DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 660

[Docket No. 090428799–9802–01]

RIN 0648–BA44

Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; Inseason Adjustments to Fishery Management Measures

AGENCY: National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Commerce.

ACTION: Final rule; inseason adjustments to biennial groundfish management measures; request for comments.

SUMMARY: This final rule makes inseason adjustments to commercial and tribal fishery management measures for several groundfish species taken in the U.S. exclusive economic zone (EEZ) off the coasts of Washington, Oregon, and California. These actions, which are authorized by the Pacific Coast Groundfish Fishery Management Plan (FMP), are intended to allow fisheries to access more abundant groundfish stocks while protecting overfished and depleted stocks.

DATES: Effective 0001 hours (local time) December 1, 2010. Comments on this final rule must be received no later than 5 p.m., local time on January 3, 2011.

ADDRESSES: You may submit comments, identified by RIN 0648–BA44, by any one of the following methods:

- *Electronic Submissions:* Submit all electronic public comments via the Federal eRulemaking Portal: *http://www.regulations.gov.*
- *Fax:* 206–526–6736, Attn: Gretchen Hanshew.
- *Mail:* William W. Stelle, Jr., Regional Administrator, Northwest Region, NMFS, 7600 Sand Point Way, NE., Seattle, WA 98115–0070, Attn: Gretchen Hanshew.

Instructions: No comments will be posted for public viewing until after the comment period has closed. All comments received are a part of the public record and will generally be posted to *http://www.regulations.gov* without change. All Personal Identifying Information (for example, name, address, *etc.*) voluntarily submitted by the commenter may be publicly accessible. Do not submit Confidential Business Information or otherwise sensitive or protected information.

NMFS will accept anonymous comments (enter N/A in the required fields, if you wish to remain anonymous). You may submit attachments to electronic comments in Microsoft Word, Excel, WordPerfect, or Adobe PDF file formats only.

FOR FURTHER INFORMATION CONTACT: Gretchen Hanshew (Northwest Region, NMFS), 206–526–6147, fax: 206–526–6736, *gretchen.hanshew@noaa.gov.*

SUPPLEMENTARY INFORMATION:

Electronic Access

This final rule is accessible via the Internet at the Office of the **Federal Register's** Web site at *http://www.gpoaccess.gov/fr/index.html.* Background information and documents are available at the Pacific Fishery Management Council's (the Council or PFMC) Web site at *http://www.pcouncil.org/.*

Background

On December 31, 2008, NMFS published a proposed rule to implement the 2009–2010 specifications and management measures for the Pacific Coast groundfish fishery (73 FR 80516). The final rule to implement the 2009–2010 specifications and management measures for the Pacific Coast Groundfish Fishery was published on March 6, 2009 (74 FR 9874). This final rule was subsequently amended by inseason actions on April 27, 2009 (74 FR 19011), July 6, 2009 (74 FR 31874), October 28, 2009 (74 FR 55468), February 26, 2010 (75 FR 8820), May 4, 2010 (75 FR 23620), July 1, 2010 (75 FR 38030), July 16, 2010 (75 FR 41386), August 23, 2010 (75 FR 51684); and October 4, 2010 (75 FR 61102). Additional changes to the 2009–2010 specifications and management measures for petrale sole were made in two final rules: On November 4, 2009 (74 FR 57117), and December 10, 2009 (74 FR 65480). NMFS issued a final rule in response to a duly issued court order on July 8, 2010 (75 FR 39178). NMFS also issued a final rule to implement Amendments 20 and 21 to the Pacific Coast Groundfish Fishery Management Plan (FMP) on October 1, 2010 (75 FR 60868). The October 1, 2010 final rule, in part, re-organized the entire Pacific Coast Groundfish Fishery Regulations. Because of the restructuring, beginning on November 1, 2010, these specifications and management measures are at 50 CFR part 660, subparts C through G.

Changes to the groundfish management measures implemented by this action were recommended by the Council, in consultation with Pacific Coast Treaty Indian Tribes and the States of Washington, Oregon, and California, at its November 2–10, 2010, meeting in Costa Mesa, CA. The Council recommended adjusting the groundfish management measures to respond to updated fishery information and other inseason management needs. These changes include: Expansion of the trawl Rockfish Conservation Area (RCA) and a closure of the minor slope rockfish and darkblotched rockfish fishing in the limited entry trawl commercial fisheries off Washington, Oregon, and northern California (north of 40°10′ N. lat.); reductions to sector specific bycatch limits of darkblotched rockfish for all sectors of the primary Pacific whiting fishery; reductions to daily trip limits (DTL) for sablefish in the limited entry fixed gear fishery south of 36° N. lat. and a closure of the open access commercial fisheries for sablefish in that same area; increases to sablefish DTL limits in the limited entry fixed gear and open access commercial fisheries north of 36° N. lat.; and changes to the Makah tribal midwater trawl fishery management measures.

Limited Entry Trawl Fishery

At their November 2–10, 2010, meeting, the Council received new data and analyses on the catch of groundfish in the limited entry non-whiting trawl fishery. As described below, the Council considered inseason actions to reduce the mortality of darkblotched rockfish in the limited entry non-whiting trawl fishery and the limited entry primary season whiting fishery, the fisheries in which most darkblotched rockfish are taken. Cumulative limit fishing Period 6, November-December, was already underway by the Council's November meeting. Because the new information was available so late in the year, making inseason changes to fishing regulations as quickly as possible can only affect the last 4–5 weeks of the year.

The Council uses a model to predict annual groundfish mortality in the limited entry non-whiting trawl fishery. At the November 2010 meeting, the Groundfish Management Team (GMT), an advisory body to the Council, determined that the model was underestimating the mortality of darkblotched rockfish. The model uses historical data, weighted more heavily towards the most recent year, to predict how current management measures will affect the mortality of groundfish species. The model has limited ability to account for recent, large-scale shifts in fishing effort and target catch species composition for use in its projection of bycatch species' total mortality.

Instead of relying solely on the model projections, which were by then understood to be too low for

darkblotched rockfish, the GMT made an adjustment to the model to produce a better estimate of the mortality of darkblotched rockfish through the end of 2010. The GMT used the best inseason estimates of landings of darkblotched rockfish, through October 2010, to project what the darkblotched rockfish landings may be through the rest of the year. An assumption was also made about the discard rate (assumed to be 50 percent of the darkblotched total mortality, a 5-year average, weighted toward the most recent data) to estimate how much darkblotched rockfish was discarded in 2010, and that discard mortality estimate was added to the landed mortality estimate to produce an estimate of total mortality of darkblotched rockfish through the end of the year. Using the adjusted projection, the GMT projected that 335 mt of darkblotched rockfish would be caught in the limited entry non-whiting trawl fishery, through the end of the year, if no action were taken to reduce impacts. This level of mortality in the limited entry non-whiting trawl fishery, combined with projected impacts to darkblotched rockfish from all other fisheries, would exceed the 2010 darkblotched rockfish OY of 330 mt by 53 mt, or approximately 16 percent.

Darkblotched rockfish total mortality is highly variable, largely due to the high variability in the discard rate and its sensitivity to area closures and slope rockfish trip limits. Because the adjusted projection of darkblotched rockfish mortality assumed a discard rate, which is known to be highly variable, the point estimate of the total mortality for darkblotched rockfish in the limited entry non-whiting trawl fishery is highly uncertain. If the actual 2010 trawl discard rate is lower than assumed, total mortality, which includes mortality estimates from all other sources, of darkblotched rockfish could actually be well below the 2010 OY. If the actual 2010 discard rate is higher than assumed, total mortality of darkblotched rockfish could actually be higher than projected. However, NMFS anticipates that the assumed bycatch rate of 50 percent may be higher than the actual discard rate for early 2010 because landings were very high from January–April, when there was a large trip limit in place. It is very likely that, with the high landings early in the year, discards during this time were much lower than 50 percent. If that is the case, the adjusted projection that resulted in a projected impact of 335 mt of darkblotched rockfish is more likely to be an overestimate.

