Subpart F—West Coast Groundfish—Open Access Fisheries

SOURCE: 75 FR 60897, Oct. 1, 2010, unless otherwise noted.

EFFECTIVE DATE NOTE: At 75 FR 60897, Oct. 1, 2010, subpart F was added, effective Nov. 1, 2010.

§ 660.310 Purpose and scope.

This subpart covers the Pacific Coast Groundfish open access fishery. The open access fishery, as defined at §660.11, Subpart C, is the fishery composed of commercial vessels using open access gear fished pursuant to the harvest guidelines, quotas, and other management measures specified for the harvest of open access allocations or governing the fishing activities of open access vessels.

§ 660.311 Open access fishery—definitions.

General definitions for the Pacific Coast groundfish fisheries are defined at §660.11, subpart C. The definitions in this subpart are specific to the open access fishery covered in this subpart and are in addition to those specified at §660.11, subpart C.

Closely tended for the purposes of this subpart means that a vessel is within visual sighting distance or within 0.25 nm (463 m) of the gear as determined by electronic navigational equipment.

§ 660.312 Open access fishery—prohibitions.

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

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

(b) Black rockfish fisheries. Have onboard a commercial hook-and-line fishing vessel (other than a vessel operated by persons under §660.60 (c)(1)(ii), subpart C), more than the amount of the trip limit set for black rockfish by §660.330(e) while that vessel is fishing.
§660.313 Open access fishery—record-keeping and reporting.

(a) General. General reporting requirements specified at §660.13(a) through (c) of subpart C apply to open access fisheries.

(b) Declaration reports for vessels using nontrawl gear. Declaration reporting requirements for open access vessels using nontrawl gear (all types of open access gear other than non-groundfish trawl gear) are specified at §660.13(d).

(c) Declaration reports for vessels using non-groundfish trawl gear. Declaration reporting requirements for open access vessels using non-groundfish trawl gear are specified at §660.13(d).

(d) VMS requirements for open access fishery vessels. VMS requirements for open access fishery vessels are specified at §660.14, subpart C.

(e) Retention of records. Any person landing groundfish must retain on board the vessel from which groundfish is landed, and provide to an authorized officer upon request, copies of any and all reports of groundfish landings containing all data, and in the exact manner, required by the applicable state law throughout the cumulative limit period during which a landing occurred and for 15 days thereafter.

§660.316 Open access fishery—observer requirements.

(a) Observer coverage requirements. When NMFS notifies the owner, operator, permit holder, or the manager of a catcher vessel, specified at §660.16(c), subpart C, of any requirement to carry an observer, the catcher vessel may not be used to fish for...