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this section (for a particular fishing year).

(5) The vessel does not enter or transit the EEZ.

(6) The vessel does not enter or transit the waters of another state, unless such other state is participating in the exemption program described by this section and the vessel is enrolled in that state's program.

(7) The vessel, when not fishing under the DAS program, does not fish for, possess, or land more than 500 lb (226.8 kg) of winter flounder, and has at least one standard tote on board.

(8) The vessel does not fish for, possess, or land any species of fish other than winter flounder and the exempted small-mesh species specified under paragraphs (a)(5)(i), (a)(9)(i), (b)(3), and (c)(4) of this section when fishing in the areas specified under paragraphs (a)(5), (a)(9), (b)(10), and (c)(5) of this section, respectively. Vessels fishing under this exemption in New York and Connecticut state waters and permitted to fish for skates may also possess and land skates in amounts not to exceed 10 percent, by weight, of all other species on board.

[69 FR 22951, Apr. 27, 2004]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 648.80, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.govinfo.gov.

§ 648.81 NE multispecies year-round and seasonal closed areas.

(a) *Year-round groundfish closed areas*—(1) *Restrictions*. No fishing vessel or person on a fishing vessel may enter, fish, or be in, and no fishing gear capable of catching NE multispecies may be used or on board a vessel in, the, Cashes Ledge, Western Gulf of Maine, or Closed Area II Closure Areas, unless otherwise allowed by or exempted under this part. Charts of the areas described in this section are available from the Regional Administrator upon request.

(2) *Exemptions*. Unless restricted by the requirements of subpart P of this part or elsewhere in this part, paragraph (a)(1) of this section does not apply to a fishing vessel or person on a fishing vessel when fishing under the following conditions:

(i) Fishing with or using exempted gear as defined under this part, except for pelagic gillnet gear capable of catching NE multispecies, unless fishing with a single pelagic gillnet not longer than 300 ft (91.4 m) and not greater than 6 ft (1.83 m) deep, with a maximum mesh size of 3 inches (7.6 cm), provided that:

(A) The net is attached to the boat and fished in the upper two-thirds of the water column;

(B) The net is marked with the owner's name and vessel identification number;

(C) No regulated species or ocean pout are retained; and

(D) No other gear capable of catching NE multispecies is on board;

(ii) Fishing in the Midwater Trawl Gear Exempted Fishery as specified in § 648.80(d);

(iii) Fishing in the Purse Seine Gear Exempted Fishery as specified in § 648.80(e);

(iv) Fishing under charter/party or recreational regulations specified in § 648.89, provided that:

(A) A letter of authorization issued by the Regional Administrator is on-board the vessel, which is valid from the date of enrollment until the end of the fishing year;

(B) No harvested or possessed fish species managed by the NEFMC or MAFMC are sold or intended for trade, barter or sale, regardless of where the fish are caught;

(C) Only rod and reel or handline gear is on board the vessel; and

(D) No NE multispecies DAS are used during the entire period for which the letter of authorization is valid.

(3) *Cashes Ledge Closure Area*. The Cashes Ledge Closure Area is defined by straight lines connecting the following points in the order stated:

CASHES LEDGE CLOSURE AREA

Point	N lat.	W long.
CL1	43°07' N	69°02' W
CL2	42°49.5' N	68°46' W
CL3	42°46.5' N	68°50.5' W
CL4	42°43.5' N	68°58.5' W
CL5	42°42.5' N	69°17.5' W
CL6	42°49.5' N	69°26' W
CL1	43°07' N	69°02' W

(4) *Western Gulf of Maine Closure Area*. The Western Gulf of Maine Closure

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Area is defined by straight lines connecting the following points in the order stated:

WESTERN GULF OF MAINE CLOSURE AREA

Point	N latitude	W longitude
WGM1	43°15'	70°15'
WGM2	42°15'	70°15'
WGM3	42°15'	70°00'
WGM4	43°15'	70°00'

CLOSED AREA II CLOSURE AREA

Point	N lat.	W long.	Note
CAII1	41°00'	67°20'	
CAII2	41°00'	66°35.8'	
CAII3	41°18.45'	(1)	(2)
CAII4	(3)	67°20'	(2)
CAII5	42°22'	67°20'	
CAII1	41°00'	67°20'	

¹ The intersection of 41°18.45' N lat. and the U.S.-Canada Maritime Boundary, approximately 41°18.45' N lat. and 66°24.89' W long.

² From Point CAII3 to Point CAII4 along the U.S.-Canada Maritime Boundary.

³ The intersection of 67°20' W long. and the U.S.-Canada Maritime Boundary, approximately 42°22.06' N lat. and 67°20' W long.

WESTERN GULF OF MAINE CLOSURE AREA— Continued

Point	N latitude	W longitude
WGM1	43°15'	70°15'

(5) *Closed Area II Closure Area.* (i) The Closed Area II Closure Area is defined by straight lines, unless otherwise noted, connecting the following points in the order stated:

(ii) Unless otherwise restricted under the EFH Closure(s) specified in paragraph (h) of this section, paragraph (a)(5)(i) of this section does not apply to persons on fishing vessels or fishing vessels—

(A) Fishing with gears as described in paragraph (a)(2) this section.

(B) Fishing with tuna purse seine gear outside of the portion of Closed Area II known as the Habitat Area of Particular Concern, as described in § 648.370(g).

