

§ 697.17

observer, and allow the sea sampler/observer access to and use of the vessel's navigation equipment and personnel upon request to determine the vessel's position.

(4) Notify the sea sampler/observer in a timely fashion of when fishing operations are to begin and end.

(5) Allow for the embarking and debarking of the sea sampler/observer, as specified by the Regional Administrator, ensuring that transfers of sea samplers/observers at sea are accomplished in a safe manner, via small boat or raft, during daylight hours as weather and sea conditions allow, and with the agreement of the sea samplers/observers involved.

(6) Allow the sea sampler/observer free and unobstructed access to the vessel's bridge, working decks, holding bins, weight scales, holds, and any other space used to hold, process, weigh, or store fish.

(7) Allow the sea sampler/observer to inspect and copy the vessel's log, communications log, and records associated with the catch and distribution of fish for that trip.

(e) The owner or operator of a vessel issued a Federal limited access American lobster permit, if requested by the sea sampler/observer also must:

(1) Notify the sea sampler/observer of any sea turtles, marine mammals, or other specimens taken by the vessel.

(2) Provide the sea sampler/observer with sea turtles, marine mammals, or other specimens taken by the vessel.

(f) NMFS may accept sea sampler/observer coverage funded by outside sources if:

(1) All coverage conducted by such sea samplers/observers is determined by NMFS to be in compliance with NMFS' sea sampler/observer guidelines and procedures.

(2) The owner or operator of the vessel complies with all other provisions of this part.

(3) The sea sampler/observer is approved by the Regional Administrator.

Subpart B—Management Measures

§ 697.17 Non-trap harvest restrictions.

(a) *Non-trap landing limits.* In addition to the prohibitions set forth in § 600.725

50 CFR Ch. VI (10–1–10 Edition)

of this chapter, it is unlawful for a vessel with any non-trap gear on board capable of catching lobsters, or, that fishes for, takes, catches, or harvests lobster on a fishing trip in or from the EEZ by a method other than traps, to possess, retain on board, or land, in excess of 100 lobsters (or parts thereof), for each lobster day-at-sea or part of a lobster day-at-sea, up to a maximum of 500 lobsters (or parts thereof) for any one trip, unless otherwise restricted by § 648.80(a)(3)(i), (a)(4)(i)(A), (a)(8)(i), (a)(9)(i)(D), (a)(12)(i)(A), (a)(13)(i)(A), (b)(3)(ii) or § 697.7(c)(2)(i)(C) of this chapter.

(b) All persons that fish for, take, catch, or harvest lobsters on a fishing trip in or from the EEZ are prohibited from transferring or attempting to transfer American lobster from one vessel to another vessel.

(c) Any vessel on a fishing trip in the EEZ that fishes for, takes, catches, or harvests lobster by a method other than traps may not possess on board, deploy, fish with, or haul back traps.

§ 697.18 Lobster management areas.

The following lobster management areas are established for purposes of implementing the management measures specified in this part. (A copy of a chart showing the American lobster EEZ management areas is available upon request to the Office of the Regional Administrator, NMFS, 1 Blackburn Drive, Gloucester, MA 01930.)

(a) *EEZ Nearshore Management Area 1.* EEZ Nearshore Management Area 1 is defined by the area, including state and Federal waters that are nearshore in the Gulf of Maine, bounded by straight lines connecting the following points, in the order stated, and the coastline of Maine, New Hampshire, and Massachusetts to the northernmost point of Cape Cod:

Point	Latitude	Longitude
A	43°58'N.	67°22'W.
B	43°41'N.	68°00'N.
C	43°12'N.	69°00'W.
D	42°49'N.	69°40'W.
E	42°15.5'N.	70°40'W.
F	42°10'N.	69°56'W.
G	42°05.5'N.	70°14'W.
G1	42°04.25'N.	70°17.22'W.
G2	42°02.84'N.	70°16.1'W.
G3	42°03.35'N.	70°14.2'W.

Fishery Conservation and Management

§ 697.18

(1) From point "G3" along the coastline of Massachusetts, including the southwestern end of the Cape Cod Canal, continuing along the coastlines of Massachusetts, New Hampshire, Maine, and the seaward EEZ boundary back to Point A.

