§ 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:

Table 2 (South) (continued)

<table>
<thead>
<tr>
<th>Substance</th>
<th>JAN-FEB</th>
<th>MAR-APR</th>
<th>MAY-JUN</th>
<th>JUL-AUG</th>
<th>SEP-OCT</th>
<th>NOV-DEC</th>
</tr>
</thead>
<tbody>
<tr>
<td>32 Minor nearshore rockfish &amp; Black rockfish</td>
<td>CLOSED</td>
<td>600 lb/2 months</td>
<td>CLOSED</td>
<td>600 lb/2 months</td>
<td>600 lb/2 months</td>
<td>600 lb/2 months</td>
</tr>
<tr>
<td>33 Shallow nearshore</td>
<td>700 lb/2 months</td>
<td>CLOSED</td>
<td>700 lb/2 months</td>
<td>900 lb/2 months</td>
<td>600 lb/2 months</td>
<td>900 lb/2 months</td>
</tr>
<tr>
<td>34 Deeper nearshore</td>
<td>500 lb/2 months</td>
<td>CLOSED</td>
<td>1,200 lb/2 months</td>
<td>CLOSED</td>
<td>1,200 lb/2 months</td>
<td>1,200 lb/2 months</td>
</tr>
<tr>
<td>35 California scorpionfish</td>
<td>1,200 lb/2 months</td>
<td>CLOSED</td>
<td>1,200 lb/2 months</td>
<td>CLOSED</td>
<td>1,200 lb/2 months</td>
<td>1,200 lb/2 months</td>
</tr>
<tr>
<td>36 Pacific cod</td>
<td>1,000 lb/2 months</td>
<td>CLOSED</td>
<td>1,000 lb/2 months</td>
<td>CLOSED</td>
<td>1,000 lb/2 months</td>
<td>1,000 lb/2 months</td>
</tr>
<tr>
<td>38 Lingcod</td>
<td>CLOSED</td>
<td>800 lb/2 months</td>
<td>CLOSED</td>
<td>400 lb/2 months</td>
<td>CLOSED</td>
<td>400 lb/2 months</td>
</tr>
<tr>
<td>39 Spiny dogfish</td>
<td>200,000 lb/2 months</td>
<td>150,000 lb/2 months</td>
<td>100,000 lb/2 months</td>
<td>100,000 lb/2 months</td>
<td>100,000 lb/2 months</td>
<td>100,000 lb/2 months</td>
</tr>
<tr>
<td>Other fish</td>
<td>Unlimited</td>
<td>Unlimited</td>
<td>Unlimited</td>
<td>Unlimited</td>
<td>Unlimited</td>
<td>Unlimited</td>
</tr>
</tbody>
</table>

1/ “Other flatfish” are defined at §660.11 and include butter sole, cutlin sole, flathead sole, Pacific sand dab, 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. Bronzespot rockfish have a species-specific trip limit.
3/ The commercial 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 (except spiny dogfish), skates (except longnose skates), raffles, monids, granodermes, and hake-greenling. Calamari and longnose skate are included in the trip limits for “other fish.”
5/ The Rockfish Conservation Area is an area closed to fishing by specific gear types, bounded by lines specifically defined by latitude and longitude coordinates set out at §§660.71-660.74. The 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 cross 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 trip limit that was in place for sablefish north of 36° N. Lat. in Jan-Feb 2011 was "1,750 lb per week, not to exceed 7,000 lb per 2 months." The trip limit that was in place for sablefish south of 36° N. Lat. in Jan-Feb 2011 was "400 lb per week, not to exceed 1,500 lb per 2 months."
7/ The trip limit that was in place for California scorpionfish south of 40°10' N. lat. in Jan-Feb 2011 was "600 lb per 2 months." To convert pounds to kilograms, divide by 2.20462, the number of pounds in one kilogram.

[76 FR 38318, June 30, 2011]
(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.

(2) **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 between the U.S.-Canada border and Cape Alava ($48^\circ09'30''$ N. lat.), or between Destruction Island ($47^\circ40'00''$ N. lat.) and Leadbetter Point ($46^\circ38'10''$ N. lat.).

(b) Gear. (1) Possess, deploy, haul, or carry onboard a fishing vessel subject to this subpart a set net, trap or pot, longline, or commercial vertical hook-and-line that is not in compliance with the gear restrictions in §660.330(b), subpart F, unless such gear is the gear of another vessel that has been retrieved at sea and made inoperable or stowed in a manner not capable of being fished. The disposal at sea of such gear is prohibited by Annex V of the International Convention for the Prevention of Pollution From Ships, 1973 (Annex V of MARPOL 73/78).

(2) Fish with dredge gear (defined in §660.11) anywhere within EFH within the EEZ, as defined by latitude/longitude coordinates at §660.75.

(3) Fish with beam trawl gear (defined in §660.11) anywhere within EFH within the EEZ, as defined by latitude/longitude coordinates at §660.75.

(4) Fish with bottom trawl gear with a footrope diameter greater than 19 inches (48 cm) (including rollers, bobbins, or other material encircling or tied along the length of the footrope) anywhere in EFH within the EEZ, as defined by latitude/longitude coordinates at §660.75.

(c) Fishing in conservation areas with open access gears. (1) Operate a vessel with non-groundfish trawl gear onboard in any applicable GCA (as defined at §660.330(d)) except for purposes of continuous transiting, with all trawl gear stowed in accordance with §660.330(b), or except as authorized in the groundfish management measures published at §660.330.

(2) Operate a vessel in an applicable GCA (as defined at §660.330(d)) that has nontrawl gear onboard and is not registered to a limited entry permit on a trip in which the vessel is used to take and retain or possess groundfish in the EEZ, possess or land groundfish taken in the EEZ, except for purposes of continuous transiting, with all groundfish nontrawl gear stowed in accordance with §660.330(b), or except as authorized in the groundfish management measures published at §660.330.

(3) Fish with bottom contact gear (as defined in §660.11, subpart C) within the EEZ in the following areas (defined in §§660.78 and 660.79): Thompson Seamount, President Jackson Seamount, Cordell Bank (50-fm (91-m) isobath), Harris Point, Richardson Rock, Scorpion, Painted Cave, Anacapa Island, Carrington Point, Judith Rock, Skunk Point, Footprint, Gull Island, South Point, and Santa Barbara.

(4) Fish with bottom contact gear (as defined in §660.11, subpart C), or any other gear that is deployed deeper than 500-fm (914-m), within the Davidson Seamount area (defined in §660.75).

§660.313 Open access fishery—recordkeeping 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