(C) Fishing in the CA II Yellowtail Flounder/Haddock SAP or the Eastern U.S./Canada Haddock SAP Program as specified in § 648.85(b)(3)(ii) or (b)(7)(ii), respectively.

(D) Transiting the area, provided the vessel's fishing gear is stowed and not available for immediate use as defined in § 648.2; and

(1) The operator has determined, and a preponderance of available evidence indicates, that there is a compelling safety reason; or

(2) The vessel has declared into the Eastern U.S./Canada Area as specified in § 648.85(a)(3)(ii) and is transiting CA II in accordance with the provisions of § 648.85(a)(3)(vii).

(E) Fishing for scallops within the Closed Area II Access Area defined in § 648.59(c)(3), during the season specified

in § 648.59(c)(4), and pursuant to the provisions specified in § 648.60.

(b) *Gulf of Maine spawning groundfish closures—(1) Restrictions.* Unless allowed in this part, no fishing vessel or person on a fishing vessel may enter, fish, or be in, and no fishing gear capable of catching NE multispecies may be used or on board a vessel in, the spawning closure areas described in paragraphs (b)(3) and (4) of this section, during the times specified in this section. Charts depicting the areas defined here are available from the RA upon request.

(2) *Exemptions.* Paragraph (b)(1) of this section does not apply to a fishing vessel or person on a fishing vessel:

(i) That has not been issued a NE multispecies permit that is fishing exclusively in state waters;

(ii) That is fishing with or using exempted gear as defined under this part, excluding pelagic gillnet gear capable of catching NE multispecies, except for a vessel fishing with a single pelagic gillnet not longer than 300 ft (91.4 m) and not greater than 6 ft (1.83 m) deep, with a maximum mesh size of 3 inches (7.6 cm), provided:

(A) The net is attached to the vessel and fished in the upper two-thirds of the water column;

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(B) The net is marked with the vessel owner's name and vessel identification number;

(C) No regulated species or ocean pout are retained; and

(D) No other gear capable of catching NE multispecies is on board;

(iii) That is fishing as a charter/party or recreational fishing vessel, provided that:

(A) With the exception of tuna, fish harvested or possessed by the vessel are not sold or intended for trade, barter, or sale, regardless of where the species are caught;

(B) Any gear other than pelagic hook and line gear, as defined in this part, is properly stowed and not available for immediate use as defined in § 648.2; and

(C) No regulated species or ocean pout are retained; and

(iv) That is transiting pursuant to paragraph (e) of this section.

(3) *GOM Cod Spawning Protection Area.* Except as specified in paragraph (b)(2) of this section, from April through June of each year, no fishing vessel or person on a fishing vessel may enter, fish, or be in, and no fishing gear capable of catching NE multispecies may be used or on board a vessel in, the GOM Cod Spawning Protection Area, as defined by straight lines connecting the following points in the order stated:

GOM COD SPAWNING PROTECTION AREA

Point	N latitude	W longitude
CSPA1	42°50.95'	70°32.22'
CSPA2	42°47.65'	70°35.64'
CSPA3	42°54.91'	70°41.88'

SPRING MASSACHUSETTS BAY SPAWNING PROTECTION AREA

Point	N latitude	W longitude	Note
SSPA1	42°30'	(1)	
SSPA2	42°30'	70°30'	
SSPA3	42°00'	70°30'	
SSPA4	42°00'	(2)	(3)
SSPA5	(4)	71°00'	(3)
SSPA6	(5)	71°00'	(6)
SSPA1	42°30'	(1)	(6)

¹ The intersection of 42°30' N lat. and the coastline at Marblehead, MA.

² The intersection of 42°00' N lat. and the coastline at Kingston, MA.

³ From Point SSPA4 to Point SSPA5 following the coastline of Massachusetts.

⁴ The intersection of 71°00' W long. and the coastline at Quincy, MA.

⁵ The intersection of 71°00' W long. and the northernmost coastline at East Boston, Boston, MA.

⁶ From Point SSPA6 back to Point SSPA 1 following the coastline of Massachusetts.

GOM COD SPAWNING PROTECTION AREA—
Continued

Point	N latitude	W longitude
CSPA4	42°58.27'	70°38.64'
CSPA1	42°50.95'	70°32.22'

(4) *Winter Massachusetts Bay Spawning Protection Area.* Except as specified in paragraph (b)(2) of this section, from November 1 through January 31 of each year, no fishing vessel or person on a fishing vessel may enter, fish, or be in, and no fishing gear capable of catching NE multispecies may be used or be on board a vessel in, the Massachusetts Bay Protection Area, as defined on the west and south by the outer limit of Massachusetts waters and on the northeast by a straight line connecting the following points, which fall along the Massachusetts state waters boundary:

WINTER MASSACHUSETTS BAY SPAWNING
PROTECTION AREA

Point	N latitude	W longitude
WSPA1	42° 23.61'	70° 39.21'
WSPA2	42° 07.68'	70° 26.79'

(5) *Spring Massachusetts Bay Spawning Protection Area.* (i) From April 15 through April 30 of each year, no fishing vessel or person on a fishing vessel may enter, fish, or be in, and no fishing gear capable of catching NE multispecies may be used or on board a vessel in the thirty-minute block defined by straight lines, unless otherwise noted, connecting the following points in the order stated:

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(ii) Unless otherwise restricted in this part, the Spring Massachusetts Bay Spawning Protection Area closure does not apply to a fishing vessel or person on a fishing vessel that meets the criteria in paragraphs (d)(5)(ii) through (vi) and (x) of this section (listed under the exemptions for the GOM Cod Protection Closures). This includes recreational vessels meeting the criteria specified in paragraphs (d)(5)(v)(A) through (D) of this section.