(2) [Reserved]

(b) *EEZ Nearshore Management Area 2.* EEZ Nearshore Management Area 2 is defined by the area, including state and Federal waters that are nearshore in Southern New England, bounded by straight lines connecting the following points, in the order stated:

Point	Latitude	Longitude
H	41°40'N.	70°05'W.
I	41°15'N.	70°05'N.
J	41°21.5'N.	69°16.5'W.
K	41°10'N.	69°06.5'W.
L	40°55'N.	68°54'W.
M	40°27.5'N.	71°14'W.
N	40°45.5'N.	71°34'W.
O	41°07'N.	71°43'W.
P	41°06.5'N.	71°47'W.
Q	41°11.5'N.	71°47.25'W.
R	41°18.5'N.	71°54.5'W.

(1) From point "R" along the maritime boundary between Connecticut and Rhode Island to the coastal Connecticut/Rhode Island boundary and then back to point "H" along the Rhode Island and Massachusetts coast, including the northeastern end of the Cape Cod Canal.

(2) [Reserved]

(c) *Area 2/3 Overlap.* The Area 2/3 Overlap is defined by the area, comprised entirely of Federal waters, bounded by straight lines connecting the following points, in the order stated:

Point	Latitude	Longitude
K	41°10' N.	69°06.5' W.
L	40°55' N.	68°54' W.
M	40°27.5' N.	72°14' W.
N	40°45.5' N.	71°34' W.

(d) *EEZ Offshore Management Area 3.* EEZ Offshore Management Area 3 is defined by the area, comprised entirely of Federal waters, bounded by straight lines connecting the following points, in the order stated:

Point	Latitude	Longitude
A	43°58' N.	67°22' W.
B	43°41' N.	68°00' W.
C	43°12' N.	69°00' W.
D	42°49' N.	69°40' W.

Point	Latitude	Longitude
E	42°15.5' N.	69°40' W.
F	42°10' N.	69°56' W.
K	41°10' N.	69°06.5' W.
N	40°45.5' N.	71°34' W.
M	40°27.5' N.	72°14' W.
U	40°12.5' N.	72°48.5' W.
V	39°50' N.	73°01' W.
X	38°39.5' N.	73°40' W.
Y	38°12' N.	73°55' W.
Z	37°12' N.	74°44' W.
ZA	35°34' N.	74°51' W.
ZB	35°14.5' N.	75°31' W.
ZC	35°14.5' N.	71°24' W.

From point "ZC" along the seaward EEZ boundary to point "A".

(e) *EEZ Nearshore Management Area 4.* EEZ Nearshore Management Area 4 is defined by the area, including state and Federal waters that are near-shore in the northern Mid-Atlantic, bounded by straight lines connecting the following points, in the order stated:

Point	Latitude	Longitude
M	40°27.5'N.	72°14' W.
N	40°45.5' N.	71°34' W.
O	41°07' N.	71°43' W.
P	41°06.5' N.	71°47' W.
S	40°58' N.	72°00' W.
T	41°00.5' N.	72°00' W.

From Point "T", along the New York/New Jersey coast to Point "W"

W	39°50' N.	74°09' W.
V	39°50' N.	73°01' W.
U	40°12.5' N.	72°48.5' W.

From Point "U" back to Point "M".

(f) *EEZ Nearshore Management Area 5.* EEZ Nearshore Management Area 5 is defined by the area, including state and Federal waters that are near-shore in the southern Mid-Atlantic, bounded by straight lines connecting the following points, in the order stated:

Point	Latitude	Longitude
W	39°50'N.	74°09'W.
V1	39°50'N.	72°55'W.
X1	38°38.2'N.	73°33.8'W.
Y1	38°10.4'N.	73°49'W.
Z1	37°10.6'N.	74°38'W.
ZA1	35°31.9'N.	74°45.5'W.
ZB1	35°14.5'N.	75°19.3'W.
ZB	35°14.5'N.	75°31'W.

From Point "ZB", along the coasts of North Carolina, Virginia, Maryland, Delaware, New Jersey back to Point "W".

