

a moratorium permit for summer flounder; to carry a NMFS-certified fisheries observer. A vessel holding a permit for Atlantic sea scallops is subject to the additional requirements specific in paragraph (g) of this section. Also, any vessel or vessel owner/operator that fishes for, catches or lands hagfish, or intends to fish for, catch, or land hagfish in or from the exclusive economic zone must carry a NMFS-certified fisheries observer when requested by the Regional Administrator in accordance with the requirements of this section.

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 660

[Docket No. 060824226-6322-02]

**RIN 0648-AW27**

### Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; 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; request for comments.

**SUMMARY:** This final rule announces inseason changes to management measures in the commercial Pacific Coast groundfish fishery. These actions, which are authorized by the Pacific Coast Groundfish Fishery Management Plan (FMP), are intended to allow fisheries to access more abundant groundfish stocks while protecting overfished and depleted stocks.

**DATES:** Effective 0001 hours (local time) December 4, 2007. Comments on this final rule must be received no later than 5 p.m., local time on January 3, 2008.

**ADDRESSES:** You may submit comments, identified by RIN 0648-AW27 by any one of the following methods:

- Electronic Submissions: Submit all electronic public comments via the Federal eRulemaking Portal <http://www.regulations.gov>.

- Fax: 206-526-6736, Attn: Gretchen Arentzen

- Mail: D. Robert Lohn, Administrator, Northwest Region, NMFS, 7600 Sand Point Way NE, Seattle, WA 98115-0070, Attn: Gretchen Arentzen.

**Instructions:** All comments received are a part of the public record and will generally be posted to <http://www.regulations.gov> without change. All Personal Identifying Information (for example, name, address, etc.) voluntarily submitted by the commenter may be publicly accessible. Do not submit Confidential Business Information or otherwise sensitive or protected information.

NMFS will accept anonymous comments. Attachments to electronic comments will be accepted in Microsoft Word, Excel, WordPerfect, or Adobe PDF file formats only.

**FOR FURTHER INFORMATION CONTACT:** Gretchen Arentzen (Northwest Region, NMFS), phone: 206-526-6147, fax: 206-526-6736 and e-mail [gretchen.arentzen@noaa.gov](mailto:gretchen.arentzen@noaa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Electronic Access

This final rule is accessible via the Internet at the Office of the **Federal Register**'s Website at <http://www.gpoaccess.gov/fr/index.html>. Background information and documents are available at the Pacific Fishery Management Council's (Council's) website at <http://www.pcouncil.org/>.

##### Background

The Pacific Coast Groundfish FMP and its implementing regulations at title 50 in the Code of Federal Regulations (CFR), part 660, subpart G, regulate fishing for over 90 species of groundfish off the coasts of Washington, Oregon, and California. Groundfish specifications and management measures are developed by the Pacific Fishery Management Council (Council), and are implemented by NMFS. A proposed rule to implement the 2007-2008 specifications and management measures for the Pacific Coast groundfish fishery and Amendment 16-4 of the FMP was published on September 29, 2006 (71 FR 57764). The final rule to implement the 2007-2008 specifications and management measures for the Pacific Coast Groundfish Fishery was published on December 29, 2006 (71 FR 78638). These specifications and management measures were codified in the CFR (50 CFR part 660, subpart G). The final rule was subsequently amended on: March 20, 2007 (72 FR 13043); April 18, 2007 (72 FR 19390); July 5, 2007 (72 FR 36617); August 3, 2007 (72 FR 43193);

September 18, 2007 (72 FR 53165); and October 4, 2007 (72 FR 56664).

Changes to current groundfish management measures implemented by this action were recommended by the Council, in consultation with Pacific Coast Treaty Indian Tribes and the States of Washington, Oregon, and California, at its November 5-9, 2007, meeting in San Diego, California. At that meeting, the Council recommended adjusting current groundfish management measures to respond to updated fishery information and other inseason management needs in order to allow access to groundfish without exceeding the 2007 optimum yields (OYs) for the target species or the 2007 OYs for overfished and depleted stocks.

For the remainder of 2007, the Council recommended increasing the 2-month cumulative limits for sablefish in the limited entry non-whiting trawl fishery for large and small footrope trawl gear north of 40°10.00' N. lat., increasing trip limits for sablefish in the limited entry non-whiting trawl fishery south of 40°10.00' N. lat., and increasing the open access sablefish daily trip limits between 40°10.00' N. lat. and 36° N. lat.

The Council also recommended adjusting management measures beginning January 1, 2008; these measures will be implemented in a separate rulemaking.

NMFS has considered the recommendations for the remainder of 2007, and is implementing them as described below. Pacific Coast groundfish landings will be monitored throughout the remainder of the biennium, and further adjustments to trip limits or management measures may be made as necessary to allow achievement of, or to avoid exceeding, optimum yields (OYs).

#### Commercial Sablefish Fishery Management Measures

The Council considered adjustments to 2007 sablefish trip limits in the limited entry non-whiting trawl fishery and in the open access daily trip limit (DTL) fishery. At the Council's November 2007 meeting, an advisory body to the Council, the Groundfish Management Team (GMT), reviewed the best available data on estimates of landed catch and total mortality for the sablefish in the limited entry trawl and open access fisheries. These data, which estimated catch through the end of October, were compared to catch and mortality estimates modeled for these fisheries and were used to update catch predictions through the end of the year. Based on the Pacific Fishery Information Network's (PacFIN's) Quota

Species Monitoring (QSM) data, landed catch and total mortality data to date for 2007 have been lower than expected for: sablefish taken with large and small footrope trawl gear north of 40°10' N. lat.; sablefish taken with trawl gear south of 40°10' N. lat., and in the open access sablefish DTL fishery north of 36° N. lat. The Council considered increases to sablefish trip limits in these fisheries and the potential impacts on overall catch levels and overfished species.

