomoides zonatus.</i>
	amberjack .....	<i>Seriola dumeril.</i>

**§ 665.402 Management subareas.**

The Mariana fishery management area is divided into bottomfish management subareas with the following designations and boundaries:

(a) *Guam Management Subarea* means the EEZ seaward of the Territory of Guam, with the inner boundary defined as a line coterminous with the seaward boundary of the Territory of Guam.

(b) *CNMI Management Subarea* means the EEZ seaward of the CNMI. The CNMI Management Subarea is further divided into subareas with the following designations and boundaries:

(1) *CNMI Inshore Area* means that portion of the EEZ within 3 nautical miles from the shoreline of the CNMI.

(2) *CNMI Offshore Area* means that portion of the EEZ seaward of 3 nautical miles from the shoreline of the CNMI.

(c) The outer boundary of each fishery management area is a line drawn in such a manner that each point on it is 200 nautical miles from the baseline from which the territorial sea is measured, or is coterminous with adjacent international maritime boundaries, except that the outer boundary of the CNMI Inshore Area is 3 nautical miles from the shoreline. The boundary between the fishery management areas of Guam and CNMI extends to those points which are equidistant between Guam and the island of Rota in the CNMI. CNMI and Guam management subareas are divided by a line inter-

secting these two points: 148° E. long., 12° N. lat., and 142° E. long., 16° N. lat.

**§ 665.403 Bottomfish fishery area management.**

(a) *Guam large vessel bottomfish prohibited area (Area GU-1)*. A large vessel of the United States, as defined in § 665.12, may not be used to fish for Mariana bottomfish MUS in the Guam large vessel bottomfish prohibited area, defined as the U.S. EEZ waters surrounding Guam that are enclosed by straight lines connecting the following coordinates in the order listed:

Point	N. lat.	E. long.
GU-1-A .....	14°16'	144°17'
GU-1-B .....	13°50'	143°52'
GU-1-C .....	13°17'	143°46'
GU-1-D .....	12°50'	143°54'
GU-1-E .....	12°30'	144°14'
GU-1-F .....	12°25'	144°51'
GU-1-G .....	12°57'	145°33'
GU-1-H .....	13°12'	145°43'
GU-1-I .....	13°29'44"	145°48'27"
GU-1-A .....	14°16'	144°17'

(b) *CNMI medium and large vessel bottomfish prohibited areas*. A medium or large vessel of the United States, as defined in § 665.12, may not be used to fish commercially for Mariana bottomfish MUS in the following areas:

(1) *CNMI Southern Islands (Area NM-1)*. The CNMI Southern Islands prohibited area is defined as the waters of the U.S. EEZ surrounding CNMI that are enclosed by straight lines connecting

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the following coordinates in the order listed:

Point	N. lat.	E. long.
NM-1-A .....	14°9'	144°15'
NM-1-B .....	16°10'47"	145°12'
NM-1-C .....	16°10'47"	146°53'
NM-1-D .....	14°48'	146°33'
NM-1-E .....	13°27'	145°43'
NM-1-A .....	14°9'	144°15'

(2) *CNMI Alamagan Island (Area NM-2)*. The CNMI Alamagan Island prohibited area is defined as the waters of the U.S. EEZ surrounding CNMI that are enclosed by straight lines connecting the following coordinates in the order listed:

Point	N. lat.	E. long.
NM-2-A .....	17°26'	145°40'
NM-2-B .....	17°46'	145°40'
NM-2-C .....	17°46'	146°00'
NM-2-D .....	17°26'	146°00'
NM-2-A .....	17°26'	145°40'

**§ 665.404 Permits.**

(a) *Applicability*—(1) *Guam large vessel*. The owner of any large vessel used to fish for, land, or transship Mariana bottomfish MUS shoreward of the outer boundary of the Guam subarea must have a permit issued under this section, and the permit must be registered for use with that vessel.

(2) Commonwealth of the Northern Mariana Islands (CNMI) commercial. The owner of any vessel used to commercially fish for, transship, receive, or land Mariana bottomfish MUS shoreward of the outer boundary of the CNMI management subarea must have a permit issued under this section, and the permit must be registered for use with that vessel.

(b) *Submission*. An application for a permit required under this section must be submitted to PIRO as described in § 665.13.

**§ 665.405 Prohibitions.**

In addition to the general prohibitions specified in § 600.725 of this chapter and § 665.15, it is unlawful for any person to do any of the following:

(a) Fish for Mariana bottomfish MUS using gear prohibited under § 665.406.

(b) Use a large vessel that does not have a valid Guam bottomfish permit registered for use with that vessel to fish for, land, or transship Mariana

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bottomfish MUS shoreward of the outer boundary of the Guam management subarea of the bottomfish fishery management area in violation of § 665.404(a).

(c) Use a large vessel to fish for Mariana bottomfish MUS within the Guam large vessel bottomfish prohibited area, as defined in § 665.403(a).

(d) Land or transship, shoreward of the outer boundary of the Guam management subarea of the bottomfish fishery management area, Mariana bottomfish MUS that were harvested in violation of § 665.405(c).

(e) Use a vessel to fish commercially for Mariana bottomfish MUS shoreward of the outer boundary of the CNMI management subarea without a valid CNMI commercial bottomfish permit registered for use with that vessel, in violation of § 665.404(a)(2).

(f) Use a medium or large vessel, as defined in § 665.12, to fish for Mariana bottomfish MUS within the CNMI medium and large vessel bottomfish prohibited areas, as defined in § 665.403(b).

(g) Retain, land, possess, sell, or offer for sale, shoreward of the outer boundary of the CNMI management subarea, Mariana bottomfish MUS that were harvested in violation of § 665.405(f), except that Mariana bottomfish MUS that are harvested legally may be transferred to a receiving vessel shoreward of the outer boundary of the CNMI medium and large vessel bottomfish prohibited area as defined in § 665.403(b).

(h) Falsify or fail to make, keep, maintain, or submit a Federal logbook as required under § 665.14(b) when using a vessel to engage in commercial fishing for Mariana bottomfish MUS shoreward of the outer boundary of the CNMI management subarea in violation of § 665.14(b).

**§ 665.406 Gear restrictions.**

(a) Bottom trawls and bottom set gillnets. Fishing for bottomfish with bottom trawls and bottom set gillnets is prohibited.

(b) *Possession of gear*. Possession of a bottom trawl and bottom set gillnet by any vessel having a permit under § 665.404 or otherwise established to be fishing for bottomfish in the management subareas is prohibited.