Fishery Conservation and Management

§ 660.230  Fixed gear fishery—management measures.

(a) General. Most species taken in limited entry fixed gear (longline and pot/trap) fisheries will be managed with cumulative trip limits (see trip limits in Tables 2 (North) and 2 (South) of this subpart), size limits (see § 660.60(h)(5)), seasons (see trip limits in Tables 2 (North) and 2 (South) of this subpart and sablefish primary season details in § 660.231), gear restrictions (see paragraph (b) of this section), and closed areas (see paragraph (d) of this section and §§ 660.70 through 660.79). Cowcod retention is prohibited in all fisheries, and groundfish vessels operating south of Point Conception must adhere to CCA restrictions (see paragraph (d)(10) of this section and § 660.70). Yelloweye rockfish and canary rockfish retention is prohibited in the limited entry fixed gear fisheries. Regulations governing and tier limits for the limited entry, fixed gear sablefish primary season north of 36° N. lat. are found in § 660.231. Vessels not participating in the sablefish primary season are subject to daily or weekly sablefish limits in addition to cumulative limits.
for each cumulative limit period. Only one sablefish landing per week may be made in excess of the daily trip limit and, if the vessel chooses to make a landing in excess of that daily trip limit, then that is the only sablefish landing permitted for that week. The trip limit for black rockfish caught with hook-and-line gear also applies, see §660.230(e). The trip limits in Table 2 (North) and Table 2 (South) of this subpart apply to vessels participating in the limited entry groundfish fixed gear fishery and may not be exceeded. Federal commercial groundfish regulations are not intended to supersede any more restrictive state commercial groundfish regulations relating to federally-managed groundfish.

(b) Gear restrictions—(1) Longline and pot or trap gear are authorized in the limited entry fixed gear fishery, providing the gear is in compliance with the restrictions set forth in this section, and gear marking requirements described in §660.219 of this subpart.

(2) Vessels participating in the limited entry fixed gear fishery may also fish with open access gear subject to the gear restrictions at §660.330(b), subpart F, but will be subject to the most restrictive trip limits for the gear used as specified at §660.60(h)(7), subpart C.

(3) Limited entry fixed gear (longline, trap or pot gear) must be attended at least once every 7 days.

(4) Traps or pots must have biodegradable escape panels constructed with 21 or smaller untreated cotton twine in such a manner that an opening at least 8 inches (20.3 cm) in diameter results when the twine deteriorates.

(c) Sorting Requirements. (1) In addition to the requirements at §660.12(a)(6), the States of Washington, Oregon, and California may also require that vessels record their landings as sorted on their state landing receipts.

(2) For limited entry fixed gear vessels, the following species must be sorted:

(i) Coastwide—widow rockfish, crenary rockfish, darkblotted rockfish, yelloweye rockfish, shortbelly rockfish, black rockfish, blue rockfish, minor nearshore rockfish, minor shelf rockfish, minor slope rockfish, shortspine and longspine thornyhead, Dover sole, arrowtooth flounder, petrale sole, starry flounder, English sole, other flatfish, lingcod, sablefish, Pacific cod, spiny dogfish, other fish, longnose skate, and Pacific whiting;

(ii) North of 40°10’ N. lat.—POP, yellowtail rockfish, cabezon (Oregon and California);

(iii) South of 40°10’ N. lat.—minor shallow nearshore rockfish, minor deeper nearshore rockfish, California scorpionfish, chilipepper, bocaccio, spiltfin rockfish, Pacific sanddabs, cowcod, bronzespotted rockfish, blackgill rockfish and cabezon.

(d) Groundfish conservation areas applicable to limited entry fixed gear vessels.

A GCA, a type of closed area, is a geographic area defined by coordinates expressed in degrees of latitude and longitude. The latitude and longitude coordinates of the GCA boundaries are specified at §§660.70 through 660.74, subpart C. A vessel that is authorized by this paragraph to fish within a GCA (e.g., fishing for “other flatfish” using no more than 12 hooks, “Number 2” or smaller), may not simultaneously have other gear on board the vessel that is unlawful to use for fishing within the GCA. The following GCAs apply to vessels participating in the limited entry fixed gear fishery.

(1) North coast recreational yelloweye rockfish conservation area. The latitude and longitude coordinates of the North Coast Recreational Yelloweye Rockfish Conservation Area (YRCA) boundaries are specified at §660.70, subpart C. The North Coast Recreational YRCA is designated as an area to be avoided (a voluntary closure) by commercial fixed gear fishers.