The most recently updated catch projections for 2007 indicate 89 percent (2,380 mt out of 2,651 mt) of the trawl allocation of sablefish north of 36°, and 77 percent (350 mt out of 456 mt) of the open access allocation of sablefish is expected to be taken through the end of the year. This action would not increase estimated impacts on overfished species because estimated mortality for overfished species for 2007 assume that these sectors will achieve their sablefish allocations. Therefore, the Council recommended and NMFS is implementing: an increase in the limited entry trawl limits for large and small footrope trawl gear north of 40°10.00' N. lat. from 22,000 lb (9,979 kg) per two months to 30,000 lb (13,608 kg) per two months; an increase in the sablefish trawl trip limits south of 40°10' N. lat. from 22,000 lb (9,979 kg) per two months to 30,000 lb (13,608 kg) per two months; and an increase in the open access sablefish daily trip limits between 40°10.00' N. lat. and 36° N. lat. from "300 lb (136 kg) per day, or 1 landing per week of up to 700 lb (318 kg), not to exceed 2,100 lb (953 kg) per two months" to "300 lb (136 kg) per day, or 1 landing per week of up to 1,000 lb (454 kg), not to exceed 3,000 lb (1,360 kg) per two months", beginning December 1 through the remainder of 2007.

#### Classification

These actions are taken under the authority of 50 CFR 660.370(c) and are exempt from review under Executive Order 12866.

These actions are authorized by the Pacific Coast groundfish FMP and its implementing regulations, and are based on the most recent data available. The aggregate data, upon which these actions are based, are available for public inspection at the Office of the Administrator, Northwest Region, NMFS, (see **ADDRESSES**) during business hours.

For the following reasons, NMFS finds good cause to waive prior public notice and comment on the revisions to groundfish management measures under 5 U.S.C. 553(b)(3)(B) because notice and comment would be impracticable and contrary to the public interest. Also for the same reasons, NMFS finds good cause to waive the 30-day delay in effectiveness pursuant to 5 U.S.C. 553(d)(1) and 5 U.S.C. 553(d)(3).

The data upon which these recommendations were based was provided to the Council and the Council made its recommendations at its November 5–9, 2007, meeting in San Diego, California. The Council recommended that these changes be implemented on or as close as possible to December 1, 2007. There was not sufficient time after that meeting to draft this document and undergo proposed and final rulemaking before these actions need to be in effect. For the actions to be implemented in this notice, affording the time necessary for prior notice and opportunity for public comment would be impractical and contrary to the public interest because it would prevent the Agency from managing fisheries using the best available science to approach without exceeding the OYs for federally managed species. The adjustments to management measures in this document affect commercial groundfish fisheries off Washington, Oregon, and California.

Changes to the sablefish cumulative limits for the rest of 2007 in the non-whiting commercial fisheries must be implemented as soon as possible to relieve a restriction by allowing fishermen increased opportunities to harvest available healthy stocks.

Changes to sablefish cumulative limits for the following fisheries must be implemented as close as possible to December 1, 2007: (1) limited entry trawl fishery north and south of 40°10.00' N. lat.; and (2) open access daily trip limit fishery between 40°10.00' N. lat. and 36° N. lat. It would be contrary to the public interest to wait to implement these trip limit changes until after public notice and comment, because making these regulatory changes as soon as possible relieves an unnecessary regulatory restriction for fisheries that are important to coastal communities. For the same reasons, allowing a 30-day delay in effectiveness would be contrary to the public interest.

Delaying these changes would keep management measures in place that are not based on the best available data, which could risk fisheries exceeding OYs, or deny fishermen access to available harvest. Such delay would impair achievement of one of the Pacific Coast Groundfish FMP objectives of providing for year-round harvest opportunities or extending fishing opportunities as long as practicable during the fishing year.

#### List of Subjects in 50 CFR Part 660

Administrative practice and procedure, Fisheries, Fishing, Reporting and recordkeeping requirements.

Dated: November 28, 2007.

**Emily H. Menashes**

*Acting 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.*

■ 2. Tables 3 (North) and 3 (South) to part 660, subpart G are revised to read as follows:

**Table 3 (North) to Part 660, Subpart G -- 2007-2008 Trip Limits for Limited Entry Trawl Gear North of 40°10' N. Lat.  
Other Limits and Requirements Apply -- Read § 660.301 - § 660.399 before using this table**

