

Washington, Oregon, and California. The states manage the fisheries in state waters adjacent to the areas of the U.S. exclusive economic zone consistent with these Federal actions. As provided by the inseason notice procedures of 50 CFR 660.411, actual notice of the described regulatory action was given, prior to the time the action was effective, by telephone hotline numbers 206-526-6667 and 800-662-9825, and by U.S. Coast Guard Notice to Mariners broadcasts on Channel 16 VHF-FM and 2182 kHz.

Classification

NOAA's Assistant Administrator (AA) for NMFS finds that good cause exists for this notification to be issued without affording prior notice and opportunity for public comment under 5 U.S.C. 553(b)(B) because such notification would be impracticable. As previously noted, actual notice of the regulatory action was provided to fishers through telephone hotline and radio notification. This action complies with the requirements of the annual management measures for ocean salmon fisheries (84 FR 19729, May 6, 2019), the Pacific Coast Salmon Fishery Management Plan (FMP), and regulations implementing the FMP under 50 CFR 660.409 and 660.411. Prior notice and opportunity for public comment was impracticable because NMFS and the state agencies had insufficient time to provide for prior notice and the opportunity for public comment between the time Chinook salmon catch and effort projections and abundance forecasts were developed and fisheries impacts were calculated, and the time the fishery modifications had to be implemented in order to ensure that fisheries are managed based on the best available scientific information, ensuring that conservation objectives and limits for impacts to salmon species listed under the ESA are not exceeded. The AA also finds good cause to waive the 30-day delay in effectiveness required under 5 U.S.C. 553(d)(3), as a delay in effectiveness of this action would allow fishing at levels inconsistent with the goals of the FMP and the current management measures.

This action is authorized by 50 CFR 660.409 and 660.411 and is exempt from review under Executive Order 12866.

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

Dated: October 15, 2019.

Alan D. Risenhoover,

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

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 660

[Docket No. 180625576-8999-02]

RIN 0648-BJ36

Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; 2019–2020 Biennial Specifications and Management Measures; Inseason Adjustments

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

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

SUMMARY: This final rule announces routine inseason adjustments to management measures in commercial groundfish fisheries. This action is intended to allow commercial fishing vessels to access more abundant groundfish stocks while protecting overfished and depleted stocks.

DATES: This final rule is effective October 21, 2019.

FOR FURTHER INFORMATION CONTACT: Karen Palmigiano, phone: 206-526-4491 or email: karen.palmigiano@noaa.gov.

Electronic Access

This rule is accessible via the internet at the Office of the Federal Register website at <https://www.federalregister.gov>. Background information and documents are available at the Pacific Fishery Management Council's website at <http://www.pcouncil.org/>.

SUPPLEMENTARY INFORMATION:

Background

The Pacific Coast Groundfish Fishery Management Plan (PCGFMP) and its implementing regulations at title 50 in the Code of Federal Regulations (CFR), part 660, subparts C through G, regulate fishing for over 90 species of groundfish off the coasts of Washington, Oregon, and California. The Pacific Fishery Management Council (Council) develops groundfish harvest specifications and management measures for two-year periods (*i.e.*, a biennium). NMFS published the final rule to implement harvest specifications and management measures for the 2019–2020 biennium for most species managed under the PCGFMP on

December 12, 2018 (83 FR 63970). In general, the management measures set at the start of the biennial harvest specifications cycle help the various sectors of the fishery attain, but not exceed, the catch limits for each stock. The Council, in coordination with Pacific Coast Treaty Indian Tribes and the States of Washington, Oregon, and California, recommends adjustments to the management measures during the fishing year to achieve this goal.

At its September 12–18, 2019 meeting, the Council recommended increasing the limited entry fixed gear (LEFG) and open access (OA) trip limits for sablefish both north of 36° N lat. Pacific Coast groundfish fisheries are managed using harvest specifications or limits (*e.g.*, overfishing limits [OFL], acceptable biological catch [ABC], annual catch limits [ACL] and harvest guidelines [HG]) recommended biennially by the Council and based on the best scientific information available at that time (50 CFR 660.60(b)). During development of the harvest specifications, the Council also recommends mitigation measures (*e.g.*, trip limits, area closures, and bag limits) that are meant to mitigate catch so as not to exceed the harvest specifications. The harvest specifications and mitigation measures developed for the 2019–2020 biennium used data through the 2017 fishing year. Each of the adjustments to mitigation measures discussed below are based on updated fisheries information that was unavailable when the analysis for the current harvest specifications was completed. As new fisheries data becomes available, adjustments to mitigation measures are projected so as to help harvesters achieve but not exceed the harvest limits.