(c) *Georges Bank Spawning Groundfish Closures*—(1) *Restrictions*. Unless otherwise allowed in this part, no fishing vessel or person on a fishing vessel may enter, fish, or be in, and no fishing gear capable of catching NE multispecies may be used on board a vessel in the spawning closure areas described in paragraphs (b)(3) and (4) of this section, and during the times specified in this section. Charts depicting the areas defined here are available from the RA upon request.

(2) *Exemptions*. Paragraph (c)(1) of this section does not apply to a fishing vessel or person on a fishing vessel:

(i) That is fishing with or using exempted gear as defined under this part, excluding pelagic gillnet gear capable of catching NE multispecies, except for vessels fishing with a single pelagic gillnet not longer than 300 ft (91.4 m) and not greater than 6 ft (1.83 m) deep, with a maximum mesh size of 3 inches (7.6 cm), provided:

(A) The net is attached to the vessel and fished in the upper two-thirds of the water column;

(B) The net is marked with the vessel owner's name and vessel identification number;

(C) No regulated species or ocean pout are retained; and

(D) No other gear capable of catching NE multispecies is on board.

(ii) That is fishing for scallops consistent with the requirements of the scallop fishery management plan, including rotational access program requirements specified in § 648.59.

(iii) That is fishing in the mid-water trawl exempted fishery.

(iv) That is transiting pursuant to the requirements described in § 648.2.

(3) *Closed Area I North*. Except as specified in paragraph (c)(2) of this section, from February 1 through April 15 of each year, no fishing vessel or person on a fishing vessel may enter, fish, or be in; and no fishing gear capable of catching NE multispecies may be used or on board a vessel in, Closed Area I North, as defined by straight lines connecting the following points in the order stated:

CLOSED AREA I—NORTH

Point	N lat.	W long.
CIN1	41°30'	69°23'
CIN2	41°30'	68°30'
CIN3	41°26'	68°30'
CIN4	41°04'	69°01'
CIN1	41°30'	69°23'

(4) *Closed Area II*. Except as specified in paragraph (c)(2) of this section, from February 1 through April 15 of each year, no fishing vessel or person on a fishing vessel may enter, fish, or be in, and no fishing gear capable of catching NE multispecies may be used or on board a vessel in, Closed Area II, as defined by straight lines, unless otherwise noted, connecting the following points in the order stated:

CLOSED AREA II

Point	N lat.	W long.	Note
CAII1	41°00'	67°20'	
CAII2	41°00'	66°35.8'	
CAII3	41°18.45	(¹)	(²)
CAII4	(³)	67°20'	(²)
CAII5	42°22'	67°20'	
CAII1	41°00'	67°20'	

¹ The intersection of 41°18.45' N lat. and the U.S.-Canada Maritime Boundary, approximately 41°18.45' N lat. and 66°24.89' W long.

² From Point CAII3 to Point CAII4 along the U.S.-Canada Maritime Boundary.

³ The intersection of 67°20' W long. and the U.S.-Canada Maritime Boundary, approximately 42°22.06' N lat. and 67°20' W long.

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(d) *GOM Cod Protection Closures*—(1) *Restrictions.* Unless otherwise allowed in this part, no fishing vessel or person on a fishing vessel may enter, fish, or be in, and no fishing gear capable of catching NE multispecies may be used or on board a vessel in, GOM Cod Protection Closures I through V as described, and during the times specified, in paragraphs (d)(4)(i) through (v) of this section.

(2) *Review of closure.* The New England Fishery Management Council shall review the GOM Cod Protection Closures Areas specified in this section when the spawning stock biomass for GOM cod reaches the minimum biomass threshold specified for the stock (50 percent of SSB_{MSY}).

(3) *Seasons.* (i) GOM Cod Protection Closure I is in effect from May 1 through May 31.

(ii) GOM Cod Protection Closure II is in effect from June 1 through June 30.

(iii) GOM Cod Protection Closure III is in effect from November 1 through January 31.

(iv) GOM Cod Protection Closure IV is in effect from October 1 through October 31.

(v) GOM Cod Protection Closure V is in effect from March 1 through March 31.

(4) *GOM Cod Protection Closure Areas.* Charts depicting these areas are available from the Regional Administrator upon request.

(i) *GOM Cod Protection Closure I.* GOM Cod Protection Closure I is the area bounded by the following coordinates connected in the order stated by straight lines, unless otherwise noted:

GOM COD PROTECTION CLOSURE I

[May 1–May 31]

Point	N latitude	W longitude
CPCI 1	43°30' N	(1)
CPCI 2	43°30' N	69°30' W
CPCI 3	43°00' N	69°30' W
CPCI 4	43°00' N	70°00' W
CPCI 5	42°30' N	70°00' W
CPCI 6	42°30' N	70°30' W
CPCI 7	42°20' N	70°30' W
CPCI 8	42°20' N	(2) (3)
CPCI 1	43°30' N	(1) (3)

¹ The intersection of 43°30' N latitude and the coastline of Maine.

² The intersection of 42°20' N latitude and the coastline of Massachusetts.

³ From Point 8 back to Point 1 following the coastline of the United States.