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|   | JAN-FEB                       | MAR-APR        | MAY-JUN        | JUL-AUG                | SEP-OCT | NOV-DEC |
|---|-------------------------------|----------------|----------------|------------------------|---------|---------|
| <b>Rockfish Conservation Area (RCA)<sup>6/</sup>:</b> |                               |                |                |                        |         |         |
| North of 48°10.00' N. lat.                            |                               |                | shore - 150 fm | shore - 75 fm - 200 fm |         |         |
| 48°10.00' N. lat. - 46°38.17' N. lat.                 |                               |                | 75 fm - 150 fm | 75 fm - 200 fm         |         |         |
| 46°38.17' N. lat. - 46°16.00 N. lat.                  |                               |                | 60 fm - 150 fm | 60 fm - 200 fm         |         |         |
| 46°16.00 N. lat. - 45°03.83 N. lat.                   | 75 fm - modified<br>250 fm 7/ | 75 fm - 250 fm | 75 fm - 150 fm | 75 fm - 200 fm         |         |         |
| 45°03.83' N. lat. - 43°20.83' N. lat.                 |                               |                | 75 fm - 200 fm |                        |         |         |
| 43°20.83' N. lat. - 42°40.50' N. lat.                 |                               |                | shore - 200 fm | 75 fm - 200 fm         |         |         |
| 42°40.50' N. lat. - 40°10.00' N. lat.                 |                               |                | 75 fm - 200 fm |                        |         |         |

Selective flatfish trawl gear is required shoreward of the RCA; all trawl gear (large footrope, selective flatfish trawl, and small footrope trawl gear) is permitted seaward of the RCA. Large footrope trawl gear is prohibited shoreward of the RCA. Midwater trawl gear is permitted only for vessels participating in the primary whiting season.

See § 660.370 and § 660.381 for Additional Gear, Trip Limit, and Conservation Area Requirements and Restrictions. See §§ 660.390-660.394 and §§ 660.396-660.399 for Conservation Area Descriptions and Coordinates (including RCAs, YRCA, CCAs, Farallon Islands, Cordell Banks, and EFHCAs).

State trip limits and seasons may be more restrictive than federal trip limits, particularly in waters off Oregon and California.

|    |  |                     |                     |                     |                     |
|----|--|---------------------|---------------------|---------------------|---------------------|
| 1  | Minor slope rockfish <sup>2/</sup> & Darkblotched rockfish | 4,000 lb/ 2 months  | 1,500 lb/ 2 months  |                     |                     |
| 2  | Pacific ocean perch  |                     | 3,000 lb/ 2 months  |                     |                     |
| 3  | DTS complex  |                     |                     |                     |                     |
| 4  | Sablefish  |                     |                     |                     |                     |
| 5  | large & small footrope gear                                | 13,000 lb/ 2 months | 15,000 lb/ 2 months | 22,000 lb/ 2 months | 30,000 lb/ 2 months |
| 6  | selective flatfish trawl gear                              | 5,000 lb/ 2 months  | 8,000 lb/ 2 months  | 5,000 lb/ 2 months  |                     |
| 7  | multiple bottom trawl gear <sup>8/</sup>                   | 5,000 lb/ 2 months  | 8,000 lb/ 2 months  | 5,000 lb/ 2 months  |                     |
| 8  | Longspine thornyhead                                       |                     |                     |                     |                     |
| 9  | large & small footrope gear                                | 22,000 lb/ 2 months |                     | 25,000 lb/ 2 months |                     |
| 10 | selective flatfish trawl gear                              |                     | 3,000 lb/ 2 months  |                     |                     |
| 11 | multiple bottom trawl gear <sup>8/</sup>                   |                     | 3,000 lb/ 2 months  |                     |                     |
| 12 | Shortspine thornyhead                                      |                     |                     |                     |                     |
| 13 | large & small footrope gear                                | 7,500 lb/ 2 months  | 10,000 lb/ 2 months | 12,000 lb/ 2 months |                     |
| 14 | selective flatfish trawl gear                              |                     | 3,000 lb/ 2 months  |                     |                     |
| 15 | multiple bottom trawl gear <sup>8/</sup>                   |                     | 3,000 lb/ 2 months  |                     |                     |
| 16 | Dover sole   |                     |                     |                     |                     |
| 17 | large & small footrope gear                                | 80,000 lb/ 2 months | 60,000 lb/ 2 months | 95,000 lb/ 2 months |                     |
| 18 | selective flatfish trawl gear                              | 40,000 lb/ 2 months | 38,000 lb/ 2 months | 25,000 lb/ 2 months |                     |
| 19 | multiple bottom trawl gear <sup>8/</sup>                   | 40,000 lb/ 2 months | 38,000 lb/ 2 months | 25,000 lb/ 2 months |                     |