Sablefish is an important commercial species on the west coast with vessels targeting sablefish with both trawl and fixed gear (longlines and pots/traps). Sablefish is managed with a coast-wide ACL that is apportioned north and south of 36° N lat. with 73.8 percent going to the north and 26.2 percent going to the south. In 2019, the portion of the ACL for sablefish north of 36° N lat. is 5,606 mt with a fishery HG of 5,007 mt. The fishery HG north of 40°10' N lat. is further divided between the LEFG and OA sectors with 90.6 percent, or 4,537 mt, going to the LEFG sector and 9.4 percent, or 471 mt, going to the OA sector. The 2019 portion of ACL for sablefish south of 36° N lat. is 1,990 mt with a fishery HG of 1,986 mt. South of 36° N lat., the fishery HG is further divided between the trawl (limited entry) and non-trawl (LEFG and OA) sectors with 42 percent or 834 mt going

to the trawl sector, and the remaining 58 percent or 1,152 mt going to the fixed gear sector.

At the September 2019 Council meeting, the Council's Groundfish Management Team (GMT) received requests from industry members and members of the Council's Groundfish Advisory Subpanel to examine the potential to increase sablefish trips limits for the LEFG and OA fisheries north of 36° N lat. The intent of increasing trip limits is to increase

harvest opportunities for vessels targeting sablefish which have been trending low in recent years. To evaluate potential increases to sablefish trip limits, the GMT made model-based landings projections under current regulations and alternative sablefish trip limits, including the limits ultimately recommended by the Council, for the LEFG and OA fisheries through the remainder of the year. Table 1 shows the projected sablefish landings, the sablefish allocations, and the projected

attainment percentage by fishery under both the current trip limits and the Council's recommended adjusted trip limits. These projections were based on the most recent catch information available through early September 2019. Industry did not request changes to sablefish trip limits for the LEFG or OA fishery south of 36° N lat. Therefore, NMFS and the Council did not consider trip limit changes for these fisheries at this time.

TABLE 1—PROJECTED LANDINGS OF SABLEFISH, SABLEFISH ALLOCATION, AND PROJECTED PERCENTAGE OF SABLEFISH ATTAINED THROUGH THE END OF THE YEAR BY TRIP LIMIT AND FISHERY

Fishery	Trip limits	Projected landings (round weight) (mt)	Allocation (mt)	Projected percentage attained
LEFG North of 36° N lat.	Current: 1,300 lb (560 kg)/week, not to exceed 3,900 lb (1,769 kg)/two months.	190–213	273	70–78
	Recommended: 1,700 lb (771 kg)/week, not to exceed 5,100 lb (2,313 kg)/two months.	247–283		90–104
OA North of 36° N lat.	Current: 300 lb (136 kg)/day, or 1 landing per week of up to 1,400 lb (635 kg), not to exceed 2,800 lb (1,179 kg)/two months.	340–420	449	75–93
	Recommended: 300 lb (136 kg)/day, or 1 landing per week of up to 1,500 lb (680 kg), not to exceed 3,000 lb (1,361 kg)/two months.	360–460		81–102

As shown in Table 1, under the current trip limits, the model predicts catches of sablefish will be at or below 78 percent, or 213 mt of the 273 mt allocation, for LEFG and 93 percent, or 420 mt of the 449 mt allocation, for OA fishery north of 36° N lat. Under the Council's recommended trip limits, sablefish attainment is projected to increase in the LEFG and OA fisheries north of 36° N lat. up to 104 and 102 percent, respectively. However, to date in 2019, the model has overestimated landings by an average of 38 percent. Assuming this trend continues for 2019, the percentage attainment would likely be closer to the lower bound for both LEFG (90 percent or 247 mt) and OA (81 percent or 360 mt) north of 36° N lat.

Trip limit increases for sablefish are intended to increase attainment of the non-trawl HG. The proposed trip limit increases do not change projected impacts to co-occurring overfished species compared to the impacts anticipated in the 2019–20 harvest specifications because the projected impacts to those species assume that the entire sablefish ACL is harvested. Therefore, the Council recommended and NMFS is implementing, by modifying Tables 2 North and South to part 660, subpart E, trip limit changes for the LEFG fishery north of 36° N lat. to increase the limits from “1,300 lb

(560 kg)/week, not to exceed 3,900 lb (1,769 kg)/two months” to “1,700 lb (771 kg)/week, not to exceed 5,100 lb (2,313 kg)/two months” beginning in period 5 (September and October) through the end of the year. NMFS is also implementing, by modifying Tables 3 North and South to part 660, subpart F, trip limit changes for the OA sablefish fishery north of 36° N lat. to increase the limits from “300 lb (136 kg)/day, or 1 landing per week of up to 1,400 lb (635 kg), not to exceed 2,800 lb (1,179 kg)/two months” to “300 lb (136 kg) per day, or one landing per week of up to 1,500 lb (680 kg), not to exceed 3,000 lb (1,360 kg) per two months” starting with period 5 (September and October) through the end of the year.

