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

4th Field hydrologic unit code	Hydrologic unit name	State(s)	Chinook salmon	Coho salmon	Puget Sound pink salmon	Impassable dam(s)
18040002	Lower San Joaquin River [5]	CA	X	—	—	n/a.
18040003	San Joaquin Delta	CA	X	—	—	n/a.
18040007	Fresno River	CA	X	—	—	Hidden Dam.
18040008	Upper Merced	CA	X	—	—	Crocker—Huffman Diversion Dam.
18040009	Upper Tuolumne	CA	X	—	—	La Grange Dam (Tuolumne R.).
18040010	Upper Stanislaus	CA	X	—	—	Goodwin Dam.
18040011	Upper Calaveras	CA	X	—	—	New Hogan Dam.
18040012	Upper Mokelumne	CA	X	—	—	Camanche Dam.
18040013	Upper Cosumnes	CA	X	—	—	n/a.
18050001	Suisun Bay	CA	X	—	—	n/a.
18050002	San Pablo Bay	CA	X	X	—	San Pablo Dam (San Pablo Cr.).
18050003	Coyote	CA	X	X	—	LeRoy Anderson Dam.
18050004	San Francisco Bay	CA	X	X	—	n/a.
18050005	Tomales—Drake Bays	CA	X	X	—	Nicasio Dam (Nicasio Cr.), Peters Dam (Lagunitas Cr.).
18050006	San Francisco Coastal South.	CA	—	X	—	n/a.
18060015	Monterey Bay [6]	CA	—	X	—	Newell Dam (Newell Cr.).

[1] Cougar Dam is a barrier to coho salmon only. Chinook salmon are trapped and hauled above the dam.
[2] Big Cliff Dam is a barrier to coho salmon only. Chinook salmon are trapped and hauled above the dam.
[3] Capay Dam was selected as the upstream extent of EFH because it was identified as a complete barrier by NMFS biologists and is located in the vicinity of the historical upstream extent of Chinook salmon distribution.
[4] Natural "lower falls" are downstream of any artificial barriers that would meet the criteria for designating them as the upstream extent of EFH; therefore, the upstream extent of EFH within this HU is at the "lower falls".
[5] EFH for Chinook salmon in the Middle San Joaquin-Lower Chowchilla HU (18040001) and Lower San Joaquin River HU (18040002) includes the San Joaquin River, its eastern tributaries, and the lower reaches of the western tributaries. Although there is no evidence of current or historical Chinook salmon distribution in the western tributaries (Yoshiyama *et al.* 2001), the lower reaches of these tributaries could provide juvenile rearing habitat or refugia from high flows during floods as salmon migrate along the mainstem in this area.
[6] EFH for coho salmon in the Monterey Bay HU does not include the sections south of the Pajaro HU (18060002).

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 697

[Docket No. 0912011421–0200–01]

RIN 0648–AY41

Atlantic Coastal Fisheries Cooperative Management Act Provisions; Weakfish Fishery

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Proposed rule; withdrawal.

SUMMARY: NMFS withdraws a proposed rule proposing a 100 lb (45 kg) per day or trip commercial possession limit for weakfish (*Cynoscion regalis*) caught in the Exclusive Economic Zone (EEZ) and setting the recreational possession limit at 1 fish per person per day or trip. The intent of the proposed rule was to modify regulations for the Atlantic coastal stock of weakfish to be more compatible with Addendum IV to Amendment 4 of the Atlantic States Marine Fisheries Commission's (Commission) Interstate Fishery Management Plan (ISFMP). The Commission has now concluded that existing Federal regulations are conservationally equivalent to state regulations; therefore, changes to current EEZ regulations are no longer needed. Such action is authorized under the Atlantic Coastal Fisheries Cooperative Management Act (Atlantic Coastal Act).

DATES: The proposed rule published on May 12, 2010 (75 FR 26703) is withdrawn as of September 22, 2014.

FOR FURTHER INFORMATION CONTACT: Steve Meyers, (301) 427–8500.

SUPPLEMENTARY INFORMATION:

Background

At the request of the Commission, NMFS explored management measures to modify weakfish conservation measures in the EEZ under the authority of the Atlantic Coastal Act, 16 U.S.C. 5103, which states that, in the absence of an approved and implemented Fishery Management Plan under the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) (16 U.S.C. 1801 *et seq.*) and, after consultation with the appropriate Fishery Management Council(s), the Secretary of Commerce (Secretary) may implement regulations to govern fishing in the EEZ (i.e., from 3 to 200 nm offshore).

On November 3, 2009, the Commission adopted Addendum IV to Amendment 4 to the ISFMP for Weakfish (Addendum IV), in response to the stock status of weakfish. A peer-reviewed assessment found the weakfish stock to be depleted. The decline in biomass reflects a sustained rise in natural mortality after 1995, rather than fishing mortality, which has been modest and stable over the same time period. As a result, the Commission's Weakfish Management Board approved management measures to reduce exploitation by more than 50-percent in both the recreational and commercial sectors. Addendum IV

requires states to implement a 100 lb (45 kg) commercial trip limit, a 100 lb (45 kg) commercial bycatch limit during closed seasons, and a one-fish recreational creel limit. Addendum IV maintains the current 12 in (30.5 cm) minimum size for weakfish. The sale of undersized fish continues to be prohibited.

In May 2010, NMFS published a proposed rule and request for comments to establish compatible regulations. Existing regulations prohibited possession of more than 150 lb per trip and fishing for weakfish less than 12 in (30.5 cm); there was no recreational bag limit.

In August 2010, NMFS received a letter from the Commission informing NMFS that all states would retain a commercial limit of 100 lb (45 kg) except for North Carolina, which would have a 1,000 lb (450 kg) possession limit. The Commission's Weakfish Technical Committee had concluded that, as the stock decline was the result of natural mortality and not fishing mortality, the 1,000 lb (450 kg) limit would be conservationally equivalent to a 100 lb (45 kg) limit. The Commission defines conservation equivalency as actions which differ from the specific requirements of the ISFMP, but which achieve the same quantified level of conservation for the resource under management. To support Addendum IV, the Commission had requested that the 1,000 lb (450 kg) limit be established in the EEZ adjacent to North Carolina, with all other Atlantic states having a 100 lb limit in the adjacent EEZ.

In March 2014, NMFS received a letter from the Commission stating that North Carolina had implemented the 100 lb (45 kg) commercial limit and ended the 1,000 lb (450 kg) limit. The letter further stated that the Commission was withdrawing its request to change the weakfish regulations in the EEZ because the existing regulations are conservationally equivalent to state regulations.

Weakfish harvested in the EEZ do not result in high ex-vessel sales and as such they are seldom targeted by recreational and commercial fishermen. To the extent weakfish are caught, it is only as bycatch and presumed dead, so the difference between a 100 lb and 150 lb limit provides no additional conservation. The same can be said for recreational harvest, given that it minimally exists in the EEZ and harvest is controlled by state landing limits. Per the Commission's request, we are withdrawing the proposed rule.

Authority: 16 U.S.C. 5101 et seq.

Dated: September 16, 2014.

Samuel D. Rauch III,

Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.

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