**TABLE 3 (North)**

Table 3 (North). Continued

|    |  |  |  |   |  |   |                       |  |
|----|--|--|--|---|--|---|-----------------------|--|
| 20 | Whiting  |  |  |   |  |   | TABLE 3 (North) con't |  |
| 21 | midwater trawl   | Before the primary whiting season: CLOSED. -- During the primary season: mid-water trawl permitted in the RCA. See §660.373 for season and trip limit details. -- After the primary whiting season: CLOSED.  |  |   |  |   |                       |  |
| 22 | large & small footrope gear  | Before the primary whiting season: 20,000 lb/trip. -- During the primary season: 10,000 lb/trip. -- After the primary whiting season: 10,000 lb/trip.  |  |   |  |   |                       |  |
| 23 | Flatfish (except Dover sole)   |  |  |   |  |   | TABLE 3 (North) con't |  |
| 24 | Arrowtooth flounder  |  |  |   |  |   |                       |  |
| 25 | large & small footrope gear  | 100,000 lb/ 2 months   | Arrowtooth included within other flatfish limits -- see below                        |   |  |   |                       |  |
| 26 | selective flatfish trawl gear  | 90,000 lb/ 2 months  |  |   |  |   |                       |  |
| 27 | multiple bottom trawl gear <sup>8/</sup>   | 90,000 lb/ 2 months  |  |   |  |   |                       |  |
| 28 | Other flatfish <sup>3/</sup> , English sole, starry flounder, & Petrale sole                     |  |  |   |  |   |                       |  |
| 29 | large & small footrope gear for Other flatfish <sup>3/</sup> , English sole, & starry flounder   | 110,000 lb/ 2 months   | 110,000 lb/ 2 months, no more than 30,000 lb/ 2 months of which may be petrale sole. | 110,000 lb/ 2 months (including arrowtooth), no more than 20,000 lb/ 2 months of which may be petrale sole. | 150,000 lb/ 2 mo (including arrowtooth), no more than 20,000 lb/ 2 mo of which may be petrale sole.        | 150,000 lb/ 2 months (including arrowtooth)   | TABLE 3 (North) con't |  |
| 30 | large & small footrope gear for Petrale sole   | 50,000 lb/ 2 months  |  |   |  | 40,000 lb/ 2 months   |                       |  |
| 31 | selective flatfish trawl gear for Other flatfish <sup>3/</sup> , English sole, & starry flounder | 90,000 lb/ 2 months, no more than 16,000 lb/ 2 months of which may be petrale sole.  | 90,000 lb/ 2 months, no more than 25,000 lb/ 2 months of which may be petrale sole.  | 70,000 lb/ 2 months (including arrowtooth), no more than 20,000 lb/ 2 months of which may be petrale sole.  | 70,000 lb/ 2 months (including arrowtooth), no more than 15,000 lb/ 2 months of which may be petrale sole. | 30,000 lb/ 2 months (including arrowtooth), no more than 8,000 lb/ 2 months of which may be petrale sole. |                       |  |
| 32 | selective flatfish trawl gear for Petrale sole   |  |  |   |  |   |                       |  |
| 33 | multiple bottom trawl gear <sup>8/</sup>   | 90,000 lb/ 2 months, no more than 16,000 lb/ 2 months of which may be petrale sole.  | 90,000 lb/ 2 months, no more than 25,000 lb/ 2 months of which may be petrale sole.  | 70,000 lb/ 2 months (including arrowtooth), no more than 20,000 lb/ 2 months of which may be petrale sole.  | 70,000 lb/ 2 months (including arrowtooth), no more than 15,000 lb/ 2 months of which may be petrale sole. | 30,000 lb/ 2 months (including arrowtooth), no more than 8,000 lb/ 2 months of which may be petrale sole. |                       |  |
| 34 | Minor shelf rockfish <sup>1/</sup> , Shortbelly, Widow & Yelloweye rockfish                      |  |  |   |  |   |                       |  |
| 35 | midwater trawl for Widow rockfish  | Before the primary whiting season: CLOSED. -- During primary whiting season: In trips of at least 10,000 lb of whiting, combined widow and yellowtail limit of 500 lb/ trip, cumulative widow limit of 1,500 lb/ month. Mid-water trawl permitted in the RCA. See §660.373 for primary whiting season and trip limit details. -- After the primary whiting season: CLOSED. |  |   |  |   | TABLE 3 (North) con't |  |
| 36 | large & small footrope gear  | 300 lb/ 2 months   |  |   |  |   |                       |  |
| 37 | selective flatfish trawl gear  | 300 lb/ month  | 1,000 lb/ month, no more than 200 lb/ month of which may be yelloweye rockfish       |   | 300 lb/ month  |   |                       |  |
| 38 | multiple bottom trawl gear <sup>8/</sup>   | 300 lb/ month  | 300 lb/ 2 months, no more than 200 lb/ month of which may be yelloweye rockfish      |   | 300 lb/ month  |   |                       |  |

Table 3 (North). Continued

|    |   |   |                      |                      |                     |
|----|---|---|----------------------|----------------------|---------------------|
| 39 | Canary rockfish                           |   |                      |                      |                     |
| 40 | large & small footrope gear               |   | CLOSED               |                      |                     |
| 41 | selective flatfish trawl gear             | 100 lb/ month   | 300 lb/ month        | 100 lb/ month        |                     |
| 42 | multiple bottom trawl gear <sup>8/</sup>  |   | CLOSED               |                      |                     |
| 43 | Yellowtail                                |   |                      |                      |                     |
| 44 | midwater trawl                            | Before the primary whiting season: CLOSED. -- During primary whiting season: In trips of at least 10,000 lb of whiting: combined widow and yellowtail limit of 500 lb/ trip, cumulative yellowtail limit of 2,000 lb/ month. Mid-water trawl permitted in the RCA. See §660.373 for primary whiting season and trip limit details. -- After the primary whiting season: CLOSED. |                      |                      |                     |
| 45 | large & small footrope gear               |   | 300 lb/ 2 months     |                      |                     |
| 46 | selective flatfish trawl gear             |   | 2,000 lb/ 2 months   |                      |                     |
| 47 | multiple bottom trawl gear <sup>8/</sup>  |   | 300 lb/ 2 months     |                      |                     |
| 48 | Minor nearshore rockfish & Black rockfish |   |                      |                      |                     |
| 49 | large & small footrope gear               |   | CLOSED               |                      |                     |
| 50 | selective flatfish trawl gear             |   | 300 lb/ month        |                      |                     |
| 51 | multiple bottom trawl gear <sup>8/</sup>  |   | CLOSED               |                      |                     |
| 52 | Lingcod <sup>4/</sup>                     |   |                      |                      |                     |
| 53 | large & small footrope gear               | 1,200 lb/ 2 months  | 4,000 lb/ 2 months   |                      |                     |
| 54 | selective flatfish trawl gear             |   | 1,200 lb/ 2 months   |                      |                     |
| 55 | multiple bottom trawl gear <sup>8/</sup>  |   |                      |                      |                     |
| 56 | Pacific cod                               | 30,000 lb/ 2 months   | 70,000 lb/ 2 months  |                      | 30,000 lb/ 2 months |
| 57 | Spiny dogfish                             | 200,000 lb/ 2 months  | 150,000 lb/ 2 months | 100,000 lb/ 2 months |                     |
| 58 | Other Fish <sup>5/</sup>                  |   | Not limited          |                      |                     |