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(ii) *GOM Cod Protection Closure II.* GOM Cod Protection Closure II is the area bounded by the following coordinates connected in the order stated by straight lines, unless otherwise noted:

GOM COD PROTECTION CLOSURE II

[June 1–June 30]

Point	N latitude	W longitude
CPCII 1	(1)	69°30' W
CPCII 2	43°30' N	69°30' W
CPCII 3	43°30' N	70°00' W
CPCII 4	42°30' N	70°00' W
CPCII 5	42°30' N	70°30' W
CPCII 6	42°20' N	70°30' W
CPCII 7	42°20' N	(2) (3)
CPCII 8	42°30' N	(4) (3)
CPCII 9	42°30' N	70°30' W
CPCII 10	43°00' N	70°30' W
CPCII 11	43°00' N	(5) (6)
CPCII 1	(1)	69°30' W (6)

¹ The intersection of 69°30' W longitude and the coastline of Maine.

² The intersection of 42°20' N latitude and the coastline of Massachusetts.

³ From Point 7 to Point 8 following the coastline of Massachusetts.

⁴ The intersection of 42°30' N latitude and the coastline of Massachusetts.

⁵ The intersection of 43°00' N latitude and the coastline of New Hampshire.

⁶ From Point 11 back to Point 1 following the coastlines of New Hampshire and Maine.

(iii) *GOM Cod Protection Closure III.* GOM Cod Protection Closure III is the area bounded by the following coordinates connected in the order stated by straight lines, unless otherwise noted:

GOM COD PROTECTION CLOSURE III

[November 1–January 31]

Point	N latitude	W longitude
CPCIII 1	42°30' N	(1)
CPCIII 2	42°30' N	70°30' W
CPCIII 3	42°15' N	70°30' W
CPCIII 4	42°15' N	70°24' W
CPCIII 5	42°00' N	70°24' W
CPCIII 6	42°00' N	(2) (3)
CPCIII 1	42°30' N	(1) (3)

¹ The intersection of 42°30' N latitude and the Massachusetts coastline.

² The intersection of 42°00' N latitude and the mainland Massachusetts coastline at Kingston, MA.

³ From Point 6 back to Point 1 following the coastline of Massachusetts.

(iv) *GOM Cod Protection Closure IV.* GOM Cod Protection Closure IV is the area bounded by the following coordinates connected in the order stated by straight lines, unless otherwise noted:

GOM COD PROTECTION CLOSURE IV

[October 1–October 31]

Point	N latitude	W longitude
CPCIV 1	42°30' N	(1)

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GOM COD PROTECTION CLOSURE IV— Continued [October 1–October 31]

Point	N latitude	W longitude
CPCIV 2	42°30' N	70°00' W
CPCIV 3	42°00' N	70°00' W
CPCIV 4	42°00' N	(2) (3)
CPCIV 1	42°30' N	(1) (3)

¹ The intersection of 42°30' N latitude and the Massachusetts coastline.

² The intersection of 42°00' N latitude and the mainland Massachusetts coastline at Kingston, MA.

³ From Point 4 back to Point 1 following the coastline of Massachusetts.

(v) *GOM Cod Protection Closure V.* GOM Cod Protection Closure V is the area bounded by the following coordinates connected in the order stated by straight lines:

GOM COD PROTECTION CLOSURE V [March 1–March 31]

Point	N latitude	W longitude
CPCV 1	42°30' N	70°00' W
CPCV 2	42°30' N	68°30' W
CPCV 3	42°00' N	68°30' W
CPCV 4	42°00' N	70°00' W
CPCV 1	42°30' N	70°00' W

(5) *Exemptions.* The GOM cod protection closures specified in this section do not apply to a fishing vessel or person on board a fishing vessel under any of the following conditions:

(i) No multispecies permit has been issued and the vessel is fishing exclusively in state waters;

(ii) Fishing with or using exempted gear as defined under this part, except for pelagic gillnet gear capable of catching NE multispecies, unless fishing with a single pelagic gillnet not longer than 300 ft (91.4 m) and not greater than 6 ft (1.83 m) deep, with a maximum mesh size of 3 inches (7.6 cm), provided that:

(A) The net is attached to the boat and fished in the upper two-thirds of the water column;

(B) The net is marked with the owner's name and vessel identification number;

(C) No regulated species are retained; and

(D) No other gear capable of catching NE multispecies is on board;

(iii) Fishing in the Midwater Trawl Gear Exempted Fishery as specified in § 648.80(d);

(iv) Fishing in the Purse Seine Gear Exempted Fishery as specified in § 648.80(e);

(v) Fishing under charter/party or recreational regulations specified in § 648.89, provided that:

(A) A vessel fishing under charter/party regulations in a GOM cod protection closure described under paragraph (f)(4) of this section, has on board a letter of authorization issued by the Regional Administrator that is valid from the date of enrollment through the duration of the closure or 3 months duration, whichever is greater;

(B) No harvested or possessed fish species managed by the NEFMC or MAFMC are sold or intended for trade, barter or sale, regardless of where the fish are caught;

(C) Only rod and reel or handline gear is on board; and

(D) No NE multispecies DAS are used during the entire period for which the letter of authorization is valid;

(vi) Fishing with scallop dredge gear under a scallop DAS or when lawfully fishing in the Scallop Dredge Fishery Exemption Area as described in § 648.80(a)(11), provided the vessel does not retain any regulated NE multispecies during a trip, or on any part of a trip;

(vii) Fishing in the Raised Footrope Trawl Exempted Whiting Fishery, as specified in § 648.80(a)(15), or in the Small Mesh Area II Exemption Area, as specified in § 648.80(a)(9);

(viii) Fishing on a sector trip, as defined in this part, and in the GOM Cod Protection Closures IV or V, as specified in paragraphs (f)(4)(iv) and (v) of this section; or

(ix) Fishing under the provisions of a Northeast multispecies Handgear A permit, as specified at § 648.82(b)(6), and in the GOM Cod Protection Closures IV or V, as specified in paragraphs (f)(4)(iv) and (v) of this section.

