

## § 660.5

lat., 124°23'51.362" W long.; then proceeding west approximately thirty nautical miles at that latitude to a northwestern point located at 47°40'06" N lat., 125°08'30" W long.; then proceeding in a southeasterly direction mirroring the coastline no farther than thirty nautical miles from the mainland Pacific coast shoreline at any line of latitude, to a southwestern point at 46°53'18" N lat., 124°53'53" W long.; then proceeding east along that line of latitude to the Pacific coast shoreline at 46°53'18" N lat., 124°7'36.6" W long.

(b) [Reserved]

[81 FR 36807, June 8, 2016, as amended at 83 FR 53828, Oct. 25, 2018]

### Subpart B—All West Coast EEZ Fisheries

SOURCE: 81 FR 19057, Apr. 4, 2016, unless otherwise noted.

#### § 660.5 Shared Ecosystem Component Species.

(a) *General.* The FMPs implemented in this part 660 each contain ecosystem component species specific to each FMP, as well as a group of ecosystem component species shared between all of the FMPs. Ecosystem component species shared between all of the Pacific Fishery Management Council's FMPs, and known collectively as "Shared EC Species," are:

(1) Round herring (*Etrumeus teres*) and thread herring (*Ophisthonema libertate* and *O. medirastre*).

(2) Mesopelagic fishes of the families *Myctophidae*, *Bathylagidae*, *Paralepididae*, and *Gonostomatidae*.

(3) Pacific sand lance (*Ammodytes hexapterus*).

(4) Pacific saury (*Cololabis saira*).

(5) Silversides (family *Atherinopsidae*).

(6) Smelts of the family *Osmeridae*.

(7) Pelagic squids (families: *Cranchiidae*, *Gonatidae*, *Histioteuthidae*, *Octopoteuthidae*, *Ommastrephidae* except Humboldt squid [*Dosidicus gigas*], *Onychoteuthidae*, and *Thysanoteuthidae*).

(b) *Directed commercial fishing for Shared EC Species.* For the purposes of this section, "directed commercial fishing" means that a fishing vessel

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lands Shared EC Species without landing any species other than Shared EC Species, or lands Shared EC Species with other species and in amounts more than:

(1) 10 mt combined weight of all Shared EC Species from any fishing trip; or

(2) 30 mt combined weight of all Shared EC Species in any calendar year.

#### § 660.6 Prohibitions.

In addition to the general prohibitions specified in § 600.725 of this chapter, and the other prohibitions specified in this part, it is unlawful for any person to:

(a) *Directed commercial fishing.* Engage in directed commercial fishing for Shared EC Species from a vessel engaged in commercial fishing within the EEZ off Washington, Oregon, or California. This prohibition does not apply to:

(1) Fishing authorized by the Hoh, Makah, or Quileute Indian Tribes, or by the Quinault Indian Nation, or

(2) Fishing trips conducted entirely within state marine waters.

(b) *At-sea processing.* At-sea processing of Shared EC Species is prohibited within the EEZ, except while processing groundfish in accordance with subpart D of this part.

### Subpart C—West Coast Groundfish Fisheries

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

#### § 660.10 Purpose and scope.

(a) Subparts C through G of this part implement the Pacific Coast Groundfish Fishery Management Plan (PCGFMP) developed by the Pacific Fishery Management Council. Subparts C through G govern fishing vessels of the U.S. in the EEZ off the coasts of Washington, Oregon, and California. All weights are in round weight or round-weight equivalents, unless specified otherwise.

(b) Any person fishing subject to subparts C through G of this part is bound

by the international boundaries described in this section, notwithstanding any dispute or negotiation between the U.S. and any neighboring country regarding their respective jurisdictions, until such time as new boundaries are established or recognized by the U.S.

#### § 660.11 General definitions.

These definitions are specific to the fisheries covered in subparts C through G of this part.

*Acceptable Biological Catch (ABC)* means a harvest specification that is set below the overfishing limit to account for scientific uncertainty in the estimate of OFL, and other scientific uncertainty.

*Active sampling unit* means the portion of the groundfish fleet in which an observer coverage plan is being applied.

*Address of Record* means the business address a person has provided to NMFS for NMFS use in providing notice of agency actions and other business with that person.

*Allocation.* (See § 600.10 of this chapter)

*Annual Catch Limit (ACL)* is a harvest specification set equal to or below the ABC threshold in consideration of conservation objectives, socioeconomic concerns, management uncertainty and other factors. The ACL is a harvest limit that includes all sources of fishing-related mortality including landings, discard mortality, research catches, and catches in exempted fishing permit activities. Sector-specific annual catch limits can be specified, especially in cases where a sector has a formal, long-term allocation of the harvestable surplus of a stock or stock complex.

*Annual Catch Target (ACT)* is a management target set below the annual catch limit and may be used as an accountability measure in cases where there is great uncertainty in inseason catch monitoring to ensure against exceeding an annual catch limit. Since the annual catch target is a target and not a limit it can be used in lieu of harvest guidelines or strategically to accomplish other management objectives. Sector-specific annual catch targets can also be specified to accomplish management objectives.

*Base permit* means a sablefish-endorsement limited entry permit described at § 660.25(b)(3)(i), subpart C, registered for use with a vessel that meets the permit length endorsement requirements appropriate to that vessel, as described at § 660.25(b)(3)(iii), subpart C.

*Biennial fishing period* means a 24-month period beginning at 0001 local time on January 1 and ending at 2400 local time on December 31 of the subsequent year.

*B<sub>MSY</sub>* means the biomass level that produces maximum sustainable yield (MSY), as stated in the PCGFMP at Section 4.3.

*Calendar day* means the day beginning at 0001 hours local time and continuing for 24 consecutive hours.

*Calendar year.* (see “fishing year”)

*Catch, take, harvest.* (See § 600.10 of this chapter)

*Catch monitor* means an individual that is certified by NMFS, is deployed to a first receiver, and whose primary duties include: monitoring and verification of the sorting of fish relative to Federal requirements defined in § 660.60(h)(6); documentation of the weighing of such fish relative to the requirements of § 660.13(b); and verification of first receivers’ reporting relative to the requirements defined in § 660.113(b)(4).

*Catch Monitor Program or Catch Monitor Program Office* means the Catch Monitor Program Office of the West Coast Region, National Marine Fisheries Service.

*Catch monitor provider* means any person that is granted a permit by NMFS to provide certified catch monitors as required in § 660.140.

*Change in partnership or corporation* means the addition of a new shareholder or partner to the corporate or partnership membership. This definition of a “change” will apply to any person added to the corporate or partnership membership since November 1, 2000, including any family member of an existing shareholder or partner. A change in membership is not considered to have occurred if a member dies or becomes legally incapacitated and a trustee is appointed to act on his behalf, nor if the ownership of shares among existing members changes, nor if a member leaves the corporation or