(2) North coast commercial yelloweye rockfish conservation area. The latitude and longitude coordinates of the North Coast Commercial Yelloweye Rockfish Conservation Area (YRCA) boundaries are specified at §660.70, subpart C. Fishing with limited entry fixed gear is prohibited within the North Coast Commercial YRCA. It is unlawful to take and retain, possess, or land groundfish taken with limited entry fixed gear within the North Coast Commercial YRCA. Limited entry fixed gear vessels may transit through the North Coast Commercial YRCA with or without groundfish on board.
(3) South Coast recreational yelloweye rockfish conservation area. The latitude and longitude coordinates of the South Coast Recreational Yelloweye Rockfish Conservation Area (YRCA) boundaries are specified at §660.70, subpart C. The South Coast Recreational YRCA is designated as an area to be avoided (a voluntary closure) by commercial fixed gear fishers.

(4) Westport offshore recreational YRCA. The latitude and longitude coordinates that define the Westport Offshore Recreational YRCA boundaries are specified at §660.70, subpart C. The Westport Offshore Recreational YRCA is designated as an area to be avoided (a voluntary closure) by commercial fixed gear fishers.

(5) Point St. George YRCA. The latitude and longitude coordinates of the Point St. George YRCA boundaries are specified at §660.70, subpart C. Fishing with limited entry fixed gear is prohibited within the Point St. George YRCA, on dates when the closure is in effect. It is unlawful to take and retain, possess, or land groundfish taken with limited entry fixed gear within the Point St. George YRCA, on dates when the closure is in effect. The closure is not in effect at this time. This closure may be imposed through inseason adjustment. Limited entry fixed gear vessels may transit through the Point St. George YRCA, at any time, with or without groundfish on board.

(6) South Reef YRCA. The latitude and longitude coordinates of the South Reef YRCA boundaries are specified at §660.70, subpart C. Fishing with limited entry fixed gear is prohibited within the South Reef YRCA, on dates when the closure is in effect. It is unlawful to take and retain, possess, or land groundfish taken with limited entry fixed gear within the South Reef YRCA, on dates when the closure is in effect. The closure is not in effect at this time. This closure may be imposed through inseason adjustment. Limited entry fixed gear vessels may transit through the South Reef YRCA, at any time, with or without groundfish on board.

(7) Reading Rock YRCA. The latitude and longitude coordinates of the Reading Rock YRCA boundaries are specified at §660.70, subpart C. Fishing with limited entry fixed gear is prohibited within the Reading Rock YRCA, on dates when the closure is in effect. It is unlawful to take and retain, possess, or land groundfish taken with limited entry fixed gear within the Reading Rock YRCA, on dates when the closure is in effect. The closure is not in effect at this time. This closure may be imposed through inseason adjustment. Limited entry fixed gear vessels may transit through the Reading Rock YRCA, at any time, with or without groundfish on board.

(8) Point Delgada (North) YRCA. The latitude and longitude coordinates of the Point Delgada (North) YRCA boundaries are specified at §660.70, subpart C. Fishing with limited entry fixed gear is prohibited within the Point Delgada (North) YRCA, on dates when the closure is in effect. It is unlawful to take and retain, possess, or land groundfish taken with limited entry fixed gear within the Point Delgada (North) YRCA, at any time, with or without groundfish on board.

(9) Point Delgada (South) YRCA. The latitude and longitude coordinates of the Point Delgada (South) YRCA boundaries are specified at §660.70, subpart C. Fishing with limited entry fixed gear is prohibited within the Point Delgada (South) YRCA, on dates when the closure is in effect. It is unlawful to take and retain, possess, or land groundfish taken with limited entry fixed gear within the Point Delgada (South) YRCA, at any time, with or without groundfish on board.

(10) Cowcod Conservation Areas. The latitude and longitude coordinates of the Cowcod Conservation Areas (CCAs) boundaries are specified at §660.70, subpart C. It is unlawful to take and retain, possess, or land groundfish within...
§ 660.230

50 CFR Ch. VI (10–1–13 Edition)

the CCAs, except for species authorized
in this paragraph caught according to
gear requirements in this paragraph,
when those waters are open to fishing.
Commercial fishing vessels may transit
through the Western CCA with their
gear stowed and groundfish on board
only in a corridor through the Western
CCA bounded on the north by the lati-
tude line at 33°00.50′ N. lat., and bound-
ed on the south by the latitude line at
32°59.50′ N. lat. Fishing with limited
entry fixed gear is prohibited within
the CCAs, except as follows:

(i) Fishing for “other flatfish” is per-
mitted within the CCAs under the fol-
lowing conditions: When using no more
than 12 hooks, “Number 2” or smaller,
which measure no more than 11 mm
(0.44 inches) point to shank, and up to
two 1-lb (0.45 kg) weights per line; and
provided a valid declaration report as
required at § 660.13(d), subpart C, has
been filed with NMFS OLE.

(ii) Fishing for rockfish and lingcod
is permitted shoreward of the 20 fm (37
m) depth contour within the CCAs
when trip limits authorize such fishing,
and provided a valid declaration report
as required at § 660.13(d), subpart C, has
been filed with NMFS OLE.