(x) Transiting the area, provided it complies with the requirements specified in paragraph (e) of this section.

(e) *Transiting.* (1) Unless otherwise restricted or specified in this paragraph (e), a vessel may transit the Cashes Ledge Closed Area, the Western GOM Closure Area, the GOM Cod Protection Closures, and the GOM Cod Spawning

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Protection Area, as defined in paragraphs (a)(3) and (4), (d)(4), and (b)(3), of this section, respectively, provided that its gear is stowed and not available for immediate use as defined in § 648.2.

(2) Private recreational or charter/party vessels fishing under the Northeast multispecies provisions specified at § 648.89 may transit the GOM Cod Spawning Protection Area, as defined in paragraph (b)(3) of this section, provided all bait and hooks are removed from fishing rods, and any regulated species on board have been caught outside the GOM Cod Spawning Protection Area and has been gutted and stored.

(f) *Restricted Gear Areas*—(1) *Restricted Gear Area Seasons*. No fishing vessel with mobile gear on board, or person on a fishing vessel with mobile gear on board, may fish or be in the specified Restricted Gear Areas, unless transiting, during the seasons below. No fishing vessel with lobster pot gear on board, or person on a fishing vessel with lobster pot gear on board, may fish in, and no lobster pot gear may be deployed or remain in the specified Restricted Gear Areas. Vessels with lobster pot gear on board may transit during the seasons listed in the table in this paragraph (f)(1).

	Mobile gear	Lobster pot gear
Restricted Gear Area I	October 1–June 15	June 16–September 30.
Restricted Gear Area II	November 27–June 15	June 16–November 26.
Restricted Gear Area III	June 16–November 26	January 1–April 30.
Restricted Gear Area IV	June 16–September 30	n/a.

(2) *Transiting*. Vessels with mobile gear may transit this area, provided that all mobile gear is on board the vessel while inside the area, and is stowed and not available for immediate use as defined in § 648.2.

(3) *Restricted Gear Area I*. Restricted Gear Area I is defined by the following points connected in the order listed by straight lines (points followed by an asterisk are shared with an adjacent Restricted Gear Area):

Point	Latitude	Longitude	Note
AA	40°02.75' N	70°16.10' W	(*)
AB	40°02.45' N	70°14.10' W	(*)
AC	40°05.20' N	70°10.90' W	(*)
AD	40°03.75' N	70°10.15' W	(*)
AE	40°00.70' N	70°08.70' W	(*)
AF	39°59.20' N	70°04.90' W	(*)
AG	39°58.25' N	70°03.00' W	(*)
AH	39°56.90' N	69°57.45' W	(*)
AI	39°57.40' N	69°55.90' W	(*)
AJ	39°57.55' N	69°54.05' W	(*)
AK	39°56.70' N	69°53.60' W	(*)
AL	39°55.75' N	69°41.40' W	(*)
AM	39°56.20' N	69°40.20' W	(*)
AN	39°58.80' N	69°38.45' W	(*)
AO	39°59.15' N	69°37.30' W	(*)
AP	40°00.90' N	69°37.30' W	(*)
AQ	40°00.65' N	69°36.50' W	(*)
AR	39°57.85' N	69°35.15' W	(*)
AS	39°56.80' N	69°34.10' W	(*)
AT	39°56.50' N	69°26.35' W	(*)
AU	39°56.75' N	69°24.40' W	(*)
AV	39°57.80' N	69°20.35' W	(*)
AW	40°00.05' N	69°14.60' W	(*)
AX	40°02.65' N	69°11.15' W	(*)
AY	40°02.00' N	69°08.35' W	(*)
AZ	40°02.65' N	69°05.60' W	(*)
BA	40°04.10' N	69°03.90' W	(*)
BB	40°05.65' N	69°03.55' W	(*)
BC	40°08.45' N	69°03.60' W	(*)
BD	40°09.75' N	69°04.15' W	(*)
BE	40°10.25' N	69°04.40' W	(*)
BF	40°11.60' N	69°05.40' W	(*)
BG	40°11.00' N	69°03.80' W	(*)
BH	40°08.90' N	69°01.75' W	(*)