The Council considered and recommended expanding the northern trawl RCA seaward as soon as possible after their November meeting, for the remainder of 2010, in order to close areas where darkblotched rockfish are encountered, and to therefore lower impacts to darkblotched rockfish. The Council also considered and recommended reductions to the trip limits for "minor slope rockfish and darkblotched rockfish" to lower the landings of darkblotched rockfish through the end of the year. These changes to management measures are intended reduce the total mortality of darkblotched rockfish. Using the adjusted projection, assuming a 50 percent discard rate, the GMT projected 298 mt of darkblotched rockfish mortality in the limited entry non-whiting trawl fishery through the end of the year if the RCA was expanded and the trip limits were "closed" on December 1, 2011. Reducing a two-month limit in the middle of the period has limited effectiveness, because many vessels may have already taken their full limit, and others could swiftly take theirs before the recommended reduction can be implemented. Nonetheless, the trip limits for slope and darkblotched rockfish are being reduced to zero, as of December 1, 2010. Because the new fishery information and analyses were available so late in the year, the options for restrictions to fishery management measures that would reduce darkblotched rockfish impacts are limited. However, the restrictions proposed for the last 4–5 weeks of the year in the limited entry non-whiting trawl fishery are anticipated to reduce the projected total impacts to darkblotched rockfish by approximately 37 mt.

The Council did not recommend changes to management measures in the limited entry non-whiting trawl fishery south of 40°10′ N. lat. to reduce impacts to darkblotched rockfish. This is because only a very small amount of darkblotched rockfish are encountered in the limited entry non-whiting trawl fishery south of 40°10′ N. lat., and even drastic restrictions were not projected to reduce impacts by an appreciable amount.

Based on the considerations outlined above, the Council recommended and NMFS is implementing the following changes to the trawl RCA and cumulative limits in the limited entry non-whiting trawl fishery North of 40°10′ N. lat.: Modify the November-December 2010 bi-monthly cumulative limit from "4,000 lb per two months" to "4,000 lb per month" for the month of November only, effective on December 1, 2010; decrease the minor slope rockfish and darkblotched rockfish bi-monthly cumulative limit in December to "CLOSED" beginning on December 1, 2010 through the end of the year; and shift the seaward boundary of the trawl RCA from "the boundary line approximating the 200 fm depth contour and modified to allow fishing for petrale sole" to "the boundary line approximating the 250 fm depth contour" beginning on December 1, 2010 through the end of the year.

The Council also considered restrictions in the limited entry Pacific whiting midwater trawl fishery to reduce the potential harvest of darkblotched rockfish at the end of the year. The Pacific whiting fishery is managed with sector specific bycatch limits for several species, one of which is darkblotched rockfish. Several thousand metric tons of Pacific whiting have yet to be harvested in this fishery through the end of the year. Historical information and anecdotal testimony indicate that darkblotched bycatch in the whiting fishery is lower later in the year. Therefore, there is a considerable amount of the darkblotched rockfish bycatch limits that will likely go unharvested. The most recent fishery information, available on November 4, 2010, indicated that: The catcher/processor sector had taken only 2.3 mt of their 8.5 mt darkblotched rockfish bycatch limit, had 17 percent of their whiting allocation remaining to be harvested, and was continuing to fish; the mothership sector had taken 5.5 mt of their 6.0 mt darkblotched rockfish bycatch limit, had only 2,000 mt of their whiting allocation remaining, and was unlikely to harvest this remaining amount; and the shorebased sector had taken only 4.0 mt of their 10.5 mt darkblotched rockfish bycatch limit, had 17 percent left of their whiting allocation, and it was likely that only a few vessels would continue to fish for whiting. Fishers in the Pacific whiting fishery informed the Council that it was their intent to fish deeper than 170 fm, which is beyond the area in which the majority of darkblotched are encountered, to help ensure that darkblotched catch would remain much lower than their bycatch limits. The Council considered reductions to the sector specific bycatch limits for darkblotched rockfish that would reduce the remaining potential impacts in the primary whiting fishery, while still allowing the fishery to harvest their remaining allocations of Pacific whiting

Based on the considerations outlined above, the Council recommended and NMFS is implementing the following changes to the sector specific bycatch limits for darkblotched rockfish in the limited entry Pacific whiting midwater

trawl fishery, beginning on December 1: Reduce the darkblotched rockfish bycatch limit for the catcher/processor sector from 8.5 mt to 5.5 mt (of which 2.3 mt had already be taken); reduce the darkblotched rockfish bycatch limit for the mothership sector from 6.0 mt to 5.5 mt (which had already been taken); and reduce the darkblotched rockfish bycatch limit for the shorebased sector from 10.5 mt to 5.0 mt (of which 4.0 mt had already been taken). It appears that 4.2 mt of darkblotched rockfish was available for harvest in this fishery as of November 1, 2010, through the end of the year, some of which may already be taken before this action is effective.

With the changes to fishery management measures described above, the total projected impacts to darkblotched rockfish through the end of the year is 337 mt, which exceeds the 2010 darkblotched rockfish OY of 330 mt by 7 mt, or approximately 2 percent. The projected impact of 337 mt includes 298 mt from the limited entry non-whiting trawl fishery and also assumes that all sectors of the Pacific whiting fishery will catch their entire revised sector specific darkblotched rockfish bycatch limits (that is, the 4.2 mt was available for harvest in this fishery as of November 1, 2010, through the end of the year). As described above, the adjusted projection for the limited entry non-whiting trawl fishery are highly uncertain and is likely to be an overestimate of impacts. In addition, it is unlikely that the catcher processor and shorebased sectors will catch their entire sector specific bycatch limits of darkblotched rockfish this year. Based on these considerations, and with the restrictions to the limited entry trawl fishery and the precautionary measures that the Pacific whiting fishers will take to avoid bycatch of darkblotched rockfish, it is probable that the actual total mortality of darkblotched rockfish will be kept below the 2010 OY of 330 mt. The most accurate 2010 discard rate of darkblotched rockfish in the non-whiting trawl fishery, and the total mortality of darkblotched rockfish in the entire groundfish fishery, will only be known after the west coast groundfish observer program publishes the 2010 total mortality report, between July 2011 and January 2012.

Sablefish Daily Trip Limit Fishery North of 36° N. Lat.

The Council considered increases to sablefish trip limits for the Limited Entry and Open Access Daily Trip Limit (DTL) fisheries north of 36° N. lat. at their June and September 2010 meetings. Trip limits were modestly increased for the Limited Entry DTL fishery after the June 2010 meeting because that fishery was tracking lower than anticipated. Changes to management measures were not recommended for either sector at the September 2010 meeting because available information indicated that catches were tracking similar to anticipated levels for the limited entry fixed gear fishery, and there was a possibility of effort shifts from south to north of 36° N. latitude due to trip-limit reductions to sablefish in the south. Catch of sablefish in the limited entry fixed gear and open access daily trip limit (DTL) fisheries north of 36° N. lat. are anticipated to be below their allocations. Based on the most recent fishery information, if no action is taken and catch remains lower than expected, landings of sablefish through the end of the year would be: 281 mt, or 88 percent of the limited entry fixed gear sablefish DTL fishery allocation of 321 mt; and 435 mt, or 82 percent of the open access fishery sablefish allocation of 529 mt. The Council considered options for trip limit increases in the limited entry fixed gear and open access sablefish DTL fisheries north of 36° N. lat. to allow these fisheries to attain a higher proportion of their sablefish allocations, while keeping total projected catch below the 2010 sablefish OY for the area north of 36° N. lat.

Projected impacts to overfished species in the limited entry fixed gear and open access fisheries are calculated assuming the entire sablefish OY is harvested. Therefore, increases to trip limits to allow additional fishing opportunities do not result in changes to projected impacts to co-occurring overfished groundfish species. The total projected impacts to darkblotched rockfish in the limited entry fixed gear and open access fisheries are very low.

Based on the considerations outlined above, the Council recommended and NMFS is implementing a modest increase in the limited entry fixed gear sablefish DTL fishery weekly limits north of 36° N. lat. from "1,750 lb per week, not to exceed 8,000 lb per two months" to "2,000 lb per week, not to exceed 8,000 lb per two months" beginning on December 1, 2010 through the end of the year.

Based on the considerations outlined above, the Council recommended and NMFS is implementing increases to the open access sablefish DTL fishery trip limits north of 36° N. lat. from "300 lb per day, or 1 landing per week of up to 950 lb, not to exceed 2,750 lb per two months" to "400 lb per day, or 1 landing per week of up to 1,500 lb, not to exceed 4,500 lb per two months" beginning on December 1, 2010 through the end of the year.