TABLE 3 (North) con't

1/ Bocaccio, chilipepper and cowcod are included in the trip limits for minor shelf rockfish.

2/ Splitnose rockfish is included in the trip limits for minor slope rockfish.

3/ "Other flatfish" are defined at § 660.302 and include butter sole, curfin sole, flathead sole, Pacific sanddab, rex sole, rock sole, and sand sole.

4/ The minimum size limit for lingcod is 24 inches (61 cm) total length.

5/ "Other fish" are defined at § 660.302 and include sharks, skates, ratfish, morids, grenadiers, and kelp greenling.

Cabezon is included in the trip limits for "other fish."

6/ The Rockfish Conservation Area is a gear and/or sector specific closed area generally described by depth contours but specifically defined by lat/long coordinates set out at §§ 660.391-660.394.

7/ The "modified 200 fm" line is modified to exclude certain petrale sole areas from the RCA.

8/ If a vessel has both selective flatfish gear and large or small footrope gear on board during a cumulative limit period (either simultaneously or successively), the most restrictive cumulative limit for any gear on board during the cumulative limit period applies for the entire cumulative limit period.

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

**Table 3 (South) to Part 660, Subpart G -- 2007-2008 Trip Limits for Limited Entry Trawl Gear South of 40°10' N. Lat.**

Other Limits and Requirements Apply – Read § 660.301 - § 660.399 before using this table

112007

|   | JAN-FEB                                   | MAR-APR   | MAY-JUN   | JUL-AUG   | SEP-OCT                                     | NOV-DEC                                   |
|---|---|---|---|---|---|---|
| <b>Rockfish Conservation Area (RCA)<sup>6/</sup>:</b>   |   |   |   |   |   |   |
| 40°10' - 38° N. lat.  | 100 fm - modified 200 fm<br><sup>7/</sup> |   |   | 100 fm - 150 fm   |   | 100 fm - modified 200 fm<br><sup>7/</sup> |
| 38° - 34°27' N. lat.  |   |   |   | 100 fm - 150 fm   |   |   |
| South of 34°27' N. lat.   |   | 100 fm - 150 fm along the mainland coast; shoreline - 150 fm around islands   |   |   |   |   |
| All trawl gear (large footrope, selective flatfish trawl, and small footrope trawl gear) is permitted seaward of the RCA. Large footrope trawl gear is prohibited shoreward of the RCA. Midwater trawl gear is permitted only for vessels participating in the primary whiting season.        |   |   |   |   |   |   |
| See § 660.370 and § 660.381 for Additional Gear, Trip Limit, and Conservation Area Requirements and Restrictions. See §§ 660.390-660.394 and §§ 660.396-660.399 for Conservation Area Descriptions and Coordinates (including RCAs, YRCA, CCAs, Farallon Islands, Cordell Banks, and EFHCAs). |   |   |   |   |   |   |
| State trip limits and seasons may be more restrictive than federal trip limits, particularly in waters off Oregon and California.   |   |   |   |   |   |   |
| <b>1 Minor slope rockfish<sup>2/</sup> &amp; Darkblotched rockfish</b>  |   |   |   |   |   |   |
| 2 40°10' - 38° N. lat.  |   | 15,000 lb/ 2 months   |   | 10,000 lb/ 2 months   |   | 15,000 lb/ 2 months                       |
| 3 South of 38° N. lat.  |   | 40,000 lb/ 2 months   |   |   | 55,000 lb/ 2 months                         |   |
| <b>4 Splitnose</b>  |   |   |   |   |   |   |
| 5 40°10' - 38° N. lat.  |   | 15,000 lb/ 2 months   |   | 10,000 lb/ 2 months   |   | 15,000 lb/ 2 months                       |
| 6 South of 38° N. lat.  |   | 40,000 lb/ 2 months   |   |   |   |   |
| <b>7 DTS complex</b>  |   |   |   |   |   |   |
| 8 Sablefish   |   | 14,000 lb/ 2 months   |   |   | 22,000 lb/ 2 months                         | 30,000 lb/ 2 months                       |
| 9 Longspine thornyhead  |   | 22,000 lb/ 2 months   |   |   | 25,000 lb/ 2 months                         |   |
| 10 Shortspine thornyhead  |   | 7,500 lb/ 2 months  |   |   | 13,000 lb/ 2 months                         |   |
| 11 Dover sole   |   | 70,000 lb/ 2 months   |   | 80,000 lb/ 2 months   | 95,000 lb/ 2 months                         |   |
| <b>12 Flatfish (except Dover sole)</b>  |   |   |   |   |   |   |
| 13 Other flatfish <sup>3/</sup> , English sole, & starry flounder   |   |   |   |   |   |   |
| 14 40°10' - 38° N. lat.   | 110,000 lb/ 2 months                      | Other flatfish, English sole, starry flounder & Petrale sole: 110,000 lb/ 2 months, no more than 30,000 lb/ 2 months of which may be petrale sole.  | Other flatfish, English sole, starry flounder, arrowtooth flounder & Petrale sole: 110,000 lb/ 2 months, no more than 25,000 lb/ 2 months of which may be petrale sole. | Other flatfish, English sole, starry flounder, arrowtooth flounder & Petrale sole: 150,000 lb/ 2 mo, no more than 25,000 lb/ 2 mo of which may be petrale sole. | 150,000 lb/ 2 months (including arrowtooth) |   |
| 15 South of 38° N. lat.   |   |   |   |   |   |   |
| 16 Petrale sole   | 50,000 lb/ 2 months                       |   |   |   | 50,000 lb/ 2 months                         |   |
| <b>17 Arrowtooth flounder</b>   |   |   |   |   |   |   |
| 18 40°10' - 38° N. lat.   | 10,000 lb/ 2 months                       | Arrowtooth included within other flatfish limits -- see above   |   |   |   |   |
| 19 South of 38° N. lat.   |   |   |   |   |   |   |
| <b>20 Whiting</b>   |   |   |   |   |   |   |
| 21 midwater trawl   |   | Before the primary whiting season: CLOSED. – During the primary season: mid-water trawl permitted in the RCA. See §660.373 for season and trip limit details. – After the primary whiting season: CLOSED. |   |   |   |   |
| 22 large & small footrope gear  |   | Before the primary whiting season: 20,000 lb/trip. – During the primary season: 10,000 lb/trip. -- After the primary whiting season: 10,000 lb/trip.  |   |   |   |   |