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Point	Latitude	Longitude	Note
BI	40°05.30' N	69°01.10' W	(*)
BJ	40°05.20' N	69°00.50' W	(*)
BK	40°04.35' N	69°00.50' W	(*)
BL	40°03.65' N	69°00.00' W	(*)
BM	40°03.60' N	68°57.20' W	(*)
BN	40°05.70' N	68°52.40' W	(*)
BO	40°08.10' N	68°51.00' W	(*)
BP	40°08.70' N	68°49.60' W	(*)
BQ	40°06.90' N	68°46.50' W	(*)
BR	40°07.20' N	68°38.40' W	(*)
BS	40°07.90' N	68°36.00' W	(*)
BT	40°06.40' N	68°35.80' W	
BU	40°05.25' N	68°39.30' W	
BV	40°05.40' N	68°44.50' W	
BW	40°06.00' N	68°46.50' W	
BX	40°07.40' N	68°49.60' W	
BY	40°05.55' N	68°49.80' W	
BZ	40°03.90' N	68°51.70' W	
CA	40°02.25' N	68°55.40' W	
CB	40°02.60' N	69°00.00' W	
CC	40°02.75' N	69°00.75' W	
CD	40°04.20' N	69°01.75' W	
CE	40°06.15' N	69°01.95' W	
CF	40°07.25' N	69°02.00' W	
CG	40°08.50' N	69°02.25' W	
CH	40°09.20' N	69°02.95' W	
CI	40°09.75' N	69°03.30' W	
CJ	40°09.55' N	69°03.85' W	
CK	40°08.40' N	69°03.40' W	
CL	40°07.20' N	69°03.30' W	
CM	40°06.00' N	69°03.10' W	
CN	40°05.40' N	69°03.05' W	
CO	40°04.80' N	69°03.05' W	
CP	40°03.55' N	69°03.55' W	
CQ	40°01.90' N	69°03.95' W	
CR	40°01.00' N	69°04.40' W	
CS	39°59.90' N	69°06.25' W	
CT	40°00.60' N	69°10.05' W	
CU	39°59.25' N	69°11.15' W	
CV	39°57.45' N	69°16.05' W	
CW	39°56.10' N	69°20.10' W	
CX	39°54.60' N	69°25.65' W	
CY	39°54.65' N	69°26.90' W	
CZ	39°54.80' N	69°30.95' W	
DA	39°54.35' N	69°33.40' W	
DB	39°55.00' N	69°34.90' W	
DC	39°56.55' N	69°36.00' W	
DD	39°57.95' N	69°36.45' W	
DE	39°58.75' N	69°36.30' W	
DF	39°58.80' N	69°36.95' W	
DG	39°57.95' N	69°38.10' W	
DH	39°54.50' N	69°38.25' W	
DI	39°53.60' N	69°46.50' W	
DJ	39°54.70' N	69°50.00' W	
DK	39°55.25' N	69°51.40' W	
DL	39°55.20' N	69°53.10' W	
DM	39°54.85' N	69°53.90' W	
DN	39°55.70' N	69°54.90' W	
DO	39°56.15' N	69°55.35' W	
DP	39°56.05' N	69°56.25' W	
DQ	39°55.30' N	69°57.10' W	
DR	39°54.80' N	69°58.60' W	
DS	39°56.05' N	70°00.65' W	
DT	39°55.30' N	70°02.95' W	
DU	39°56.90' N	70°11.30' W	
DV	39°58.90' N	70°11.50' W	
DW	39°59.60' N	70°11.10' W	
DX	40°01.35' N	70°11.20' W	
DY	40°02.60' N	70°12.00' W	
DZ	40°00.40' N	70°12.30' W	
EA	39°59.75' N	70°13.05' W	
EB	39°59.30' N	70°14.00' W	(*)
AA	40°02.75' N	70°16.10' W	(*)

(4) *Restricted Gear Area II.* Restricted Gear Area II is defined by the following points connected in the order listed by straight lines (points followed by an asterisk are shared with an adjacent Restricted Gear Area):

Point	N latitude	W longitude	Note
AA	40°02.75'	70°16.10'	(*)
EB	39°59.30'	70°14.00'	(*)
EC	39°58.85'	70°15.20'	
ED	39°59.30'	70°18.40'	
EE	39°58.10'	70°19.40'	
EF	39°57.00'	70°19.85'	
EG	39°57.55'	70°21.25'	
EH	39°57.50'	70°22.80'	
EI	39°57.10'	70°25.40'	
EJ	39°57.65'	70°27.05'	
EK	39°58.58'	70°27.70'	
EL	40°00.65'	70°28.80'	
EM	40°02.20'	70°29.15'	
EN	40°01.00'	70°30.20'	
EO	39°58.58'	70°31.85'	
EP	39°57.05'	70°34.35'	
EQ	39°56.42'	70°36.80'	
ER	39°58.15'	70°48.00'	
ES	39°58.30'	70°51.10'	
ET	39°58.10'	70°52.25'	
EU	39°58.05'	70°53.55'	
EV	39°58.40'	70°59.60'	
EW	39°59.80'	71°01.05'	
EX	39°58.20'	71°05.85'	
EY	39°57.45'	71°12.15'	
EZ	39°57.20'	71°15.00'	
FA	39°56.30'	71°18.95'	
FB	39°51.40'	71°36.10'	
FC	39°51.75'	71°41.50'	
FD	39°50.05'	71°42.50'	
FE	39°50.00'	71°45.00'	
FF	39°48.95'	71°46.05'	
FG	39°46.60'	71°46.10'	