Classification

This final rule makes routine inseason adjustments to groundfish fishery management measures, based on the best scientific information available, consistent with the PCGFMP and its implementing regulations.

This action is taken under the authority of 50 CFR 660.60(c) and is exempt from review under Executive Order 12866.

The aggregate data upon which these actions are based are available for public inspection by contacting Karen Palmigiano in NMFS West Coast Region

(see **FOR FURTHER INFORMATION CONTACT**, above), or view at the NMFS West Coast Groundfish website: <http://www.westcoast.fisheries.noaa.gov/fisheries/groundfish/index.html>.

Pursuant to 5 U.S.C. 553(b), NMFS finds good cause to waive prior public notice and an opportunity for public comment on this action, as notice and comment would be impracticable and contrary to the public interest. The adjustments to management measures in this document ease restrictive trip limits fisheries in Washington, Oregon, and California. No aspect of this action is controversial, and changes of this nature were anticipated in the final rule for the 2019–2020 harvest specifications and management measures which published on December 12, 2018 (83 FR 63970).

At its September 2019 meeting, the Council recommended increases to the commercial trip limits be implemented as soon as possible so that harvesters may be able to take advantage of these higher limits before the end of the calendar year. Each of the adjustments to commercial management measures in this rule will create more harvest opportunity and allow fishermen to better attain species that are currently under attained without causing any additional impacts to the fishery. Each of these recommended adjustments also rely on new catch data that were not

available and thus not considered during the 2019–2020 biennial harvest specifications process. New catch information through the end of the 2018 fishing year shows that attainment of sablefish) has been below its management points (*i.e.*, HG, ACL, and non-trawl allocation) in 2018 and would likely remain below state catch targets under status quo limits in 2019 and 2020.

These trip limit adjustments could provide up to an additional \$508-thousand in ex-vessel revenue to harvesters, as well as \$1.04-million in income and 16 jobs when including benefits to communities and associated businesses. Delaying implementation to allow for public comment would likely reduce the economic benefits to the commercial fishing industry and the businesses that rely on that industry because it is unlikely the new regulations would publish and could be implemented before the end of the calendar year. Therefore, providing a

comment period for this action could significantly limit the economic benefits to the fishery, and would hamper the achievement of optimum yield from the affected fisheries.

Therefore, the NMFS finds reason to waive the 30-day delay in effectiveness pursuant to 5 U.S.C. 553(d)(1) so that this final rule may become effective upon publication in the **Federal Register**. The adjustments to management measures in this document affect commercial fisheries by increasing opportunity and relieving participants of the more restrictive trip limits. These adjustments were requested by the Council's advisory bodies, as well as members of industry during the Council's September 2019 meetings, and recommended unanimously by the Council. No aspect of this action is controversial, and changes of this nature were anticipated in the biennial harvest specifications and management measures established through a notice and comment

rulemaking for 2019–2020 (83 FR 63970).

List of Subjects in 50 CFR Part 660

Fisheries, Fishing, and Indian Fisheries.

Dated: October 15, 2019.

Alan D. Risenhoover,

*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.*, 16 U.S.C. 773 *et seq.*, and 16 U.S.C. 7001 *et seq.*

■ 2. Table 2 (North) to part 660, subpart E, is revised to read as follows:

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TABLE 2 (NORTH) TO PART 660, SUBPART E—NON-TRAWL ROCKFISH CONSERVATION AREAS AND TRIP LIMITS FOR LIMITED ENTRY FIXED GEAR NORTH OF 40°10' N LAT.