Sablefish DTL Fishery South of 36° N. Lat.

Catch of sablefish in the limited entry fixed gear and open access DTL fisheries south of 36° N. lat. has been higher than anticipated. In September, the Council recommended and NMFS implemented modest decreases to sablefish weekly limits in the limited entry fixed gear fishery, and more substantial decreases to the open access sablefish trip limits. The changes that went into effect on October 1, 2010 were anticipated to lower the projected impacts by approximately 45 percent and keep projected impacts within the sablefish OY south of 36° N. lat. Based on the most recent fishery information, if no additional action is taken and catch remains higher than expected, landings of sablefish through the end of the year would be 1,319 mt. This level of catch would exceed the 2010 sablefish OY for the area south of 36° N. lat. of 1,258 mt by approximately 5 percent. The Council considered several combinations of trip limit reductions in the limited entry fixed gear and open access sablefish DTL fisheries south of 36° N. lat. to allow some fishing opportunities to remain open in December 2010, while preventing the 2010 sablefish OY for the area south of 36° N. lat. from being exceeded. Options were somewhat more limited than in September 2010, because only a single month of fishing can be restricted in this late-season inseason action.

Sablefish landings from July through October 2010 indicate that sablefish catch were higher in these fisheries during July 2010 than estimated in September 2010. The Council considered several options for reducing the sablefish catch late in the season. The Council considered closing both the limited entry and open access fisheries for sablefish beginning on December 1, 2010 through the end of the year. However, the higher than anticipated catch of sablefish is primarily due to increased effort in the open access fishery. Because the participation in the open access fishery is not limited, it is more difficult to project and to control the harvest in that fishery. Therefore, the Council considered larger restrictions in the open access sablefish DTL fishery, including complete closure. Modest decreases were necessary for the limited entry fixed gear fishery to further reduce projected impacts and to prevent the 2010 sablefish OY from being exceeded. With the closure of the open access sablefish fishery and the limited entry fixed gear

fishery trip limit reductions, projected impacts are not anticipated to exceed 2010 sablefish OY for the area south of 36° N. lat. of 1,258 mt.

West Coast Groundfish Observer data indicate that impacts to overfished species in the commercial fixed gear sablefish fisheries south of 36° N. lat. are extremely low. Therefore, decreases to trip limits to prevent exceeding the 2010 sablefish OY are not anticipated to result in changes to impacts to co-occurring overfished groundfish species.

Based on the considerations outlined above, the Council recommended and NMFS is implementing a decrease in the limited entry fixed gear sablefish DTL fishery cumulative limits south of 36° N. lat. from "2,800 lb per week" to "1,800 lb per week" beginning on December 1, 2010 through the end of the year.

Based on the considerations outlined above, the Council recommended and NMFS is implementing restrictions to the open access sablefish DTL fishery trip limits south of 36° N. lat. from "800 lb per week, not to exceed 1,600 lb per month" to "CLOSED" beginning on December 1, 2010 through the end of the year.

Tribal Fishery Management Measures

The Council considered a request from the Makah Tribe, a Washington State coastal treaty tribe, to increase the amount of yellowtail rockfish that would be available in the tribal fisheries for 2010. The Makah Tribe would like to test the use of electric jig machines in the midwater fishery to see if overfished species are encountered in an area before they set the midwater trawl net. These activities are anticipated to reduce bycatch rate of co-occurring overfished species, primarily widow rockfish and canary rockfish, in the midwater trawl fishery. Bycatch of widow rockfish has been higher than anticipated in the tribal midwater trawl fishery in 2010, and the Makah Tribe anticipates that, if testing is successful, the use of electric jigs could lower bycatch rates and increase access to yellowtail rockfish in the future. The Makah Tribe requested an additional 187 mt of yellowtail rockfish, from 490 mt to 677 mt, to allow the testing of the jig gear that may reduce bycatch of co-occurring overfished rockfish. In order to do the initial testing of the jig gear, some additional catch of widow rockfish and canary rockfish is anticipated. However, total impacts, when combined with those in other fisheries, are not anticipated to exceed the 2010 rebuilding OYs for these species.

Yellowtail rockfish north of 40°30′ N. lat. was assessed in 2005 and is a healthy stock. Yellowtail rockfish are underutilized because of fishing restrictions to protect co-occurring overfished species. The most recent fishery information indicates that less than 19 percent of the 2010 yellowtail OY in this area has been caught.

Based on the considerations outlined above, the Council recommended and NMFS is implementing an increase in the yellowtail rockfish catch limit for the Makah Tribe's midwater trawl fishery.

Classification

This final rule makes routine inseason adjustments to groundfish fishery management measures based on the best available information and is taken pursuant to the regulations implementing the Pacific Coast Groundfish FMP.

These actions are taken under the authority of 50 CFR 660.370(c) and are exempt from review under Executive Order 12866.

These inseason adjustments are taken under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), and are in accordance with 50 CFR part 660, the regulations implementing the FMP. These actions are based on the most recent data available. The aggregate data upon which these actions are based are available for public inspection at the Office of the Administrator, Northwest Region, NMFS, (*see* **ADDRESSES**) during business hours.

For the following reasons, NMFS finds good cause to waive prior public notice and comment on the revisions to groundfish management measures under 5 U.S.C. 553(b)(B) because notice and comment would be impracticable and contrary to the public interest. Also, for the same reasons, NMFS finds good cause to waive the 30-day delay in effectiveness pursuant to 5 U.S.C. 553(d)(3), so that this final rule may become effective as quickly as possible.

The recently available data upon which these recommendations were based was provided to the Council, and the Council made its recommendations, at its November 2–10, 2010, meeting in Costa Mesa, CA. The Council recommended that these changes be implemented by December 1, 2010 or as quickly as possible. There was not sufficient time after that meeting to draft this document and undergo proposed and final rulemaking before these actions need to be in effect. For the actions to be implemented in this final rule, affording the time necessary for prior notice and opportunity for public comment would prevent the Agency from managing fisheries using the best available science to approach, without exceeding, the OYs for federally managed species in accordance with the FMP and applicable laws. The adjustments to management measures in this document affect commercial fisheries off Washington, Oregon, and California and commercial tribal fisheries off Washington.

Because the new fishery information and analyses were available so late in the year, the options for restrictions to fishery management measures that would reduce darkblotched rockfish impacts are limited. However, the restrictions proposed for the last 4–5 weeks of the year in the limited entry non-whiting trawl fishery and the limited entry primary whiting fishery are anticipated to reduce the projected total impacts to darkblotched rockfish by approximately 46 mt. The adjustments to management measures in the limited entry trawl fishery north of 40°10′ N. lat. and to the primary whiting fishery must be implemented as soon as possible to limit the fishery during 2010 in order to reduce projected impacts to darkblotched rockfish to keep the total mortality very near, and probably below, the 2010 darkblotched rockfish OY. Reductions to cumulative limits in the limited entry fixed gear fishery and closure of the open access sablefish DTL fishery are needed to prevent the 2010 sablefish OY in the area south of 36° N. lat. from being exceeded. These changes must be implemented in a timely manner by December 1, 2010. Failure to implement trip limit restrictions by December 1, 2010 would risk continued higher than anticipated catch of sablefish and the fishery could exceed the 2010 sablefish OY in the area south of 36° N. lat. These revisions are needed to keep the harvest of groundfish species within the harvest levels established for 2010, while allowing fishermen access to healthy stocks. Without these measures in place, the fisheries could risk exceeding some 2010 OYs if catch continues to be higher than anticipated. Delaying these changes would keep management measures in place that are not based on the best available data and that could lead to exceeding OYs. Such delay would impair achievement of one of the Pacific Coast Groundfish FMP goals to prevent overfishing and rebuild overfished stocks.