**TABLE 3 (South)**

Table 3 (South). Continued

|    |  |                      |                      |                      |                      |  |  |
|----|--|----------------------|----------------------|----------------------|----------------------|--|--|
| 23 | <b>Minor shelf rockfish<sup>1/</sup>, Chilipepper, Shortbelly, Widow, &amp; Yelloweye rockfish</b> |                      |                      |                      | TABLE 3 (South) cont |  |  |
| 24 | large footrope or midwater trawl for Minor shelf rockfish & Shortbelly                             | 300 lb/ month        |                      |                      |                      |  |  |
| 25 | large footrope or midwater trawl for Chilipepper   | 2,000 lb/ 2 months   | 12,000 lb/ 2 months  | 8,000 lb/ 2 months   |                      |  |  |
| 26 | large footrope or midwater trawl for Widow & Yelloweye   | CLOSED               |                      |                      |                      |  |  |
| 27 | small footrope trawl for Minor Shelf, Shortbelly, Widow & Yelloweye                                | 300 lb/ month        |                      |                      |                      |  |  |
| 28 | small footrope trawl for Chilipepper   | 500 lb/ month        | 800 lb/ month        |                      |                      |  |  |
| 29 | <b>Bocaccio</b>  |                      |                      |                      |                      |  |  |
| 30 | large footrope or midwater trawl   | 300 lb/ 2 months     |                      |                      |                      |  |  |
| 31 | small footrope trawl   | CLOSED               |                      |                      |                      |  |  |
| 32 | <b>Canary rockfish</b>   |                      |                      |                      |                      |  |  |
| 33 | large footrope or midwater trawl   | CLOSED               |                      |                      |                      |  |  |
| 34 | small footrope trawl   | 100 lb/ month        | 300 lb/ month        | 100 lb/ month        |                      |  |  |
| 35 | <b>Cowcod</b>  | CLOSED               |                      |                      |                      |  |  |
| 36 | <b>Minor nearshore rockfish &amp; Black rockfish</b>   |                      |                      |                      |                      |  |  |
| 37 | large footrope or midwater trawl   | CLOSED               |                      |                      |                      |  |  |
| 38 | small footrope trawl   | 300 lb/ month        |                      |                      |                      |  |  |
| 39 | <b>Lingcod<sup>4/</sup></b>  |                      |                      |                      |                      |  |  |
| 40 | large footrope or midwater trawl   | 1,200 lb/ 2 months   | 4,000 lb/ 2 months   |                      |                      |  |  |
| 41 | small footrope trawl   |                      | 1,200 lb/ 2 months   |                      |                      |  |  |
| 42 | <b>Pacific cod</b>   | 30,000 lb/ 2 months  | 70,000 lb/ 2 months  |                      | 30,000 lb/ 2 months  |  |  |
| 43 | <b>Spiny dogfish</b>   | 200,000 lb/ 2 months | 150,000 lb/ 2 months | 100,000 lb/ 2 months |                      |  |  |
| 44 | <b>Other Fish<sup>5/</sup> &amp; Cabezon</b>   | Not limited          |                      |                      |                      |  |  |

1/ Yellowtail is included in the trip limits for minor shelf rockfish.

2/ POP is included in the trip limits for minor slope rockfish

3/ "Other flatfish" are defined at § 660.302 and include butter sole, curlfin sole, flathead sole, Pacific sanddab, rex sole, rock sole, and sand sole.