Point	N latitude	W longitude	Note
FH	39°43.50'	71°49.40'	
FI	39°41.30'	71°55.00'	
FJ	39°39.00'	71°55.60'	
FK	39°36.72'	71°58.25'	
FL	39°35.15'	71°58.55'	
FM	39°34.50'	72°00.75'	
FN	39°32.20'	72°02.25'	
FO	39°32.15'	72°04.10'	
FP	39°28.50'	72°06.50'	
FQ	39°29.00'	72°09.25'	
FR	39°29.75'	72°09.80'	(*)
FS	39°32.65'	72°06.10'	(*)
FT	39°35.45'	72°02.00'	(*)
FU	39°41.15'	71°57.10'	(*)
FV	39°46.95'	71°49.00'	(*)
FW	39°53.10'	71°42.70'	(*)
FX	39°52.60'	71°40.35'	(*)
FY	39°53.10'	71°36.10'	(*)
FZ	39°57.50'	71°20.60'	(*)
GA	40°00.70'	71°19.80'	(*)
GB	39°59.30'	71°18.40'	(*)
GC	40°02.00'	71°01.30'	(*)
GD	40°00.50'	70°57.60'	(*)
GE	40°00.10'	70°45.10'	(*)
GF	39°58.90'	70°38.65'	(*)
GG	39°59.15'	70°34.45'	(*)
GH	40°00.55'	70°32.10'	(*)
GI	40°03.85'	70°28.75'	(*)
GJ	39°59.75'	70°25.50'	(*)
GK	39°59.80'	70°21.75'	(*)
GL	40°00.70'	70°18.60'	(*)
AA	40°02.75'	70°16.10'	(*)

(5) *Restricted Gear Area III.* Restricted Gear Area III is defined by the following points connected in the order listed by straight lines (points followed by an asterisk are shared with an adjacent Restricted Gear Area):

Point	Latitude	Longitude	Note
AA	40°02.75' N	70°16.10' W	(*)
GL	40°00.70' N	70°18.60' W	(*)
GK	39°59.80' N	70°21.75' W	(*)
GJ	39°59.75' N	70°25.50' W	(*)
GI	40°03.85' N	70°28.75' W	(*)
GH	40°00.55' N	70°32.10' W	(*)
GG	39°59.15' N	70°34.45' W	(*)
GF	39°58.90' N	70°38.65' W	(*)
GE	40°00.10' N	70°45.10' W	(*)
GD	40°00.50' N	70°57.60' W	(*)
GC	40°02.00' N	71°01.30' W	(*)
GB	39°59.30' N	71°18.40' W	(*)
GA	40°00.70' N	71°19.80' W	(*)
FZ	39°57.50' N	71°20.60' W	(*)
FY	39°53.10' N	71°36.10' W	(*)
FX	39°52.60' N	71°40.35' W	(*)
FW	39°53.10' N	71°42.70' W	(*)
FV	39°46.95' N	71°49.00' W	(*)
FU	39°41.15' N	71°57.10' W	(*)
FT	39°35.45' N	72°02.00' W	(*)
FS	39°32.65' N	72°06.10' W	(*)
FR	39°29.75' N	72°09.80' W	(*)
GM	39°33.65' N	72°15.00' W	
GN	39°47.20' N	72°01.60' W	
GO	39°53.75' N	71°52.25' W	
GP	39°55.85' N	71°45.00' W	
GQ	39°55.60' N	71°41.20' W	
GR	39°57.90' N	71°28.70' W	
GS	40°10.70' N	71°10.25' W	
GT	40°12.75' N	70°55.05' W	

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Point	Latitude	Longitude	Note
GU	40°11.05' N	70°45.80' W	
GV	40°06.50' N	70°40.05' W	
GW	40°05.60' N	70°17.70' W	
AA	40°02.75' N	70°16.10' W	(*)

(6) *Restricted Gear Area IV*. Restricted Gear Area IV is defined by the following points connected in the order listed by straight lines (points followed by an asterisk are shared with an adjacent Restricted Gear Area):

Point	Latitude	Longitude	Note
AA	40°02.75' N	70°16.10' W	(*)
GX	40°07.80' N	70°09.20' W	
GY	40°07.60' N	70°04.50' W	
GZ	40°02.10' N	69°45.00' W	
HA	40°01.30' N	69°45.00' W	
HB	40°00.50' N	69°38.80' W	
HC	40°01.70' N	69°37.40' W	
HD	40°01.70' N	69°35.40' W	
HE	40°00.40' N	69°35.20' W	
HF	39°57.30' N	69°25.10' W	
HG	40°05.50' N	69°09.00' W	
HH	40°14.30' N	69°05.80' W	
HI	40°14.00' N	69°04.70' W	
HJ	40°11.60' N	68°53.00' W	
HK	40°13.60' N	68°40.60' W	
BS	40°07.90' N	68°36.00' W	(*)
BR	40°07.20' N	68°38.40' W	(*)
BQ	40°06.90' N	68°46.50' W	(*)
BP	40°08.70' N	68°49.60' W	(*)
BO	40°08.10' N	68°51.00' W	(*)
BN	40°05.70' N	68°52.40' W	(*)
BM	40°03.60' N	68°57.20' W	(*)
BL	40°03.65' N	69°00.00' W	(*)
BK	40°04.35' N	69°00.50' W	(*)
BJ	40°05.20' N	69°00.50' W	(*)
BI	40°05.30' N	69°01.10' W	(*)
BH	40°08.90' N	69°01.75' W	(*)
BG	40°11.00' N	69°03.80' W	(*)
BF	40°11.60' N	69°05.40' W	(*)
BE	40°10.25' N	69°04.40' W	(*)
BD	40°09.75' N	69°04.15' W	(*)
BC	40°08.45' N	69°03.60' W	(*)
BB	40°05.65' N	69°03.55' W	(*)
BA	40°04.10' N	69°03.90' W	(*)
AZ	40°02.65' N	69°05.60' W	(*)
AY	40°02.00' N	69°08.35' W	(*)
AX	40°02.65' N	69°11.15' W	(*)
AW	40°00.05' N	69°14.60' W	(*)
AV	39°57.80' N	69°20.35' W	(*)
AU	39°56.75' N	69°24.40' W	(*)
AT	39°56.50' N	69°26.35' W	(*)
AS	39°56.80' N	69°34.10' W	(*)
AR	39°57.85' N	69°35.15' W	(*)
AQ	40°00.65' N	69°36.50' W	(*)
AP	40°00.90' N	69°37.30' W	(*)
AO	39°59.15' N	69°37.30' W	(*)
AN	39°58.80' N	69°38.45' W	(*)
AM	39°56.20' N	69°40.20' W	(*)
AL	39°55.75' N	69°41.40' W	(*)
AK	39°56.70' N	69°53.60' W	(*)
AJ	39°57.55' N	69°54.05' W	(*)
AI	39°57.40' N	69°55.90' W	(*)
AH	39°56.90' N	69°57.45' W	(*)
AG	39°58.25' N	70°03.00' W	(*)
AF	39°59.20' N	70°04.90' W	(*)
AE	40°00.70' N	70°08.70' W	(*)
AD	40°03.75' N	70°10.15' W	(*)
AC	40°05.20' N	70°10.90' W	(*)
AB	40°02.45' N	70°14.10' W	(*)
AA	40°02.75' N	70°16.10' W	(*)