The increases to cumulative limits in the limited entry fixed gear and open access sablefish DTL fishery north of 36° N. lat. allow fishermen an opportunity to achieve the allocations and 2010 OY for sablefish in that area. Changes to management measures in the Makah

tribal midwater trawl fishery allow fishermen additional harvest opportunities for yellowtail rockfish, a healthy and underutilized stock. This also allows for testing of a fishing technique that could reduce bycatch rates as explained above. Increases are necessary to relieve a restriction by allowing fishermen increased opportunities to harvest sablefish north of 36° N. lat. and yellowtail rockfish, while staying within OYs. These changes must be implemented in a timely manner, as quickly as possible, so that fishermen are allowed increased opportunities to harvest available healthy stocks and meet the objective of the Pacific Coast Groundfish FMP to allow fisheries to approach, but not exceed, OYs. It would be contrary to the public interest to wait to implement these changes until after public notice and comment, because that would prevent fishermen from taking these fish at the time they are available, preventing additional harvest in fisheries that are important to coastal communities.

List of Subjects in 50 CFR Part 660

Fisheries, Fishing, Indian fisheries.

Dated: November 30, 2010.

Brian Parker,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

■ For the reasons set out in the preamble, 50 CFR part 660 is amended as follows:

PART 660—FISHERIES OFF WEST COAST STATES

■ 1. The authority citation for part 660 continues to read as follows:

Authority: 16 U.S.C. 1801 *et seq.*

■ 2. In § 660.50 to subpart C, paragraph (g)(5) is revised to read as follows:

§ 660.50 Pacific Coast treaty Indian fisheries.

* * * * *

(g) * * *

(5) *Yellowtail and widow rockfish.* The Makah Tribe will manage the midwater trawl fisheries as follows: Yellowtail rockfish taken in the directed tribal mid-water trawl fisheries are subject to a catch limit of 677 mt for the entire fleet. Landings of widow rockfish must not exceed 10 percent of the weight of yellowtail rockfish landed, for a given vessel, throughout the year. These limits may be adjusted by the tribe inseason to minimize the incidental catch of canary rockfish and widow rockfish, provided the catch of yellowtail rockfish does not exceed 677 mt for the fleet.

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■ 3. In § 660.131 to subpart D, paragraph (b)(5)(i) is revised to read as follows:

§ 660.131 Pacific whiting fishery management measures.

* * * * *

(b) * * *

(5) * * *

(i) The whiting fishery bycatch limit is apportioned among the sectors identified in paragraph (a) of this section based on the same percentages used to allocate whiting among the sectors, established in § 660.55(i)(2), subpart C. The sector specific bycatch limits are: For catcher/processors 4.8 mt of canary rockfish, 95 mt of widow rockfish, and 5.5 mt of darkblotched rockfish; for motherships 3.3 mt of canary rockfish, 67 mt of widow rockfish, and 5.5 mt of darkblotched rockfish; and for shorebased 5.9 mt of canary rockfish, 117 mt of widow rockfish, and 5.0 mt of darkblotched rockfish.

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■ 4. Table 1 (North) to part 660, subpart D, is revised to read as follows:

BILLING CODE 3510–22–P

Table 1 (North) to Part 660, Subpart D -- 2010 Trip Limits for Limited Entry Trawl Gear North of 40°10' N. Lat.

Other Limits and Requirements Apply -- Read § 660.10 - § 660.160 before using this table

12012010

		JAN-FEB	MAR-APR	MAY-JUN	JUL-AUG	SEP-OCT	NOV-DEC	
	Rockfish Conservation Area (RCA)[6/]:							
1	North of 48°10' N. lat.	shore - modified[7/] 200 fm line[6/]	shore - 200 fm line[6/]	shore - 150 fm line[6/]		shore - 200 fm line[6/]	shore - modified[7/] 200 fm line[6/]	shore - 250 fm line[6/]
2	48°10' N. lat. - 45°46' N. lat.	75 fm line[6/] - modified[7/] 200 fm line[6/]	75 fm line[6/] - 200 fm line[6/]	75 fm line[6/] - 150 fm line[6/]	100 fm line[6/] - 150 fm line[6/]	75 fm line[6/] - 200 fm line[6/]	75 fm line[6/] - modified[7/] 200 fm line[6/]	75 fm line[6/] - 250 fm line[6/]
3	45°46' N. lat. - 40°10' N. lat.			75 fm line[6/] - 200 fm line[6/]	100 fm line[6/] - 200 fm line[6/]			

Selective flatfish trawl gear is required shoreward of the RCA; all trawl gear (large footrope, selective flatfish trawl, and small footrope trawl gear) is permitted seaward of the RCA. Large footrope and small footrope trawl gears (except for selective flatfish trawl gear) are prohibited shoreward of the RCA. Midwater trawl gear is permitted only for vessels participating in the primary whiting season.

See § 660.60 and § 660.130 for Additional Gear, Trip Limit, and Conservation Area Requirements and Restrictions. See §§ 660.70-660.74 and §§ 660.76-660.79 for Conservation Area Descriptions and Coordinates (including RCAs, YRCA, CCAs, Farallon Islands, Cordell Banks, and EFHCAs).

State trip limits and seasons may be more restrictive than federal trip limits, particularly in waters off Oregon and California.

4	**Minor slope rockfish[2/] & Darkblotched rockfish**	6,000 lb/ 2 months		2,000 lb/ 2 months		4,000 lb/ 2 months	4,000 lb/ month	CLOSED
5	**Pacific ocean perch**	1,500 lb/ 2 months						
6	**DTS complex**							
7	Sablefish							
8	large & small footrope gear	20,000 lb/ 2 months		24,000 lb/ 2 months	21,000 lb/ 2 months	24,000 lb/ 2 months		
9	selective flatfish trawl gear	9,000 lb/ 2 months				10,000 lb/ 2 months		
10	multiple bottom trawl gear [8/]	9,000 lb/ 2 months				10,000 lb/ 2 months		
11	Longspine thornyhead							
12	large & small footrope gear	24,000 lb/ 2 months				26,000 lb/ 2 months		
13	selective flatfish trawl gear	5,000 lb/ 2 months				5,500 lb/ 2 months		
14	multiple bottom trawl gear [8/]	5,000 lb/ 2 months				5,500 lb/ 2 months		
15	Shortspine thornyhead							
16	large & small footrope gear	18,000 lb/ 2 months				20,000 lb/ 2 months		
17	selective flatfish trawl gear	5,000 lb/ 2 months				5,500 lb/ 2 months		
18	multiple bottom trawl gear [8/]	5,000 lb/ 2 months				5,500 lb/ 2 months		
19	Dover sole							
20	large & small footrope gear	110,000 lb/ 2 months			100,000 lb/ 2 months	110,000 lb/ 2 months		
21	selective flatfish trawl gear	65,000 lb/ 2 months				70,000 lb/ 2 months		
22	multiple bottom trawl gear [8/]	65,000 lb/ 2 months				70,000 lb/ 2 months		

TABLE 1 (North)

