

§660.312 Open access fishery—prohibitions.

General groundfish prohibitions for the Pacific Coast groundfish fisheries are defined at §660.12, subpart C. In addition to the general groundfish prohibitions, it is unlawful for any person to:

(a) *General.* (1) Take and retain, possess, or land groundfish in excess of the landing limit for the open access fishery without having a valid limited entry permit for the vessel affixed with a gear endorsement for the gear used to catch the fish.

(2) *Black rockfish fisheries.* Have onboard a commercial hook-and-line fishing vessel (other than a vessel operated by persons under §660.60 (c)(1)(ii), subpart C), more than the amount of the trip limit set for black rockfish by §660.330(e) while that vessel is fishing between the U.S.-Canada border and Cape Alava (48°09'30" N. lat.), or between Destruction Island (47°40'00" N. lat.) and Leadbetter Point (46°38'10" N. lat.).

(b) *Gear.* (1) Possess, deploy, haul, or carry onboard a fishing vessel subject to this subpart a set net, trap or pot, longline, or commercial vertical hook-and-line that is not in compliance with the gear restrictions in §660.330(b), subpart F, unless such gear is the gear of another vessel that has been retrieved at sea and made inoperable or stowed in a manner not capable of being fished. The disposal at sea of such gear is prohibited by Annex V of the International Convention for the Prevention of Pollution From Ships, 1973 (Annex V of MARPOL 73/78).

(2) Fish with dredge gear (defined in §660.11) anywhere within EFH within the EEZ, as defined by latitude/longitude coordinates at §660.75.

(3) Fish with beam trawl gear (defined in §660.11) anywhere within EFH within the EEZ, as defined by latitude/longitude coordinates at §660.75.

(4) Fish with bottom trawl gear with a footrope diameter greater than 19 inches (48 cm) (including rollers, bobbins, or other material encircling or tied along the length of the footrope) anywhere in EFH within the EEZ, as defined by latitude/longitude coordinates at §660.75.

(c) *Fishing in conservation areas with open access gears.* (1) Operate a vessel with non-groundfish trawl gear onboard in any applicable GCA (as defined at §660.330(d)) except for purposes of continuous transiting, with all trawl gear stowed in accordance with §660.330(b), or except as authorized in the groundfish management measures published at §660.330.

(2) Operate a vessel in an applicable GCA (as defined at §660.330(d)) that has nontrawl gear onboard and is not registered to a limited entry permit on a trip in which the vessel is used to take and retain or possess groundfish in the EEZ, possess or land groundfish taken in the EEZ, except for purposes of continuous transiting, with all groundfish nontrawl gear stowed in accordance with §660.330(b), or except as authorized in the groundfish management measures published at §660.330.

(3) Fish with bottom contact gear (as defined in §660.11, subpart C) within the EEZ in the following areas (defined in §§660.78 and 660.79): Thompson Seamount, President Jackson Seamount, Cordell Bank (50-fm (91-m) isobath), Harris Point, Richardson Rock, Scorpion, Painted Cave, Anacapa Island, Carrington Point, Judith Rock, Skunk Point, Footprint, Gull Island, South Point, and Santa Barbara.

(4) Fish with bottom contact gear (as defined in §660.11, subpart C), or any other gear that is deployed deeper than 500-fm (914-m), within the Davidson Seamount area (defined in §660.75).