Table 2 (North) to Part 660, Subpart E -- Non-Trawl Rockfish Conservation Areas and Trip Limits for Limited Entry Fixed Gear North of 40°10' N. lat.						
Other limits and requirements apply -- Read §§660.10 through 660.399 before using this table						
	JAN-FEB	MAR-APR	MAY-JUN	JUL-AUG	SEP-OCT	NOV-DEC
Rockfish Conservation Area (RCA)^{1/}:						
1	North of 46° 16' N. lat. shoreline - 100 fm line ^{1/}					
2	46° 16' N. lat. - 42° 00' N. lat. 30 fm line ^{1/} - 100 fm line ^{1/}					
3	42° 00' N. lat. - 40° 10' N. lat. 30 fm line ^{1/} - 100 fm line ^{1/}					
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, YRCAs, CCAs, Farallon Islands, Cordell Banks, and EFHCAs).						
State trip limits and seasons may be more restrictive than Federal trip limits or seasons, particularly in waters off Oregon and California.						
4	Minor Slope Rockfish ^{2/} & Darkblotched rockfish 4,000 lb/ 2 month					
5	Pacific ocean perch 1,800 lb/ 2 months					
6	Sablefish 1,700 lb/week, not to exceed 5,100 lb/ 2 months					
7	Longspine thornyhead 10,000 lb/ 2 months					
8	Shortspine thornyhead 2,000 lb/ 2 months 2,500 lb/ 2 months					
9	Dover sole, arrowtooth flounder, petrale sole, English sole, starry flounder, Other Flatfish ^{3/} 5,000 lb/ month					
10	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 0.44 in (11 mm) point to shank, and up to two 1 lb (0.45 kg) weights per line, are not subject to the RCAs.					
11	Whiting 10,000 lb/ trip					
12	Minor Shelf Rockfish ^{2/} , Shortbelly, & Widow rockfish 200 lb/ month					
13	Yellowtail rockfish 1,000 lb/ month					
14	Canary rockfish 300 lb/ 2 months					
15	Yelloweye rockfish CLOSED					
16	Minor Nearshore Rockfish, Washington Black rockfish & Oregon Black/blue/deacon rockfish					
17	North of 42° 00' N. lat. 5,000 lb/ 2 months, no more than 1,200 lb of which may be species other than black rockfish or blue/deacon rockfish ^{4/}					
18	42° 00' N. lat. - 40° 10' N. lat. 8,500 lb/ 2 months, no more than 1,200 lb of which may be species other than black rockfish 7,000 lb/ 2 months, no more than 1,500 lb of which may be species other than black rockfish					
19	Lingcod ^{5/}					
20	North of 42° 00' N. lat. 2,000 lb/ 2 months					
21	42° 00' N. lat. - 40° 10' N. lat. 1,400 lb/2 months					
22	Pacific cod 1,000 lb/ 2 months					
23	Spiny dogfish 200,000 lb/ 2 months 150,000 lb/ 2 months 100,000 lb/ 2 months					
24	Longnose skate Unlimited					
25	Other Fish ^{6/} & Cabezon in California Unlimited					
26	Oregon Cabezon/Kelp Greenling Unlimited					
27	Big skate Unlimited					

TABLE 2 (North)

1/ 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.

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/ "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/ 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.

5/ 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.

6/ "Other Fish" are defined at § 660.11 and include kelp greenling off California and leopard shark.

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

TABLE 2 (North)

- 1/ 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.
- 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/ "Other flatfish" are defined at § 660.11 and include butter sole, curfin sole, flathead sole, Pacific sanddab, rex sole, rock sole, and sand sole.
- 4/ 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.
- 5/ 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.
- 6/ "Other Fish" are defined at § 660.11 and include kelp greenling off California and leopard shark.
- To convert pounds to kilograms, divide by 2.20462, the number of pounds in one kilogram.

■ 3. Table 2 (South) to part 660, subpart E, is revised to read as follows:

TABLE 2 (SOUTH) TO PART 660, SUBPART E—NON-TRAWL ROCKFISH CONSERVATION AREAS AND TRIP LIMITS FOR LIMITED ENTRY FIXED GEAR SOUTH OF 40°10' N LAT.