4/ The minimum size limit for lingcod is 24 inches (61 cm) total length.

5/ Other fish are defined at § 660.302 and include sharks, skates, ratfish, morids, grenadiers, and kelp greenling.

6/ The Rockfish Conservation Area is a gear and/or sector specific closed area generally described by depth contours but specifically defined by lat/long coordinates set out at §§ 660.391-660.394.

7/ The "modified 200 fm" line is modified to exclude certain petrale sole areas from the RCA.

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

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

**Table 5 (South) to Part 660, Subpart G -- 2007-2008 Trip Limits for Open Access Gears South of 40°10' N. Lat.**

Other Limits and Requirements Apply – Read § 660.301 - § 660.399 before using this table

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|   |                         | JAN-FEB          | MAR-APR | MAY-JUN   | JUL-AUG  | SEP-OCT          | NOV-DEC  |
|---|-------------------------|------------------|---------|---|--|------------------|--|
| <b>Rockfish Conservation Area (RCA)<sup>5/</sup>:</b>   |                         |                  |         |   |  |                  |  |
| 40°10' - 34°27' N. lat.   |                         |                  |         | 30 fm - 150 fm  |  |                  |  |
| South of 34°27' N. lat.   |                         |                  |         |   |  |                  |  |
| 60 fm - 150 fm (also applies around islands)  |                         |                  |         |   |  |                  |  |
| See § 660.370 and § 660.383 for Additional Gear, Trip Limit, and Conservation Area Requirements and Restrictions.   |                         |                  |         |   |  |                  |  |
| See §§ 660.390-660.394 and §§ 660.396-660.399 for Conservation Area Descriptions and Coordinates (including RCAs, YRCA, CCAs, Farallon Islands, Cordell Banks, and EFHCAs). |                         |                  |         |   |  |                  |  |
| State trip limits and seasons may be more restrictive than federal trip limits, particularly in waters off Oregon and California.   |                         |                  |         |   |  |                  |  |
| <b>1 Minor slope rockfish<sup>1/</sup> &amp; Darkblotched rockfish</b>  |                         |                  |         |   |  |                  |  |
| 2   | 40°10' - 38° N. lat.    |                  |         | Per trip, no more than 25% of weight of the sablefish landed  |  |                  |  |
| 3   | South of 38° N. lat.    |                  |         | 10,000 lb/ 2 months   |  |                  |  |
| <b>4 Splitnose</b>  |                         |                  |         | 200 lb/ month   |  |                  |  |
| <b>5 Sablefish</b>  |                         |                  |         |   |  |                  |  |
| 6   | 40°10' - 36° N. lat.    |                  |         | 300 lb/ day, or 1 landing per week of up to 700 lb, not to exceed 2,100 lb/ 2 months  |  |                  | 300 lb/ day, or 1 landing per week of up to 1,000 lb, not to exceed 3,000 lb/ 2 months |
| 7   | South of 36° N. lat.    |                  |         | 300 lb/ day, or 1 landing per week of up to 700 lb  | 350 lb/ day, or 1 landing per week of up to 1,050 lb |                  |  |
| <b>8 Thornyheads</b>  |                         |                  |         | CLOSED  |  |                  |  |
| 9   | 40°10' - 34°27' N. lat. |                  |         |   |  |                  |  |
| 10  | South of 34°27' N. lat. |                  |         | 50 lb/ day, no more than 1,000 lb/ 2 months   |  |                  |  |
| <b>11 Dover sole</b>  |                         |                  |         |   |  |                  |  |
| <b>12 Arrowtooth flounder</b>   |                         |                  |         | 3,000 lb/month, no more than 300 lb of which may be species other than Pacific sanddabs. 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 11 mm (0.44 inches) point to shank, and up to two 1 lb (0.45 kg) weights per line are not subject to the RCAs. |  |                  |  |
| <b>13 Petrale sole</b>  |                         |                  |         |   |  |                  |  |
| <b>14 English sole</b>  |                         |                  |         |   |  |                  |  |
| <b>15 Starry flounder</b>   |                         |                  |         |   |  |                  |  |
| <b>16 Other flatfish<sup>2/</sup></b>   |                         |                  |         |   |  |                  |  |
| <b>17 Whiting</b>   |                         |                  |         | 300 lb/ month   |  |                  |  |
| <b>18 Minor shelf rockfish<sup>1/</sup>, Shortbelly, Widow &amp; Chilipepper rockfish</b>   |                         |                  |         |   |  |                  |  |
| 19  | 40°10' - 34°27' N. lat. | 300 lb/ 2 months |         | 200 lb/ 2 months  |  | 300 lb/ 2 months |  |
| 20  | South of 34°27' N. lat. | 750 lb/ 2 months | CLOSED  |   | 750 lb/ 2 months                                     |                  |  |
| <b>21 Canary rockfish</b>   |                         |                  |         | CLOSED  |  |                  |  |
| <b>22 Yelloweye rockfish</b>  |                         |                  |         | CLOSED  |  |                  |  |
| <b>23 Cowcod</b>  |                         |                  |         | CLOSED  |  |                  |  |
| <b>24 Bocaccio</b>  |                         |                  |         |   |  |                  |  |
| 25  | 40°10' - 34°27' N. lat. | 200 lb/ 2 months |         | 100 lb/ 2 months  |  | 200 lb/ 2 months |  |
| 26  | South of 34°27' N. lat. | 100 lb/ 2 months | CLOSED  |   | 100 lb/ 2 months                                     |                  |  |