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[83 FR 15266, Apr. 9, 2018, as amended at 83 FR 17313, Apr. 19, 2018; 84 FR 68799, Dec. 17, 2019; 85 FR 44221, July 22, 2020; 86 FR 62494, Nov. 10, 2021]

§ 648.82 Effort-control program for NE multispecies limited access vessels.

(a) Except as provided in §§ 648.17 and 648.82(a)(2), a vessel issued a limited access NE multispecies permit may not fish for, possess, or land regulated species, except during a DAS, as allocated under, and in accordance with, the applicable DAS program described in this section, unless otherwise provided elsewhere in this part.

(1) *End-of-year carry-over.* With the exception of vessels that held a Confirmation of Permit History, as described in § 648.4(a)(1)(i)(J), for the entire fishing year preceding the carry-over year, limited access vessels that have unused DAS on the last day of April of any year may carry over a maximum of 10 DAS into the next year. Unused leased DAS may not be carried over. Vessels that have been sanctioned through enforcement proceedings will be credited with unused DAS based on their DAS allocation minus any total DAS that have been sanctioned through enforcement proceedings. For the 2004 fishing year only, DAS carried over from the 2003 fishing year will be classified as Regular B DAS, as specified under paragraph (d)(2) of this section. Beginning with the 2005 fishing year, for vessels with a balance of both unused Category A DAS and unused Category B DAS at the end of the previous fishing year (*e.g.*, for the 2005 fishing year, carry-over DAS from the 2004 fishing year), Category A DAS will be carried over first, than Regular B DAS, than Reserve B DAS. Category C DAS cannot be carried over.

(2) Notwithstanding any other provision of this part, any vessel issued a NE multispecies limited access permit may not call into the DAS program and fish under a DAS, fish on a sector trip, or fish under the provisions of a limited access Small Vessel Category or Handgear A permits pursuant to paragraphs (b)(5) and (6) of this section, respectively, if such vessel carries passengers for hire for any portion of a fishing trip.

(b) *Permit categories.* All limited access NE multispecies permit holders

shall be assigned to one of the following permit categories, according to the criteria specified. Permit holders may request a change in permit category, as specified in § 648.4(a)(1)(i)(I)(2). Each fishing year shall begin on May 1 and extend through April 30 of the following year. Beginning May 1, 2004, with the exception of the limited access Small Vessel and Handgear A vessel categories described in paragraphs (b)(5) and (6) of this section, respectively, NE multispecies DAS available for use will be calculated pursuant to paragraphs (c) and (d) of this section.

(1) *Individual DAS category.* This category is for vessels allocated individual DAS that are not fishing under the Hook Gear, Combination, or Large-mesh individual categories. Beginning May 1, 2004, for a vessel fishing under the Individual DAS category, the baseline for determining the number of NE multispecies DAS available for use shall be calculated based upon the fishing history associated with the vessel's permit, as specified in paragraph (c)(1) of this section. The number and categories of DAS that are allocated for use in a given fishing year are specified in paragraph (d) of this section.

(2) *Hook Gear category.* To be eligible for a Hook Gear category permit, the vessel must have been issued a limited access multispecies permit for the preceding year, be replacing a vessel that was issued a Hook Gear category permit for the preceding year, or be replacing a vessel that was issued a Hook Gear category permit that was issued a Confirmation of Permit History. Beginning May 1, 2004, for a vessel fishing under the Hook Gear category, the baseline for determining the number of NE multispecies DAS available for use shall be calculated based upon the fishing history associated with the vessel's permit, as specified in paragraph (c)(1) of this section. The number and categories of DAS that are allocated for use in a given fishing year are specified in paragraph (d) of this section. A vessel fishing under this category in the DAS program must meet or comply with the gear restrictions specified under § 648.80(a)(3)(v), (a)(4)(v), (b)(2)(v) and (c)(2)(iv) when fishing in the respective regulated mesh areas.