Table 1 (North). Continued

		JAN-FEB	MAR-APR	MAY-JUN	JUL-AUG	SEP-OCT	NOV-DEC
23	**Whiting**						
24	midwater trawl	Before the primary whiting season: CLOSED. -- During the primary season: mid-water trawl permitted in the RCA. See §660.131 for season and trip limit details. -- After the primary whiting season: CLOSED.					
25	large & small footrope gear	Before the primary whiting season: 20,000 lb/trip. -- During the primary season: 10,000 lb/trip. -- After the primary whiting season: 10,000 lb/trip.					
26	**Flatfish** (except Dover sole)						
27	Arrowtooth flounder						
28	large & small footrope gear	150,000 lb/ 2 months				180,000 lb/ 2 months	
29	selective flatfish trawl gear	90,000 lb/ 2 months				100,000 lb/ 2 months	
30	multiple bottom trawl gear [8/]	90,000 lb/ 2 months				100,000 lb/ 2 months	
31	Other flatfish [3/], English sole, starry flounder, & Petrale sole						
32	large & small footrope gear for Other flatfish[3/], English sole, & starry flounder	110,000 lb/ 2 months	110,000 lb/ 2 months, no more than 9,500 lb/ 2 months of which may be petrale sole.		100,000 lb/ 2 months, no more than 6,300 lb/ 2 months of which may be petrale sole.	110,000 lb/ 2 months, no more than 6,300 lb/ 2 months of which may be petrale sole.	110,000 lb/ 2 months
33	large & small footrope gear for Petrale sole	9,500 lb/ 2 months					6,300 lb/ 2 months
34	selective flatfish trawl gear for Other flatfish[3/], English sole, & starry flounder	90,000 lb/ 2 months, no more than 9,500 lb/ 2 months of which may be petrale sole.	60,000 lb/ 2 months, no more than 9,500 lb/ 2 months of which may be petrale sole.		60,000 lb/ 2 months, no more than 6,300 lb/ 2 months of which may be petrale sole.	70,000 lb/ 2 months, no more than 6,300 lb/ 2 months of which may be petrale sole.	
35	selective flatfish trawl gear for Petrale sole						
36	multiple bottom trawl gear [8/]	90,000 lb/ 2 months, no more than 9,500 lb/ 2 months of which may be petrale sole.	60,000 lb/ 2 months, no more than 9,500 lb/ 2 months of which may be petrale sole.		60,000 lb/ 2 months, no more than 6,300 lb/ 2 months of which may be petrale sole.	70,000 lb/ 2 months, no more than 6,300 lb/ 2 months of which may be petrale sole.	
37	**Minor shelf rockfish[1/], Shortbelly, Widow & Yelloweye rockfish**						
38	midwater trawl for Widow rockfish	Before the primary whiting season: CLOSED. -- During primary whiting season: In trips of at least 10,000 lb of whiting, combined widow and yellowtail limit of 500 lb/ trip, cumulative widow limit of 1,500 lb/ month. Mid-water trawl permitted in the RCA. See §660.131 for primary whiting season and trip limit details. -- After the primary whiting season: CLOSED.					
39	large & small footrope gear	300 lb/ 2 months					
40	selective flatfish trawl gear	300 lb/ month		1,000 lb/ month, no more than 200 lb/ month of which may be yelloweye rockfish			300 lb/ month
41	multiple bottom trawl gear [8/]	300 lb/ month		300 lb/ 2 months, no more than 200 lb/ month of which may be yelloweye rockfish			300 lb/ month

TABLE 1 (North) con't

Table 1 (North). Continued

		JAN-FEB	MAR-APR	MAY-JUN	JUL-AUG	SEP-OCT	NOV-DEC
42	**Canary rockfish**						
43	large & small footrope gear	CLOSED					
44	selective flatfish trawl gear	100 lb/ month		300 lb/ month		100 lb/ month	
45	multiple bottom trawl gear 8/	CLOSED					
46	**Yellowtail**						
47	midwater trawl	Before the primary whiting season: CLOSED. -- During primary whiting season: In trips of at least 10,000 lb of whiting: combined widow and yellowtail limit of 500 lb/ trip, cumulative yellowtail limit of 2,000 lb/ month. Mid-water trawl permitted in the RCA. See §660.131 for primary whiting season and trip limit details. -- After the primary whiting season: CLOSED.					
48	large & small footrope gear	300 lb/ 2 months					
49	selective flatfish trawl gear	2,000 lb/ 2 months					
50	multiple bottom trawl gear 8/	300 lb/ 2 months					
51	**Minor nearshore rockfish & Black rockfish**						
52	large & small footrope gear	CLOSED					
53	selective flatfish trawl gear	300 lb/ month					
54	multiple bottom trawl gear 8/	CLOSED					
55	**Lingcod** 4/						
56	large & small footrope gear	1,200 lb/ 2 months		4,000 lb/ 2 months			
57	selective flatfish trawl gear			1,200 lb/2 months			
58	multiple bottom trawl gear 8/						
59	**Pacific cod**	30,000 lb/ 2 months		70,000 lb/ 2 months			30,000 lb/ 2 months
60	**Spiny dogfish**	200,000 lb/ 2 months		150,000 lb/ 2 months	100,000 lb/ 2 months		
61	**Other Fish** 5/	Not limited					

TABLE 1 (North) con't

1/ Bocaccio, chilipepper and cowcod are included in the trip limits for minor shelf rockfish.
2/ Splitnose rockfish is included in the trip limits for minor slope rockfish.
3/ "Other flatfish" are defined at § 660.11 and include butter sole, curlfin sole, flathead sole, Pacific sanddab, rex sole, rock sole, and sand sole.
4/ The minimum size limit for lingcod is 22 inches (56 cm) total length North of 42° N. lat. and 24 inches (61 cm) total length South of 42° N. lat.
5/ "Other fish" are defined at § 660.11 and include sharks, skates (including longnose skate), ratfish, morids, grenadiers, and kelp greenling. Cabezon is included in the trip limits for "other fish."
6/ The Rockfish Conservation Area is an area closed to fishing by particular gear types, bounded by lines specifically defined by latitude and longitude coordinates set out at §§ 660.71-660.74. This RCA is not defined by depth contours, and the boundary lines that define the RCA may close areas that are deeper or shallower than the depth contour. Vessels that are subject to the RCA restrictions may not fish in the RCA, or operate in the RCA for any purpose other than transiting.
7/ The "modified" fathom lines are modified to exclude certain petrale sole areas from the RCA.
8/ If a vessel has both selective flatfish gear and large or small footrope gear on board during a cumulative limit period (either simultaneously or successively), the most restrictive cumulative limit for any gear on board during the cumulative limit period applies for the entire cumulative limit period.

To convert pounds to kilograms, divide by 2.20462, the number of pounds in one kilogram.

■ 5. Table 2 (North) and Table 2 (South) to part 660, subpart E, are revised to read as follows:

Table 2 (North) to Part 660, Subpart E -- 2010 Trip Limits for Limited Entry Fixed Gear North of 40°10' N. Lat.

Other Limits and Requirements Apply -- Read §§ 660.10 - 660.65 and §§ 660.210 - 660.232 before using this table 08252010

		JAN-FEB	MAR-APR	MAY-JUN	JUL-AUG	SEP-OCT	NOV-DEC	
	Rockfish Conservation Area (RCA)[6/]:							
1	North of 46°16' N. lat.	shoreline - 100 fm line[6/]						
2	46°16' N. lat. - 45°03.83' N. lat.	30 fm line[6/] - 100 fm line[6/]						
3	45°03.83' N. lat. - 43°00' N. lat.	30 fm line[6/] - 125 fm line [6/ 7/]						
4	43°00' N. lat. - 42°00' N. lat.	20 fm line[6/] - 100 fm line[6/]						
5	42°00' N. lat. - 40°10' N. lat.	20 fm depth contour - 100 fm line[6/]						
	See § 660.60 and § 660.230 for Additional Gear, Trip Limit, and Conservation Area Requirements and Restrictions. See §§ 660.70-660.74 and §§ 660.76-660.79 for Conservation Area Descriptions and Coordinates (including RCAs, YRCA, CCAs, Farallon Islands, Cordell Banks, and EFHCAs).							
	State trip limits and seasons may be more restrictive than federal trip limits, particularly in waters off Oregon and California.							
6	**Minor slope rockfish [2/] & Darkblotched rockfish**	4,000 lb/ 2 months						
7	**Pacific ocean perch**	1,800 lb/ 2 months						
8	**Sablefish**	1,750 lb per week, not to exceed 7,000 lb/ 2 months			1,750 lb per week, not to exceed 8,500 lb/ 2 months		1,750 lb per week in November; 2,000 lb per week in December. Not to exceed 8,000 lb per two month period	
9	**Longspine thornyhead**	10,000 lb/ 2 months						
10	**Shortspine thornyhead**	2,000 lb/ 2 months						
11	**Dover sole**	5,000 lb/ month South of 42° N. lat., when fishing for "other flatfish," vessels using hook-and-line gear with no more than 12 hooks per line, using hooks no larger than "Number 2" hooks, which measure 11 mm (0.44 inches) point to shank, and up to two 1 lb (0.45 kg) weights per line are not subject to the RCAs.						
12	**Arrowtooth flounder**							
13	**Petrale sole**							
14	**English sole**							
15	**Starry flounder**							
16	**Other flatfish[1/]**							
17	**Whiting**	10,000 lb/ trip						
18	**Minor shelf rockfish[2/], Shortbelly, Widow, & Yellowtail rockfish**	200 lb/ month						
19	**Canary rockfish**	CLOSED						
20	**Yelloweye rockfish**	CLOSED						
21	**Minor nearshore rockfish & Black rockfish**							
22	North of 42° N. lat.	5,000 lb/ 2 months, no more than 1,200 lb of which may be species other than black or blue rockfish [3/]						
23	42° - 40°10' N. lat.	6,000 lb/ 2 months, no more than 1,200 lb of which may be species other than black or blue rockfish [3/]	7,000 lb/ 2 months, no more than 1,200 lb of which may be species other than black rockfish [3/]					
24	**Lingcod[4/]**	CLOSED		800 lb/ 2 months			400 lb/ month	CLOSED
25	**Pacific cod**	1,000 lb/ 2 months						
26	**Spiny dogfish**	200,000 lb/ 2 months		150,000 lb/ 2 months	100,000 lb/ 2 months			
27	**Other fish[5/]**	Not limited						

