

Fishery Conservation and Management

§ 660.412

(5) Minimal needs for tribal fisheries;
(6) Whether the stock is currently in an approaching overfished condition;

(7) Whether the stock is currently overfished;

(8) Other considerations as appropriate.

(9) Exploitation rates, including *de minimis* exploitation rates, must not jeopardize the long-term capacity of the stock to produce maximum sustained yield on a continuing basis. NMFS expects that the control rule and associated criteria will result in decreasing harvest opportunity as abundance declines and little or no opportunity for harvest at abundance levels less than half of MSST.

[76 FR 81860, Dec. 29, 2011]

§ 660.411 Notification and publication procedures.

(a) *Notification and effective dates.* (1) Annual and certain other actions taken under §§ 660.408 and 660.410 will be implemented by an action published in the FEDERAL REGISTER, and will be effective upon filing, unless a later time is specified in the action.

(2) Inseason actions taken under § 660.409 will be by actual notice available from telephone hotlines and USCG broadcasts, as specified annually. Inseason actions will also be published in the FEDERAL REGISTER as soon as practicable. Inseason actions will be effective from the time specified in the actual notice of the action (telephone hotlines and USCG broadcasts), or at the time the inseason action published in the FEDERAL REGISTER is effective, whichever comes first.

(3) Any action issued under this section will remain in effect until the expiration date stated in the action or until rescinded, modified, or superseded. However, no inseason action has any effect beyond the end of the calendar year in which it is issued.

(b) *Public comment.* If time allows, NMFS will invite public comment prior to the effective date of any action published in the FEDERAL REGISTER.

(c) *Availability of data.* The Regional Administrator will compile in aggregate form all data and other information relevant to the action being taken and will make them available for public review upon request, contact infor-

mation will be published annually in the FEDERAL REGISTER and announced on the telephone hotline. For actions affecting fisheries occurring primarily or exclusively in the fishery management area seaward of California, information relevant to the action also will be made available upon request by the Southwest Region, NMFS.

[61 FR 34572, July 2, 1996, as amended at 78 FR 10559, Feb. 14, 2013]

§ 660.412 EFH identifications and descriptions for Pacific salmon.

Pacific salmon essential fish habitat (EFH) includes all those water bodies occupied or historically accessible in Washington, Oregon, Idaho, and California in hydrologic units identified in Table 1 of this subpart H. Exceptions include cases in which man-made barriers (dams) identified in Table 1 of this subpart H represent the upstream extent of Pacific salmon access. EFH also includes the marine and estuarine areas shoreward of state boundaries and the Exclusive Economic Zone (EEZ) off the coasts of California, Oregon, and Washington State. To clearly identify watersheds that contain EFH, NMFS uses fourth field hydrologic unit codes (HUCs) developed by the U.S. Geological Survey (USGS) (defined in the Department of the Interior, USGS publication; Hydrologic Unit Maps, Water Supply Paper 2294, 1987). The geographic extent of HUCs range from first field (largest geographic extent) to sixth field (smallest geographic extent). Fourth field HUCs divide the landscape into distinct geographic areas that are identified by eight numbers unique to that hydrologic unit.

(a) Chinook salmon (*Oncorhynchus tshawytscha*) EFH includes all streams, estuaries, marine waters, and other water bodies occupied or historically accessible to Chinook salmon in Washington, Oregon, Idaho, and California, in hydrologic units identified in Table 1 of this subpart H. Exceptions include cases in which man-made barriers (dams) identified in Table 1 of this subpart H represent the upstream extent of Pacific salmon access. EFH also includes the marine and estuarine areas shoreward of state boundaries and the

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EEZ off the coasts of Washington, Oregon, and California north or Point Conception.

(b) Coho salmon (*Oncorhynchus kisutch*) EFH includes all streams, estuaries, marine waters, and other water bodies occupied or historically accessible to coho in Washington, Oregon, Idaho, and California, in hydrologic units identified in Table 1 of this subpart H. Exceptions include cases in which man-made barriers (dams) identified in Table 1 of this subpart H represent the upstream extent of Pacific salmon access. EFH also includes the marine and estuarine areas shoreward of state boundaries and the EEZ off the

coasts Washington, Oregon, and California north of Point Conception.

(c) Pink salmon (*Oncorhynchus gorbuscha*) EFH includes all streams, estuaries, marine waters, and other water bodies occupied or historically accessible to pink salmon within Washington State, in hydrologic units identified in Table 1 of this subpart H. Exceptions include cases in which man-made barriers (dams) identified in Table 1 of this subpart H represent the upstream extent of Pacific salmon access. EFH also includes waters north and east of Cape Flattery, Washington, including Puget Sound, the Strait of Juan de Fuca and Strait of Georgia.

[73 FR 60988, Oct. 15, 2008]

TABLE 1 TO SUBPART H OF PART 660—PACIFIC SALMON EFH IDENTIFIED BY USGS HYDROLOGIC UNIT CODE (HUC)

USGS HUC	State(s)	Hydrologic Unit Name	Salmon Species	Impassible Man-made Barrier (if present)
17110001	WA	Fraser (Whatcom)	Coho salmon	n/a
17110002	WA	Strait of Georgia	Chinook, coho, and pink salmon	n/a
17110003	WA	San Juan Islands	Chinook, coho, and pink salmon	n/a
17110004	WA	Nooksack River	Chinook, coho, and pink salmon	n/a
17110005	WA	Upper Skagit	Chinook, coho, and pink salmon	Gorge Lake Dam
17110006	WA	Sauk River	Chinook, coho, and pink salmon	n/a
17110007	WA	Lower Skagit River	Chinook, coho, and pink salmon	n/a
17110008	WA	Stillaguamish River	Chinook, coho, and pink salmon	n/a
17110009	WA	Skykomish River	Chinook, coho, and pink salmon	n/a
17110010	WA	Snoqualmie	Chinook, coho, and pink salmon	Tolt Dam (S. Fork Tolt R.)
17110011	WA	Snohomish River	Chinook, coho, and pink salmon	n/a
17110012	WA	Lake Washington	Chinook and coho salmon	Cedar Falls (Masonry) Dam (Cedar R.)
17110013	WA	Duamish River	Chinook and coho salmon	n/a
17110014	WA	Puyallup River	Chinook, coho, and pink salmon	n/a
17110015	WA	Nisqually River	Chinook, coho, and pink salmon	n/a
17110016	WA	Deschutes River	Chinook and coho salmon	n/a
17110017	WA	Skokomish River	Chinook and coho salmon	n/a
17110018	WA	Hood Canal	Chinook, coho, and pink salmon	n/a
17110019	WA	Puget Sound	Chinook, coho, and pink salmon	n/a
17110020	WA	Dungeness – Elwha	Chinook, coho, and pink salmon	n/a
17110021	WA	Hoko – Crescent	Chinook and coho salmon	n/a
17100101	WA	Hoh – Quillayute	Chinook and coho salmon	n/a