(11) Nontrawl Rockfish Conservation
Areas (RCA). The nontrawl RCAs are
closed areas, defined by specific lati-
tude and longitude coordinates (speci-
fied at §§ 660.70 through 660.74, subpart
C) designed to approximate specific
depth contours, where fishing for
groundfish with nontrawl gear is pro-
hibited. Boundaries for the nontrawl
RCA throughout the year are provided
in the header to Table 2 (North) and
Table 2 (South) of this subpart and
may be modified by NMFS inseason
pursuant to § 660.60(c), subpart C.

(i) It is unlawful to operate a vessel
with limited entry nontrawl gear in
the nontrawl RCA, except for the pur-
pose of continuous transit, or when the
use of limited entry nontrawl gear is
authorized in this section. It is unlaw-
ful to take and retain, possess, or land
groundfish taken with limited entry
nontrawl gear within the nontrawl
RCA, unless otherwise authorized in
this section.

(ii) Limited entry nontrawl vessels
may transit through the nontrawl
RCA, with or without groundfish on
board, provided all groundfish nontrawl
gear is stowed either: Below deck; or if
the gear cannot readily be moved, in a
secured and covered manner, detached
from all lines, so that it is rendered un-
usable for fishing.

(iii) The nontrawl RCA restrictions
in this section apply to vessels regis-
tered to limited entry fixed gear per-
mits fishing for species other than
groundfish with nontrawl gear on trips
where groundfish species are retained.
Unless otherwise authorized in this
section, a vessel may not retain any
groundfish taken on a fishing trip for
species other than groundfish that oc-
curs within the nontrawl RCA. If a ves-
sel fishes in a non-groundfish fishery
in the nontrawl RCA, it may not partici-
pate in any fishing for groundfish on
that trip that is prohibited within the
nontrawl RCA. (For example, if a ves-
sel fishes in the salmon troll fishery
within the RCA, it cannot on the same
trip fish in the sablefish fish-
ery outside of the RCA.)

(iv) It is lawful to fish within the
nontrawl RCA with limited entry fixed
gear only under the following condi-
tions: when fishing for “other flatfish”
off California (between 42° N. lat. south
to the U.S./Mexico border) using no
more than 12 hooks, “Number 2” or
smaller, which measure no more than
11 mm (0.44 inches) point to shank, and
up to two 1-lb (0.91 kg) weights per line
when trip limits authorize such fishing,
provided a valid declaration report as
required at § 660.13(d), subpart C, has
been filed with NMFS OLE.

(12) Farallon Islands. Under California
law, commercial fishing for all ground-
fish is prohibited between the shoreline
and the 10 fm (18 m) depth contour
around the Farallon Islands. An excep-
tion to this prohibition is that com-
mercial fishing for “other flatfish” is
permitted around the Farallon Islands
using no more than 12 hooks, “Number 2” or
smaller, which measure no more than
11 mm (0.44 inches) point to shank, and
up to two 1-lb (0.45-kg) weights per line.
(See Table 2 (South) of
this subpart.) For a definition of the
Farallon Islands, see § 660.70, subpart C.

(13) Cordell Banks. Commercial fish-
ing for groundfish is prohibited in wa-
ters of depths less than 100 fm (183 m)
around Cordell Banks, as defined by
§ 660.231 Limited entry fixed gear sablefish primary fishery.

This section applies to the sablefish primary fishery for the limited entry fixed gear fishery north of 36° N. lat. Limited entry and open access fixed gear sablefish fishing outside of the sablefish primary season north of 36° N. lat. is governed by management measures imposed under §§ 660.230, 660.232, 660.330 and 660.332.

(a) Sablefish endorsement. A vessel may not fish in the sablefish primary season for the limited entry fixed gear fishery, unless at least one limited entry permit with both a gear endorsement for longline or trap (or pot) gear and a sablefish endorsement is registered for use with that vessel. Permits with sablefish endorsements are assigned to one of three tiers, as described at § 660.25(b)(3)(iv), subpart C.

(b) Sablefish primary season for the limited entry fixed gear fishery—(1) Season dates. North of 36° N. lat., the sablefish primary season for the limited entry, fixed gear, sablefish-endorsed vessels begins at 12 noon local time on April 1 and closes at 12 noon local time on October 31, or closes for an individual permit holder when that permit holder’s tier limit has been reached, whichever is earlier, unless otherwise announced by the Regional Administrator through the routine management measures process described at § 660.60(c).

(2) Gear type. During the season primary and when fishing against primary season cumulative limits, each vessel authorized to fish in that season under paragraph (a) of this section may fish for sablefish with any of the gear types, except trawl gear, endorsed on at least one of the permits registered for use with that vessel.

(3) Cumulative limits. (1) A vessel participating in the primary season will be constrained by the sablefish cumulative limit associated with each of the permits registered for use with that vessel. During the primary season, each vessel authorized to fish in that