

APPENDIX A TO SUBPART K OF PART
922—CORDELL BANK NATIONAL MA-
RINE SANCTUARY BOUNDARY COORDI-
NATES

Coordinates listed in this appendix are unprojected (Geographic Coordinate System) and based on the North American Datum of 1983 (NAD83).

SANCTUARY BOUNDARY COORDINATES

Point ID No.	Latitude	Longitude
1	38.26390	– 123.18138
2	38.13219	– 123.64265
3	38.11256	– 123.63344
4	38.08289	– 123.62065
5	38.07451	– 123.62162
6	38.06188	– 123.61546
7	38.05308	– 123.60549
8	38.04614	– 123.60611
9	38.03409	– 123.59904
10	38.02419	– 123.59864
11	38.02286	– 123.61531
12	38.01987	– 123.62450
13	38.01366	– 123.62494
14	37.99847	– 123.61331
15	37.98678	– 123.59988
16	37.97761	– 123.58746
17	37.96683	– 123.57859
18	37.95528	– 123.56199
19	37.94901	– 123.54777
20	37.93858	– 123.54701
21	37.92288	– 123.54360
22	37.90725	– 123.53937
23	37.88541	– 123.52967
24	37.87637	– 123.52192
25	37.86189	– 123.52197
26	37.84988	– 123.51749
27	37.82296	– 123.49280
28	37.81365	– 123.47906
29	37.81026	– 123.46897
30	37.80094	– 123.47313
31	37.79487	– 123.46721
32	37.78383	– 123.45466
33	37.78109	– 123.44694
34	37.77033	– 123.43466
35	37.76687	– 123.42694
36	37.83480	– 123.42579
37	37.90464	– 123.38958
38	37.95880	– 123.32312
39	37.98947	– 123.23615
40	37.99227	– 123.14137
41	38.05202	– 123.12827
42	38.06505	– 123.11711
43	38.07898	– 123.10924
44	38.09069	– 123.10387
45	38.10215	– 123.09804
46	38.12829	– 123.08742
47	38.14072	– 123.08237
48	38.16576	– 123.09207
49	38.21001	– 123.11913
50	38.26390	– 123.18138

APPENDIX B TO SUBPART K OF PART
922—LINE REPRESENTING THE 50-
FATHOM ISOBATH SURROUNDING
CORDELL BANK

Coordinates listed in this appendix are unprojected (Geographic Coordinate System)

and based on the North American Datum of 1983 (NAD83).

CORDELL BANK FIFTY FATHOM LINE

Point ID No.	Latitude	Longitude
1	37.96034	– 123.40371
2	37.96172	– 123.42081
3	37.99110	– 123.44379
4	38.00406	– 123.46443
5	38.01637	– 123.46076
6	38.04684	– 123.47920
7	38.07106	– 123.48754
8	38.07588	– 123.47195
9	38.06451	– 123.46146
10	38.07123	– 123.44467
11	38.04446	– 123.40286
12	38.01442	– 123.38588
13	37.98859	– 123.37533
14	37.97071	– 123.38605

Subpart L—Flower Garden Banks
National Marine Sanctuary

§ 922.120 Boundary.

The Flower Garden Banks National Marine Sanctuary (the Sanctuary) consists of three separate areas of ocean waters over and surrounding the East and West Flower Garden Banks and Stetson Bank, and the submerged lands thereunder including the Banks, in the northwestern Gulf of Mexico. The area designated at the East Bank is located approximately 120 nautical miles (nmi) south-southwest of Cameron, Louisiana, and encompasses 19.20 nmi². The area designated at the West Bank is located approximately 110 nmi southeast of Galveston, Texas, and encompasses 22.50 nmi². The area designated at Stetson Bank is located approximately 70 nmi southeast of Galveston, Texas, and encompasses 0.64 nmi². The three areas encompass a total of 42.34 nmi² (145.09 square kilometers). The boundary coordinates for each area are listed in appendix A to this subpart.