TABLE 2 (North)

1/ "Other flatfish" are defined at § 660.11 and include butter sole, curlfin sole, flathead sole, Pacific sanddab, rex sole, rock sole, and sand sole.
2/ Bocaccio, chilipepper and cowcod are included in the trip limits for minor shelf rockfish and splitnose rockfish is included in the trip limits for minor slope rockfish.
3/ For black rockfish north of Cape Alava (48°09.50' N. lat.), and between Destruction Is. (47°40' N. lat.) and Leadbetter Pnt. (46°38.17' N. lat.), there is an additional limit of 100 lb or 30 percent by weight of all fish on board, whichever is greater, per vessel, per fishing trip.
4/ The minimum size limit for lingcod is 22 inches (56 cm) total length North of 42° N. lat. and 24 inches (61 cm) total length South of 42° N. lat.
5/ "Other fish" are defined at § 660.11 and include sharks, skates (including longnose skates), ratfish, morids, grenadiers, and kelp greenling. Cabezon is included in the trip limits for "other fish."
6/ The Rockfish Conservation Area is an area closed to fishing by particular gear types, bounded by lines specifically defined by latitude and longitude coordinates set out at §§ 660.71-660.74. This RCA is not defined by depth contours (with the exception of the 20-fm depth contour boundary south of 42° N. lat.), and the boundary lines that define the RCA may close areas that are deeper or shallower than the depth contour. Vessels that are subject to RCA restrictions may not fish in the RCA, or operate in the RCA for any purpose other than transiting.
7/ The 125 fm line restriction is in place all year, except on days when the directed halibut fishery is open. On those days the 100 fm line restriction is in effect.

To convert pounds to kilograms, divide by 2.20462, the number of pounds in one kilogram.

Table 2 (South) to Part 660, Subpart E -- 2010 Trip Limits for Limited Entry Fixed Gear South of 40°10' N. Lat.

Other Limits and Requirements Apply -- Read §§ 660.10 - 660.65 and §§ 660.210 - 660.232 before using this table

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		JAN-FEB	MAR-APR	MAY-JUN	JUL-AUG	SEP-OCT	NOV-DEC
	Rockfish Conservation Area (RCA)[5/]:						
1	40°10' - 34°27' N. lat.	30 fm line[5/] - 150 fm line[5/]					
2	South of 34°27' N. lat.	60 fm line[5/] - 150 fm line[5/] (also applies around islands)					
	See § 660.60 and § 660.230 for Additional Gear, Trip Limit, and Conservation Area Requirements and Restrictions. See §§ 660.70-660.74 and §§ 660.76-660.79 for Conservation Area Descriptions and Coordinates (including RCAs, YRCA, CCAs, Farallon Islands, Cordell Banks, and EFHCAs).						
	State trip limits and seasons may be more restrictive than federal trip limits, particularly in waters off Oregon and California.						
3	**Minor slope rockfish[2/] & Darkblotched rockfish**	40,000 lb/ 2 months					
4	**Splitnose**	40,000 lb/ 2 months					
5	**Sablefish**						
6	40°10' - 36° N. lat.	1,750 lb per week, not to exceed 7,000 lb/ 2 months			1,750 lb per week, not to exceed 8,500 lb/ 2 months		1,750 lb per week in November; 2,000 lb per week in December. Not to exceed 8,000 lb per two month period
7	South of 36° N. lat.	400 lb/ day, or 1 landing per week of up to 1,500 lb				3,000 lb/ week	2,800 lb/ week / 1,800 lb/ week
8	**Longspine thornyhead**	10,000 lb / 2 months					
9	**Shortspine thornyhead**						
10	40°10' - 34°27' N. lat.	2,000 lb/ 2 months					
11	South of 34°27' N. lat.	3,000 lb/ 2 months					
12	**Dover sole**	5,000 lb/ month South of 42° N. lat., when fishing for "other flatfish," vessels using hook-and-line gear with no more than 12 hooks per line, using hooks no larger than "Number 2" hooks, which measure 11 mm (0.44 inches) point to shank, and up to two 1 lb (0.45 kg) weights per line are not subject to the RCAs.					
13	**Arrowtooth flounder**						
14	**Petrale sole**						
15	**English sole**						
16	**Starry flounder**						
17	**Other flatfish[1/]**						
18	**Whiting**	10,000 lb/ trip					
19	**Minor shelf rockfish[2/], Shortbelly, Widow rockfish, and Bocaccio (including Chilipepper between 40°10' - 34°27' N. lat.)**						
20	40°10' - 34°27' N. lat.	Minor shelf rockfish, shortbelly, widow rockfish, bocaccio & chilipepper: 2,500 lb/ 2 months, of which no more than 500 lb/ 2 months may be any species other than chilipepper.					
21	South of 34°27' N. lat.	3,000 lb/ 2 months	CLOSED	3,000 lb/ 2 months			
22	**Chilipepper rockfish**						
23	40°10' - 34°27' N. lat.	Chilipepper included under minor shelf rockfish, shortbelly, widow and bocaccio limits - - See above					
24	South of 34°27' N. lat.	2,000 lb/ 2 months, this opportunity only available seaward of the nontrawl RCA					
25	**Canary rockfish**	CLOSED					
26	**Yelloweye rockfish**	CLOSED					
27	**Cowcod**	CLOSED					
28	**Bronzespotted rockfish**	CLOSED					
29	**Bocaccio**						
30	40°10' - 34°27' N. lat.	Bocaccio included under Minor shelf rockfish, shortbelly, widow & chilipepper limits -- See above					
31	South of 34°27' N. lat.	300 lb/ 2 months	CLOSED	300 lb/ 2 months			

TABLE 2 (South)

Table 2 (South). Continued

		JAN-FEB	MAR-APR	MAY-JUN	JUL-AUG	SEP-OCT	NOV-DEC	
32	**Minor nearshore rockfish & Black rockfish**							
33	Shallow nearshore	600 lb/ 2 months	CLOSED	800 lb/ 2 months	900 lb/ 2 months	800 lb/ 2 months	600 lb/ 2 months	
34	Deeper nearshore							
35	40°10' - 34°27' N. lat.	700 lb/ 2 months	CLOSED	700 lb/ 2 months		800 lb/ 2 months		
36	South of 34°27' N. lat.	500 lb/ 2 months		600 lb/ 2 months				
37	California scorpionfish	600 lb/ 2 months	CLOSED	600 lb/ 2 months	1,200 lb/ 2 months			
38	**Lingcod**[3/]	CLOSED		800 lb/ 2 months			400 lb/ month	CLOSED
39	**Pacific cod**	1,000 lb/ 2 months						
40	**Spiny dogfish**	200,000 lb/ 2 months		150,000 lb/ 2 months	100,000 lb/ 2 months			
41	**Other fish**[4/] **& Cabezon**	Not limited						

TABLE 2 (South)

1/ "Other flatfish" are defined at § 660.11 and include butter sole, curlfin sole, flathead sole, Pacific sanddab, rex sole, rock sole, and sand sole.
2/ POP is included in the trip limits for minor slope rockfish. Yellowtail is included in the trip limits for minor shelf rockfish. Bronzespotted rockfish have a species specific trip limit.
3/ The minimum size limit for lingcod is 24 inches (61 cm) total length South of 42° N. lat.
4/ "Other fish" are defined at § 660.11 and include sharks, skates (including longnose skates), ratfish, morids, grenadiers, and kelp greenling.
5/ The Rockfish Conservation Area is an area closed to fishing by particular gear types, bounded by lines specifically defined by latitude and longitude coordinates set out at §§ 660.71-660.74. This RCA is not defined by depth contours (with the exception of the 20-fm depth contour boundary south of 42° N. lat.), and the boundary lines that define the RCA may close areas that are deeper or shallower than the depth contour. Vessels that are subject to RCA restrictions may not fish in the RCA, or operate in the RCA for any purpose other than transiting.