Table 2 (South) to Part 660, Subpart E -- Non-Trawl Rockfish Conservation Areas and Trip Limits for Limited Entry Fixed Gear South of 40°10' N. lat.						
Other limits and requirements apply -- Read §§660.10 through 660.399 before using this table						
	JAN-FEB	MAR-APR	MAY-JUN	JUL-AUG	SEP-OCT	NOV-DEC
Rockfish Conservation Area (RCA)^{1/}:						
1	40°10' N. lat. - 34°27' N. lat.		40 fm line ^{1/} - 125 fm line ^{1/}			
2	South of 34°27' N. lat.		75 fm line ^{1/} - 150 fm line ^{1/} (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, YRCAs, CCAs, Farallon Islands, Cordell Banks, and EFHCAs).						
State trip limits and seasons may be more restrictive than Federal trip limits or seasons, particularly in waters off Oregon and California.						
3	Minor Slope rockfish^{2/} & Darkblotched rockfish		40,000 lb/ 2 months, of which no more than 1,375 lb may be blackgill rockfish		40,000 lb/ 2 months, of which no more than 4,000 lb may be blackgill rockfish	
4	Spitnose rockfish		40,000 lb/ 2 months			
5	Sablefish					
6	40°10' N. lat. - 36°00' N. lat.		1,700 lb/week, not to exceed 5,100 lb/ 2 months			
7	South of 36°00' N. lat.		2,000 lb/ week			
8	Longspine thornyhead		10,000 lb/ 2 months			
9	Shortspine thornyhead					
10	40°10' N. lat. - 34°27' N. lat.		2,000 lb/ 2 months		2,500 lb/ 2 months	
11	South of 34°27' N. lat.		3,000 lb/ 2 months			
12	Dover sole, arrowtooth flounder, petrale sole, English sole, starry flounder, Other Flatfish^{3/}		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 0.44 in (11 mm) point to shank, and up to two 1 lb (0.45 kg) weights per line, are not subject to the RCAs.						
10,000 lb/ trip						
19	Minor Shelf Rockfish^{2/}, Shortbelly rockfish, Widow rockfish (including Chilipepper between 40°10' - 34°27' N. lat.)					
20	40°10' N. lat. - 34°27' N. lat.		Minor shelf rockfish, shortbelly, widow rockfish, & chilipepper: 2,500 lb/ 2 months, of which no more than 500 lb may be any species other than chilipepper.			
21	South of 34°27' N. lat.		4,000 lb/ 2 months	CLOSED	4,000 lb/ 2 months	
22	Chilipepper					
23	40°10' N. lat. - 34°27' N. lat.		Chilipepper included under minor shelf rockfish, shortbelly and widow rockfish limits - - See above			
24	South of 34°27' N. lat.		2,000 lb/ 2 months, this opportunity only available seaward of the non-trawl RCA			
25	Canary rockfish					
26	40°10' N. lat. - 34°27' N. lat.		300 lb/ 2 months			
27	South of 34°27' N. lat.		300 lb/ 2 months	CLOSED	300 lb/ 2 months	
28	Yelloweye rockfish		CLOSED			
29	Cowcod		CLOSED			
30	Bronzespotted rockfish		CLOSED			
31	Bocaccio					
32	40°10' N. lat. - 34°27' N. lat.		1,000 lb/ 2 months		1,500 lb/ 2 months	
33	South of 34°27' N. lat.		1,500 lb/ 2 months	CLOSED	1,500 lb/ 2 months	
34	Minor Nearshore Rockfish, California Black rockfish, & Oregon Black/Blue/Deacon rockfish					
35	Shallow nearshore ^{4/}		1,200 lb/ 2 months	CLOSED	1,200 lb/ 2 months	
36	Deeper nearshore ^{5/}		1,000 lb/ 2 months	CLOSED	1,200 lb/ 2 months	
37	California Scorpionfish		1,500 lb/ 2 months	CLOSED	1,500 lb/ 2 months	
38	Lingcod^{6/}		200 lb/ 2 months	CLOSED	1,200 lb/ 2 months	
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	Longnose skate		Unlimited			
42	Other Fish^{7/} & Cabezon in California		Unlimited			
43	Big Skate		Unlimited			

TABLE 2 (South)

1/ 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.

2/ POP is included in the trip limits for Minor Slope Rockfish. Blackgill rockfish have a species specific trip sub-limit within the Minor Slope Rockfish cumulative limit. Yellowtail rockfish are included in the trip limits for Minor Shelf Rockfish. Bronzespotted rockfish have a species specific trip limit.

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/ "Shallow Nearshore" are defined at § 660.11 under "Groundfish" (7)(i)(B)(1).

5/ "Deeper Nearshore" are defined at § 660.11 under "Groundfish" (7)(i)(B)(2).

6/ The commercial minimum size limit for lingcod is 24 inches (61 cm) total length South of 42° N. lat.

7/ "Other Fish" are defined at § 660.11 and include kelp greenling off California and leopard shark.

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

TABLE 2 (South)

■ 4. Table 3 (North) to part 660, subpart F, is revised to read as follows:

TABLE 3 (NORTH) TO PART 660, SUBPART F—NON-TRAWL ROCKFISH CONSERVATION

AREAS AND TRIP LIMITS FOR OPEN ACCESS GEARS NORTH OF 40°10' N LAT.