[65 FR 81178, Dec. 22, 2000]

§ 922.121 Definitions.

As used in this subpart:

Attract or attracting means the conduct of any activity that lures or may lure any animal in the Sanctuary by using food, bait, chum, dyes, decoys (e.g., surfboards or body boards used as decoys), acoustics or any other means, except the mere presence of human

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beings (e.g., swimmers, divers, boaters, kayakers, surfers).

Clean means not containing detectable levels of harmful matter.

Disturb or disturbing a ray or whale shark means to, or attempt to touch, handle, ride, pursue, chase away, hunt, restrain, detain (no matter how temporarily), capture, collect, or conduct any other activity that disrupts or has the potential to disrupt any ray or whale shark in the Sanctuary by any means. Notwithstanding the above, the mere presence of human beings (e.g., swimmers, divers, boaters, kayakers) is exempted from this definition.

Harmful matter means any substance, or combination of substances, that because of its quantity, concentration, or physical, chemical, or infectious characteristics may pose a present or potential threat to Sanctuary resources or qualities, including but not limited to: Fishing nets, fishing line, hooks, fuel, oil, and those contaminants (regardless of quantity) listed at 40 CFR 302.4 pursuant to 42 U.S.C. 9601(14) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended.

No-activity zone means the two geographic areas delineated by the Department of the Interior in stipulations for OCS lease sale 112 over and surrounding the East and West Flower Garden Banks, and the geographic area delineated by the Department of the Interior in stipulations for OCS lease sale 171 over and surrounding Stetson Bank, as areas in which activities associated with exploration for, development of, or production of hydrocarbons are prohibited. The precise aliquot part description of these areas around the East and West Flower Garden Banks are provided in appendix B of this subpart; the no-activity zone around Stetson Bank is defined as the 52 meter isobath. These particular aliquot part descriptions for the East and West Flower Garden Banks, and the 52 meter isobath around Stetson Bank, define the geographic scope of the “no-activity zones” for purposes of the regulations in this subpart. The descriptions for the East and West Flower Garden Banks no-activity zones are based on the “1/41/41/4” system formerly used by the Department of the Interior, a

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method that delineates a specific portion of a block rather than the actual underlying isobath.

[77 FR 25068, Apr. 27, 2012]

§ 922.122 Prohibited or otherwise regulated activities.

(a) Except as specified in paragraphs (c) through (h) of this section, the following activities are prohibited and thus are unlawful for any person to conduct or to cause to be conducted:

(1) Exploring for, developing, or producing oil, gas, or minerals except outside of all no-activity zones and provided all drilling cuttings and drilling fluids are shunted to the seabed through a downpipe that terminates an appropriate distance, but no more than ten meters, from the seabed.

(2)(i) Anchoring any vessel within the Sanctuary.

(ii) Mooring any vessel within the Sanctuary, except that vessels 100 feet (30.48 meters) or less in registered length may moor to a Sanctuary mooring buoy.

(iii) Mooring a vessel in the Sanctuary without clearly displaying the blue and white International Code flag “A” (“alpha” dive flag) or the red and white “sports diver” flag whenever a SCUBA diver from that vessel is in the water and removing the “alpha” dive flag or “sports diver” flag after all SCUBA divers exit the water and return back on board the vessel, consistent with U.S. Coast Guard guidelines relating to sports diving as contained within “Special Notice to Mariners” (00–208) for the Gulf of Mexico.

(3)(i) Discharging or depositing from within or into the Sanctuary any material or other matter except:

(A) Fish, fish parts, chumming materials, or bait used in or resulting from fishing with conventional hook and line gear in the Sanctuary, provided that such discharge or deposit occurs during the conduct of such fishing within the Sanctuary;

(B) Clean effluent generated incidental to vessel use by an operable Type I or Type II marine sanitation device (U.S. Coast Guard classification) approved in accordance with section 312 of the Federal Water Pollution Control Act, as amended (FWPCA), 33 U.S.C. 1322. Vessel operators must lock