To convert pounds to kilograms, divide by 2.20462, the number of pounds in one kilogram.

■ 6. Table 3 (North) and Table 3 (South) to part 660, subpart F, are revised to read as follows:

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Table 3 (North) to Part 660, Subpart F -- 2010 Trip Limits for Open Access Gears North of 40°10' N. Lat.

Other Limits and Requirements Apply -- Read §§ 660.10 - 660.65 and §§ 660.310 - 660.333 before using this table

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		JAN-FEB	MAR-APR	MAY-JUN	JUL-AUG	SEP-OCT	NOV-DEC
	Rockfish Conservation Area (RCA)[6/]:						
1	North of 46°16' N. lat.	shoreline - 100 fm line[6/]					
2	46°16' N. lat. - 45°03.83' N. lat.	30 fm line[6/] - 100 fm line[6/]					
3	45°03.83' N. lat. - 43°00' N. lat.	30 fm line[6/] - 125 fm line [6/ 7/]					
4	43°00' N. lat. - 42°00' N. lat.	20 fm line[6/] - 100 fm line[6/]					
5	42°00' N. lat. - 40°10' N. lat.	20 fm depth contour - 100 fm line[6/]					
	See § 660.60, § 660.330, and § 660.333 for Additional Gear, Trip Limit, and Conservation Area Requirements and Restrictions. See §§ 660.70-660.74 and §§ 660.76-660.79 for Conservation Area Descriptions and Coordinates (including RCAs, YRCA, CCAs, Farallon Islands, Cordell Banks, and EFHCAs).						
	State trip limits and seasons may be more restrictive than federal trip limits, particularly in waters off Oregon and California.						
6	**Minor slope rockfish[1/] & Darkblotched rockfish**	Per trip, no more than 25% of weight of the sablefish landed					
7	**Pacific ocean perch**	100 lb/ month					
8	**Sablefish**	300 lb/ day, or 1 landing per week of up to 800 lb, not to exceed 2,400 lb/ 2 months			300 lb/ day, or 1 landing per week of up to 950 lb, not to exceed 2,750 lb/ 2 months		300 lb/ day, or 1 landing per week of up to 950 lb, in November; 400 lb/ day, or 1 landing per week of up to 1,500 lb, in December. Not to exceed 4,500 lb per two month period
9	**Thornyheads**	CLOSED					
10	**Dover sole**	3,000 lb/month, no more than 300 lb of which may be species other than Pacific sanddabs. South of 42° N. lat., when fishing for "other flatfish," vessels using hook-and-line gear with no more than 12 hooks per line, using hooks no larger than "Number 2" hooks, which measure 11 mm (0.44 inches) point to shank, and up to two 1 lb (0.45 kg) weights per line are not subject to the RCAs.					
11	**Arrowtooth flounder**						
12	**Petrale sole**						
13	**English sole**						
14	**Starry flounder**						
15	**Other flatfish[2/]**						
16	**Whiting**	300 lb/ month					
17	**Minor shelf rockfish[1/], Shortbelly, Widow, & Yellowtail rockfish**	200 lb/ month					
18	**Canary rockfish**	CLOSED					
19	**Yelloweye rockfish**	CLOSED					
20	**Minor nearshore rockfish & Black rockfish**						
21	North of 42° N. lat.	5,000 lb/ 2 months, no more than 1,200 lb of which may be species other than black or blue rockfish [3/]					
22	42° - 40°10' N. lat.	6,000 lb/ 2 months, no more than 1,200 lb of which may be species other than black or blue rockfish [3/]	7,000 lb/ 2 months, no more than 1,200 lb of which may be species other than black rockfish [3/]				
23	**Lingcod[4/]**	CLOSED		400 lb/ month			CLOSED
24	**Pacific cod**	1,000 lb/ 2 months					
25	**Spiny dogfish**	200,000 lb/ 2 months		150,000 lb/ 2 months	100,000 lb/ 2 months		
26	**Other Fish[5/]**	Not limited					

TABLE 3 (North)

Table 3 (North). Continued

		JAN-FEB	MAR-APR	MAY-JUN	JUL-AUG	SEP-OCT	NOV-DEC	
27	**SALMON TROLL** *(subject to RCAs when retaining any species of groundfish except for yellowtail rockfish and lingcod, as described below)*							**TABLE 3 (North) con't**
28	North	Salmon trollers may retain and land up to 1 lb of yellowtail rockfish for every 2 lbs of salmon landed, with a cumulative limit of 200 lb/month, both within and outside of the RCA. This limit is within the 200 lb per month combined limit for minor shelf rockfish, widow rockfish and yellowtail rockfish, and not in addition to that limit. Salmon trollers may retain and land up to 1 lingcod per 15 Chinook per trip, plus 1 lingcod per trip, up to a trip limit of 10 lingcod, on a trip where any fishing occurs within the RCA. This limit only applies during times when lingcod retention is allowed, and is not "CLOSED." This limit is within the per month limit for lingcod described in the table above, and not in addition to that limit. All groundfish species are subject to the open access limits, seasons, size limits and RCA restrictions listed in the table above, unless otherwise stated here.						
29	**PINK SHRIMP NON-GROUNDFISH TRAWL** *(not subject to RCAs)*							
30	North	**Effective April 1 - October 31:** Groundfish: 500 lb/day, multiplied by the number of days of the trip, not to exceed 1,500 lb/trip. The following sublimits also apply and are counted toward the overall 500 lb/day and 1,500 lb/trip groundfish limits: lingcod 300 lb/month (minimum 24 inch size limit); sablefish 2,000 lb/month; canary, thornyheads and yelloweye rockfish are PROHIBITED. All other groundfish species taken are managed under the overall 500 lb/day and 1,500 lb/trip groundfish limits. Landings of these species count toward the per day and per trip groundfish limits and do not have species-specific limits. The amount of groundfish landed may not exceed the amount of pink shrimp landed.						

1/ Bocaccio, chilipepper and cowcod rockfishes are included in the trip limits for minor shelf rockfish. Splitnose rockfish is included in the trip limits for minor slope rockfish.

2/ "Other flatfish" are defined at § 660.11 and include butter sole, curlfin sole, flathead sole, Pacific sanddab, rex sole, rock sole, and sand sole.

3/ For black rockfish north of Cape Alava (48°09.50' N. lat.), and between Destruction Is. (47°40' N. lat.) and Leadbetter Pnt. (46°38.17' N. lat.), there is an additional limit of 100 lbs or 30 percent by weight of all fish on board, whichever is greater, per vessel, per fishing trip.

4/ The minimum size limit for lingcod is 22 inches (56 cm) total length North of 42° N. lat. and 24 inches (61 cm) total length South of 42° N. lat.

5/ "Other fish" are defined at § 660.11 and include sharks, skates (including longnose skates), ratfish, morids, grenadiers, and kelp greenling. Cabezon is included in the trip limits for "other fish."

6/ The Rockfish Conservation Area is an area closed to fishing by particular gear types, bounded by lines specifically defined by latitude and longitude coordinates set out at §§ 660.71-660.74. This RCA is not defined by depth contours (with the exception of the 20-fm depth contour boundary south of 42° N. lat.), and the boundary lines that define the RCA may close areas that are deeper or shallower than the depth contour. Vessels that are subject to RCA restrictions may not fish in the RCA, or operate in the RCA for any purpose other than transiting.

7/ The 125 fm line restriction is in place all year, except on days when the directed halibut fishery is open. On those days the 100 fm line restriction is in effect.

To convert pounds to kilograms, divide by 2.20462, the number of pounds in one kilogram.

Table 3 (South) to Part 660, Subpart F -- 2010 Trip Limits for Open Access Gears South of 40°10' N. Lat.