Table 3 (North) to Part 660, Subpart F -- Non-Trawl Rockfish Conservation Areas and Trip Limits for Open Access Gears North of 40°10' N. lat.						
Other limits and requirements apply -- Read §§660.10 through 660.399 before using this table						
	JAN-FEB	MAR-APR	MAY-JUN	JUL-AUG	SEP-OCT	NOV-DEC
Rockfish Conservation Area (RCA)^{1/}:						
1 North of 46°16' N. lat.				shoreline - 100 fm line ^{1/}		
2 46°16' N. lat. - 42°00' N. lat.				30 fm line ^{1/} - 100 fm line ^{1/}		
3 42°00' N. lat. - 40°10' N. lat.				30 fm line ^{1/} - 100 fm line ^{1/}		
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, YRCAs, CCAs, Farallon Islands, Cordell Bank, and EFHCAs).						
State trip limits and seasons may be more restrictive than Federal trip limits or seasons, particularly in waters off Oregon and California.						
4 Minor Slope Rockfish^{2/} & Darkblotched rockfish	500 pounds/month					
5 Pacific ocean perch	100 lb/ month					
6 Sablefish	300 lb/ day; or one landing per week up to 1,200 lb, not to exceed 2,400 lb/ 2 months			300 lb/ day; or one landing per week up to 1,400 lb, not to exceed 2,800 lb/ 2 months	300 lb/ day; or one landing per week up to 1,500 lb, not to exceed 3,000 lb/ 2 months	
7 Shortpine thornyheads	50 lb/ month					
8 Longspine thornyheads	50 lb/ month					
9 Dover sole, arrowtooth flounder, petrale sole, English sole, starry flounder, Other Flatfish^{3/}	3,000 lb/ month, no more than 300 lb of which may be species other than Pacific sanddabs.					
10 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 0.44 in (11 mm) point to shank, and up to two 1 lb (0.45 kg) weights per line are not subject to the RCAs.						
11 Whiting	300 lb/ month					
12 Minor Shelf Rockfish^{2/}, Shortbelly rockfish, & Widow rockfish	200 lb/ month					
13 Yellowtail rockfish	500 lb/ month					
14 Canary rockfish	300 lb/ 2 months					
15 Yelloweye rockfish	CLOSED					
16 Minor Nearshore Rockfish, Washington Black rockfish, & Oregon Black/Blue/Deacon rockfish						
17 North of 42°00' N. lat.	5,000 lb/ 2 months, no more than 1,200 lb of which may be species other than black rockfish or blue/deacon rockfish ^{4/}					
18 42°00' N. lat. - 40°10' N. lat.	8,500 lb/ 2 months, no more than 1,200 lb of which may be species other than black rockfish		7,000 lb/ 2 months, no more than 1,500 lb of which may be species other than black rockfish			
19 Lingcod^{5/}						
20 North of 42°00' N. lat.	900 lb/ month					
21 42°00' N. lat. - 40°10' N. lat.	600 lb/ month					
22 Pacific cod	1,000 lb/ 2 months					
23 Spiny dogfish	200,000 lb/ 2 months		150,000 lb/ 2 months	100,000 lb/ 2 months		
24 Longnose skate	Unlimited					
25 Big skate	Unlimited					
26 Other Fish^{6/} & Cabezon in California	Unlimited					
27 Oregon Cabezon/Kelp Greenling	Unlimited					

TABLE 3 (North)

TABLE 3 (North)

Table 3 (North). Continued			10/14/2019
32	SALMON TROLL (subject to RCAs when retaining all species of groundfish, except for yellowtail rockfish and lingcod, as described below)		TABLE 3 (North) cont'd
33	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 5 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.	
34	PINK SHRIMP NON-GROUNDFISH TRAWL (not subject to RCAs)		
35	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/ 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.			
2/ 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.			
3/ "Other flatfish" are defined at § 660.11 and include butter sole, curfin sole, flathead sole, Pacific sanddab, rex sole, rock sole, and sand sole.			
4/ 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.			
5/ 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.			
6/ "Other fish" are defined at § 660.11 and include kelp greenling off California and leopard shark.			
To convert pounds to kilograms, divide by 2.20462, the number of pounds in one kilogram.			

■ 5. Table 3 (South) to part 660, subpart F, is revised to read as follows:

TABLE 3 (SOUTH) TO PART 660, SUBPART F—NON-TRAWL ROCKFISH CONSERVATION AREAS AND TRIP LIMITS FOR OPEN ACCESS GEARS SOUTH OF 40°10' N. LAT.