(g) *Nearshore Management Area 6.* The Nearshore Management Area 6 is defined by the area, including New York and Connecticut state waters, bounded by straight lines connecting the following points, in the order stated:

§ 697.19

50 CFR Ch. VI (10–1–10 Edition)

Point	Latitude	Longitude
T	41°00.5' N.	72°00' W.
S	40°58' N.	72°00' W.
From Point "S", boundary follows the 3 mile limit of New York as it curves around Montauk Point to Point "P"		
P	41°06.5' N.	71°47' W.
Q	41°11'30" N.	71°47'15" W.
R	41°18'30" N.	71°5'30" W.
From point "R", along the maritime boundary between Connecticut and Rhode Island to the coast; then west along the coast of Connecticut to the western entrance of Long Island Sound; then east along the New York coast of Long Island Sound and back to Point "T".		

(h) *EEZ Nearshore Outer Cape Lobster Management Area.* EEZ Nearshore Outer Cape Lobster Management Area is defined by the area, including state and Federal waters off Cape Cod, bounded by straight lines connecting the following points, in the order stated:

Point	Latitude	Longitude
F	42°10' N.	69°56' W.
G	42°05.5' N.	70°14' W.
G1	42°04.25' N.	70°17.22' W.
G2	42°02.84' N.	70°16.1' W.
G4	41°52' N.	70°07.49' W.
G5	41°54.46' N.	70°03.99' W.

(1) From Point "G5" along the outer Cape Cod coast to Point "H":

Point	Latitude	Longitude
H	41°40' N.	70°05' W.
H1	41°18' N.	70°05' W.

(2) From Point "H1" along the eastern coast of Nantucket Island to Point "I":

Point	Latitude	Longitude
I	41°15' N.	70°00' W.
J	41°21.5' N.	69°16' W.

(3) From Point "J" back to Point "F".

(i) NMFS may, consistent with § 697.25, implement management measures necessary for each management area, in order to end overfishing and rebuild stocks of American lobster.

[64 FR 68248, Dec. 6, 1999, as amended at 68 FR 14930, Mar. 27, 2003; 71 FR 13037, Mar. 14, 2006]

§ 697.19 Trap limits and trap tag requirements for vessels fishing with lobster traps.

(a) *Trap limits for vessels fishing or authorized to fish in any Nearshore Management Area.* (1) Through August 31,

2003, vessels fishing in or issued a management area designation certificate or valid limited access American lobster permit specifying one or more EEZ Nearshore Management Area(s), whether or not in combination with the Area 2/3 Overlap, shall not fish with, deploy in, possess in, or haul back from such area more than 800 lobster traps.

(2) Beginning September 1, 2003, vessels fishing in or issued a valid limited access American lobster permit specifying one or more of EEZ Nearshore Management Areas 1, 2, or the Outer Cape Management Area, regardless of whether it is in combination with the Area 2/3 Overlap, shall not fish with, deploy in, possess in, or haul back from such area(s) more than 800 lobster traps, except as noted in paragraph (d) of this section.

(3) Beginning September 1, 2003, vessels fishing in or issued a management area designation certificate or valid limited access American lobster permit specifying EEZ Management Area 4 may not fish with, deploy in, possess in, or haul back from such areas more than the number of lobster traps allocated by the Regional Administrator pursuant to the qualification process set forth at § 697.4(a)(7)(vii), which will not exceed 1,440 lobster traps, except as noted in paragraphs (c) and (e) of this section.

(4) Beginning September 1, 2003, vessels fishing in or issued a management area designation certificate or valid limited access American lobster permit specifying EEZ Management Area 5 may not fish with, deploy in, possess in, or haul back from such areas more than the number of lobster traps allocated by the Regional Administrator pursuant to the qualification process set forth at § 697.4(a)(7)(viii), which will not exceed 1,440 lobster traps, except as noted in paragraphs (c) and (e) of this section unless the vessel is operating under an Area 5 Trap Waiver permit issued under § 697.26.

(b) *Trap limits for vessels fishing or authorized to fish in the EEZ Offshore Management Area.* (1) Effective through November 3, 2007, vessels fishing only in or issued a management area designation certificate or valid limited access American lobster permit specifying only EEZ Offshore Management Area 3,