Other Limits and Requirements Apply -- Read §§ 660.10 - 660.65 and §§ 660.310 - 660.333 before using this table

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		JAN-FEB	MAR-APR	MAY-JUN	JUL-AUG	SEP-OCT	NOV-DEC
	Rockfish Conservation Area (RCA)[5/]:						
1	40°10' - 34°27' N. lat.	30 fm line[5/] - 150 fm line[5/]					
2	South of 34°27' N. lat.	60 fm line[5/] - 150 fm line[5/] (also applies around islands)					
	See § 660.60, § 660.330, and § 660.333 for Additional Gear, Trip Limit, and Conservation Area Requirements and Restrictions. See §§ 660.70-660.74 and §§ 660.76-660.79 for Conservation Area Descriptions and Coordinates (including RCAs, YRCA, CCAs, Farallon Islands, Cordell Banks, and EFHCAs).						
	State trip limits and seasons may be more restrictive than federal trip limits, particularly in waters off Oregon and California.						
3	**Minor slope rockfish[1/] & Darkblotched rockfish**						
4	40°10' - 38° N. lat.	Per trip, no more than 25% of weight of the sablefish landed					
5	South of 38° N. lat.	10,000 lb/ 2 months					
6	**Splitnose**	200 lb/ month					
7	**Sablefish**						
8	40°10' - 36° N. lat.	300 lb/ day, or 1 landing per week of up to 800 lb, not to exceed 2,400 lb/ 2 months			300 lb/ day, or 1 landing per week of up to 950 lb, not to exceed 2,750 lb/ 2 months		300 lb/ day, or 1 landing per week of up to 950 lb, in November; 400 lb/ day, or 1 landing per week of up to 1,500 lb, in December. Not to exceed 4,500 lb per two month period
9	South of 36° N. lat.	400 lb/ day, or 1 landing per week of up to 1,500 lb, not to exceed 8,000 lb/ 2 months				400 lb/ day, or 1 landing per week of up to 2,500 lb	800 lb/ week, not to exceed 1,600 lb/ month; CLOSED
10	**Thornyheads**						
11	40°10' - 34°27' N. lat.	CLOSED					
12	South of 34°27' N. lat.	50 lb/ day, no more than 1,000 lb/ 2 months					
13	**Dover sole**	3,000 lb/month, no more than 300 lb of which may be species other than Pacific sanddabs. South of 42° N. lat., when fishing for "other flatfish," vessels using hook-and-line gear with no more than 12 hooks per line, using hooks no larger than "Number 2" hooks, which measure 11 mm (0.44 inches) point to shank, and up to two 1 lb (0.45 kg) weights per line are not subject to the RCAs.					
14	**Arrowtooth flounder**						
15	**Petrale sole**						
16	**English sole**						
17	**Starry flounder**						
18	**Other flatfish[2/]**						
19	**Whiting**	300 lb/ month					
20	**Minor shelf rockfish[1/], Shortbelly, Widow & Chilipepper rockfish**						
21	40°10' - 34°27' N. lat.	300 lb/ 2 months	CLOSED	200 lb/ 2 months		300 lb/ 2 months	
22	South of 34°27' N. lat.	750 lb/ 2 months		750 lb/ 2 months			
23	**Canary rockfish**	CLOSED					
24	**Yelloweye rockfish**	CLOSED					
25	**Cowcod**	CLOSED					
26	**Bronzespotted rockfish**	CLOSED					
27	**Bocaccio**						
28	40°10' - 34°27' N. lat.	200 lb/ 2 months	CLOSED	100 lb/ 2 months		200 lb/ 2 months	
29	South of 34°27' N. lat.	100 lb/ 2 months		100 lb/ 2 months			

TABLE 3 (South)

Table 3 (South). Continued

		JAN-FEB	MAR-APR	MAY-JUN	JUL-AUG	SEP-OCT	NOV-DEC
30	**Minor nearshore rockfish & Black rockfish**						
31	Shallow nearshore	600 lb/ 2 months	CLOSED	800 lb/ 2 months	900 lb/ 2 months	800 lb/ 2 months	600 lb/ 2 months
32	Deeper nearshore						
33	40°10' - 34°27' N. lat.	700 lb/ 2 months	CLOSED	700 lb/ 2 months		800 lb/ 2 months	
34	South of 34°27' N. lat.	500 lb/ 2 months		600 lb/ 2 months			
35	California scorpionfish	600 lb/ 2 months	CLOSED	600 lb/ 2 months	1,200 lb/ 2 months		
36	**Lingcod**[3/]	CLOSED		400 lb/ month			CLOSED
37	**Pacific cod**	1,000 lb/ 2 months					
38	**Spiny dogfish**	200,000 lb/ 2 months		150,000 lb/ 2 months	100,000 lb/ 2 months		
39	**Other Fish**[4/] **& Cabezon**	Not limited					
40	**RIDGEBACK PRAWN AND, SOUTH OF 38°57.50' N. LAT., CA HALIBUT AND SEA CUCUMBER NON-GROUNDFISH TRAWL**						
41	**NON-GROUNDFISH TRAWL Rockfish Conservation Area (RCA) for CA Halibut, Sea Cucumber & Ridgeback Prawn:**						
42	40°10' - 38° N. lat.	100 fm - modified 200 fm [6/]	100 fm - 150 fm				100 fm - modified 200 fm [6/]
43	38° - 34°27' N. lat.	100 fm - 150 fm					
44	South of 34°27' N. lat.	100 fm - 150 fm along the mainland coast; shoreline - 150 fm around islands					
45		Groundfish: 300 lb/trip. Trip limits in this table also apply and are counted toward the 300 lb groundfish per trip limit. The amount of groundfish landed may not exceed the amount of the target species landed, except that the amount of spiny dogfish landed may exceed the amount of target species landed. Spiny dogfish are limited by the 300 lb/trip overall groundfish limit. The daily trip limits for sablefish coastwide and thornyheads south of Pt. Conception and the overall groundfish "per trip" limit may not be multiplied by the number of days of the trip. Vessels participating in the California halibut fishery south of 38°57.50' N. lat. are allowed to (1) land up to 100 lb/day of groundfish without the ratio requirement, provided that at least one California halibut is landed and (2) land up to 3,000 lb/month of flatfish, no more than 300 lb of which may be species other than Pacific sanddabs, sand sole, starry flounder, rock sole, curlfin sole, or California scorpionfish (California scorpionfish is also subject to the trip limits and closures in line 31).					
46	**PINK SHRIMP NON-GROUNDFISH TRAWL GEAR** *(not subject to RCAs)*						
47	South	**Effective April 1 - October 31:** Groundfish: 500 lb/day, multiplied by the number of days of the trip, not to exceed 1,500 lb/trip. The following sublimits also apply and are counted toward the overall 500 lb/day and 1,500 lb/trip groundfish limits: lingcod 300 lb/ month (minimum 24 inch size limit); sablefish 2,000 lb/ month; canary, thornyheads and yelloweye rockfish are PROHIBITED. All other groundfish species taken are managed under the overall 500 lb/day and 1,500 lb/trip groundfish limits. Landings of these species count toward the per day and per trip groundfish limits and do not have species-specific limits. The amount of groundfish landed may not exceed the amount of pink shrimp landed.					

TABLE 3 (South) con't

1/ Yellowtail rockfish is included in the trip limits for minor shelf rockfish. POP is included in the trip limits for minor slope rockfish. Bronzespotted rockfish have a species specific trip limit.
2/ "Other flatfish" are defined at § 660.11 and include butter sole, curlfin sole, flathead sole, Pacific sanddab, rex sole, rock sole, and sand sole.
3/ The size limit for lingcod is 24 inches (61 cm) total length South of 42° N. lat.
4/ "Other fish" are defined at § 660.11 and include sharks, skates (including longnose skates), ratfish, morids, grenadiers, and kelp greenling.
5/ The Rockfish Conservation Area is an area closed to fishing by particular gear types, bounded by lines specifically defined by latitude and longitude coordinates set out at §§ 660.71-660.74. This RCA is not defined by depth contours (with the exception of the 20-fm depth contour boundary south of 42° N. lat.), and the boundary lines that define the RCA may close areas that are deeper or shallower than the depth contour. Vessels that are subject to RCA restrictions may not fish in the RCA, or operate in the RCA for any purpose other than transiting.
6/ The "modified 200 fm" line is modified to exclude certain petrale sole areas from the RCA.
To convert pounds to kilograms, divide by 2.20462, the number of pounds in one kilogram.

[FR Doc. 2010–30390 Filed 11–30–10; 4:15 pm]
BILLING CODE 3510–22–C