Table 3 (South) to Part 660, Subpart F -- Non-Trawl Rockfish Conservation Areas and Trip Limits for Open Access Gears South of 40°10' N. lat.							10/14/2019
Other limits and requirements apply -- Read §§660.10 through 660.399 before using this table							
	JAN-FEB	MAR-APR	MAY-JUN	JUL-AUG	SEP-OCT	NOV-DEC	
Rockfish Conservation Area (RCA) ^{1/} :							
1	40°10' N. lat. - 34°27' N. lat.		40 fm line ^{1/} - 125 fm line ^{1/}				
2	South of 34°27' N. lat.		75 fm line ^{1/} - 150 fm line ^{1/} (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, YRCAs, CCAs, Farallon Islands, Cordell Banks, and EFHCAs).							
State trip limits and seasons may be more restrictive than Federal trip limits or seasons, particularly in waters off Oregon and California.							
3	Minor Slope Rockfish ^{2/} & Darkblotched rockfish		10,000 lb/ 2 months, of which no more than 475 lb may be blackgill rockfish		10,000 lb/ 2 months, of which no more than 800 lb may be blackgill rockfish		
4	Splitnose rockfish		200 lb/ month				
5	Sablefish						
6	40°10' N. lat. - 36°00' N. lat.		300 lb/ day; or one landing per week up to 1,200 lb, not to exceed 2,400 lb/ 2 months		300 lb/ day; or one landing per week up to 1,400 lb, not to exceed 2,800 lb/ 2 months	300 lb/ day; or one landing per week up to 1,500 lb, not to exceed 3,000 lb/ 2 months	
7	South of 36°00' N. lat.		300 lb/ day, or one landing per week of up to 1,600 lb, not to exceed 3,200 lb/ 2 months		300 lb/ day, or one landing per week of up to 1,600 lb, not to exceed 4,800 lb/ 2 months		
8	Shortpine thornyheads and longspine thornyheads						
9	40°10' N. lat. - 34°27' N. lat.		CLOSED				
10	South of 34°27' N. lat.		50 lb/ day, no more than 1,000 lb/ 2 months				
11			3,000 lb/ month, no more than 300 lb of which may be species other than Pacific sanddabs.				
12	Dover sole, arrowtooth flounder, petrale sole, English sole, starry flounder, Other Flatfish ^{3/}		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 0.44 in (11 mm) point to shank, and up to two 1 lb (0.45 kg) weights per line are not subject to the RCAs.				
13							
14							
15							
16							
17	Whiting		300 lb/ month				
18	Minor Shelf Rockfish ^{2/} , Shortbelly, Widow rockfish and Chilipepper						
19	40°10' N. lat. - 34°27' N. lat.		400 lb/ 2 months	CLOSED	400 lb/ 2 months		
20	South of 34°27' N. lat.		1,500 lb/ 2 months		1,500 lb/ 2 months		
21	Canary rockfish		300 lb/ 2 months	CLOSED	300 lb/ 2 months		
22	Yelloweye rockfish		CLOSED				
23	Cowcod		CLOSED				
24	Bronzespotted rockfish		CLOSED				
25	Bocaccio		500 lb/ 2 months	CLOSED	500 lb/ 2 months		
26	Minor Nearshore Rockfish, California Black rockfish, & Oregon Black/Blue/Dracon rockfish						
27	Shallow nearshore ^{4/}		1,200 lb/ 2 months	CLOSED	1,200 lb/ 2 months		
28	Deeper nearshore ^{5/}		1,000 lb/ 2 months	CLOSED	1,200 lb/ 2 months		
29	California scorpionfish		1,500 lb/ 2 months	CLOSED	1,500 lb/ 2 months		
30	Lingcod ^{6/}		300 lb/ month	CLOSED	500 lb/ month		
31	Pacific cod		1,000 lb/ 2 months				
32	Spiny dogfish		200,000 lb/ 2 months		150,000 lb/ 2 months	100,000 lb/ 2 months	
33	Longnose skate		Unlimited				
34	Big skate		Unlimited				
35	Other Fish ^{7/} & Cabezon in California		Unlimited				

TABLE 3 (South)

TABLE 3 (South)