TABLE 5 (South)

Table 5 (South). Continued

|    |   |   |                 |                      |                      |  |                  |                       |  |  |  |  |  |  |  |  |  |  |  |  |
|----|---|---|-----------------|----------------------|----------------------|--|------------------|-----------------------|--|--|--|--|--|--|--|--|--|--|--|--|
| 27 | Minor nearshore rockfish & Black rockfish   |   |                 |                      |                      |  |                  | TABLE 5 (South) cont' |  |  |  |  |  |  |  |  |  |  |  |  |
| 28 | Shallow nearshore   | 600 lb/ 2 months  | CLOSED          | 800 lb/ 2 months     | 900 lb/ 2 months     | 800 lb/ 2 months                       | 600 lb/ 2 months |                       |  |  |  |  |  |  |  |  |  |  |  |  |
| 29 | Deeper nearshore  |   |                 |                      |                      |  |                  |                       |  |  |  |  |  |  |  |  |  |  |  |  |
| 30 | 40°10' - 34°27' N. lat.   | 700 lb/ 2 months  | CLOSED          | 700 lb/ 2 months     | 600 lb/ 2 months     | 700 lb/ 2 months                       |                  |                       |  |  |  |  |  |  |  |  |  |  |  |  |
| 31 | South of 34°27' N. lat.   | 500 lb/ 2 months  |                 |                      | 600 lb/ 2 months     |  |                  |                       |  |  |  |  |  |  |  |  |  |  |  |  |
| 32 | California scorpionfish   | 600 lb/ 2 months  | CLOSED          | 600 lb/ 2 months     | 800 lb/ 2 months     | 600 lb/ 2 months                       |                  |                       |  |  |  |  |  |  |  |  |  |  |  |  |
| 33 | Lingcod <sup>3/</sup>   | CLOSED  |                 | 400 lb/ month        |                      |  | CLOSED           |                       |  |  |  |  |  |  |  |  |  |  |  |  |
| 34 | Pacific cod   | 1,000 lb/ 2 months  |                 |                      |                      |  |                  |                       |  |  |  |  |  |  |  |  |  |  |  |  |
| 35 | Spiny dogfish   | 200,000 lb/ 2 months  |                 | 150,000 lb/ 2 months | 100,000 lb/ 2 months |  |                  |                       |  |  |  |  |  |  |  |  |  |  |  |  |
| 36 | Other Fish <sup>4/</sup> & Cabezon  | Not limited   |                 |                      |                      |  |                  |                       |  |  |  |  |  |  |  |  |  |  |  |  |
| 37 | RIDGEBACK PRAWN AND, SOUTH OF 38°57.50' N. LAT., CA HALIBUT AND SEA CUCUMBER NON-GROUNDFISH TRAWL     |   |                 |                      |                      |  |                  |                       |  |  |  |  |  |  |  |  |  |  |  |  |
| 38 | NON-GROUNDFISH TRAWL Rockfish Conservation Area (RCA) for CA Halibut, Sea Cucumber & Ridgeback Prawn: |   |                 |                      |                      |  |                  |                       |  |  |  |  |  |  |  |  |  |  |  |  |
| 39 | 40°10' - 38° N. lat.  | 100 fm - modified 200 fm <sup>6/</sup>  | 100 fm - 150 fm |                      |                      | 100 fm - modified 200 fm <sup>6/</sup> |                  |                       |  |  |  |  |  |  |  |  |  |  |  |  |
| 40 | 38° - 34°27' N. lat.  | 100 fm - 150 fm   |                 |                      |                      |  |                  |                       |  |  |  |  |  |  |  |  |  |  |  |  |
| 41 | South of 34°27' N. lat.   | 100 fm - 150 fm along the mainland coast; shoreline - 150 fm around islands   |                 |                      |                      |  |                  |                       |  |  |  |  |  |  |  |  |  |  |  |  |
| 42 |   | Groundfish: 300 lb/trip. Trip limits in this table 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 31). |                 |                      |                      |  |                  |                       |  |  |  |  |  |  |  |  |  |  |  |  |
| 43 | PINK SHRIMP NON-GROUNDFISH TRAWL GEAR (not subject to RCAs)   |   |                 |                      |                      |  |                  |                       |  |  |  |  |  |  |  |  |  |  |  |  |
| 44 | 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, 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/ Yellowtail rockfish is included in the trip limits for minor shelf rockfish and POP is included in the trip limits for minor slope rockfish.

2/ "Other flatfish" are defined at § 660.302 and include butter sole, curfin sole, flathead sole, Pacific sanddab, rex sole, rock sole, and sand sole.

3/ The size limit for lingcod is 24 inches (61 cm) total length.

4/ "Other fish" are defined at § 660.302 and include sharks, skates, ratfish, morids, grenadiers, and kelp greenling.

5/ The Rockfish Conservation Area is a gear and/or sector specific closed area generally described by depth contours but specifically defined by lat/long coordinates set out at §§ 660.391-660.394, except that the 20-fm depth contour off California is defined by the depth contour and not coordinates.

6/ The "modified 200 fm" line is modified to exclude certain petrale sole areas from the RCA.

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