Table 3 (South). Continued

10/14/2019

		JAN-FEB	MAR-APR	MAY-JUN	JUL-AUG	SEP-OCT	NOV-DEC
36	RIDGEBACK PRAWN AND, SOUTH OF 38°57.50' N. LAT., CA HALIBUT AND SEA CUCUMBER NON-GROUNDFISH TRAWL						
37	NON-GROUNDFISH TRAWL Rockfish Conservation Area (RCA) for CA Halibut, Sea Cucumber & Ridgeback Prawn:						
38	40° 10' N. lat. - 38° 00' N. lat.	100 fm line ^{1/} - 200 fm line ^{1/}	100 fm line ^{1/} - 150 fm line ^{1/}				100 fm line ^{1/} - 200 fm line ^{1/}
39	38° 00' N. lat. - 34° 27' N. lat.	100 fm line ^{1/} - 150 fm line ^{1/}					
40	South of 34° 27' N. lat.	100 fm line ^{1/} - 150 fm line ^{1/} along the mainland coast; shoreline - 150 fm line ^{1/} around islands					
41			Groundfish: 300 lb/trip. Species-specific limits described in the table above 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, curfin sole, or California scorpionfish (California scorpionfish is also subject to the trip limits and closures in line 29).				
42	PINK SHRIMP NON-GROUNDFISH TRAWL GEAR (not subject to RCAs)						
43	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 rockfish, 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 all groundfish species count toward the per day, per trip or other species-specific sublimits described here and the species-specific limits described in the table above do not apply. The amount of groundfish landed may not exceed the amount of pink shrimp landed.				
1/ 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.							
2/ POP is included in the trip limits for minor slope rockfish. Blackgill rockfish have a species specific trip sub-limit within the minor slope rockfish cumulative limits. Yellowtail rockfish is included in the trip limits for minor shelf rockfish. Bronzespotted rockfish have a species specific trip limit.							
3/ "Other flatfish" are defined at § 660.11 and include butter sole, curfin sole, flathead sole, Pacific sanddab, rex sole, rock sole, and sand sole.							
4/ "Shallow Nearshore" are defined at § 660.11 under "Groundfish" (7)(i)(B)(1).							
5/ "Deeper Nearshore" are defined at § 660.11 under "Groundfish" (7)(i)(B)(2).							
6/ The commercial minimum size limit for lingcod is 24 inches (61 cm) total length South of 42° N. lat.							
7/ "Other fish" are defined at § 660.11 and includes kelp greenling off California and leopard shark.							
To convert pounds to kilograms, divide by 2.20462, the number of pounds in one kilogram.							

TABLE 3 (South) cont'd

TABLE 3 (South) cont'd

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 180831813-9170-02]

RIN 0648-XY028

Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Non-American Fisheries Act Crab Vessels Operating as Catcher Vessels Using Pot Gear in the Western Regulatory Area of the Gulf of Alaska

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

ACTION: Temporary rule; closure.

SUMMARY: NMFS is prohibiting directed fishing for Pacific cod by non-American Fisheries Act (AFA) crab vessels that are subject to sideboard limits, and operating as catcher vessels (CVs) using pot gear, in the Western Regulatory Area of the Gulf of Alaska (GOA). This action is necessary to prevent exceeding the 2019 Pacific cod sideboard limit established for non-AFA crab vessels that are operating as CVs using pot gear in the Western Regulatory Area of the GOA.

DATES: Effective 1200 hours, Alaska local time (A.l.t.), October 16, 2019, through 2400 hours, A.l.t., December 31, 2019.

FOR FURTHER INFORMATION CONTACT: Josh Keaton, 907-586-7228.

SUPPLEMENTARY INFORMATION: NMFS manages the groundfish fishery in the GOA exclusive economic zone according to the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMP) prepared by the North Pacific Fishery Management Council

under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Regulations governing fishing by U.S. vessels in accordance with the FMP appear at subpart H of 50 CFR part 600 and 50 CFR part 679. Regulations governing sideboard protections for GOA groundfish fisheries appear at subpart B of 50 CFR part 680.

The 2019 Pacific cod sideboard limit established for non-AFA crab vessels, and that are operating as CVs using pot gear in the Western Regulatory Area of the GOA, is 533 metric tons (mt), as established by the final 2019 and 2020 harvest specifications for groundfish of the GOA (84 FR 9416, March 14, 2019).

In accordance with § 680.22(e)(2)(i), the Administrator, Alaska Region, NMFS (Regional Administrator) has determined that the 2019 Pacific cod sideboard limit established for non-AFA crab vessels that are operating as CVs using pot gear in the Western Regulatory Area of the GOA will soon be reached. Therefore, the Regional Administrator is