

and non-ESA-listed seabirds, and fish species longer than 6 ft (1.8 m) in length) may be discarded. For any ESA-listed seabirds that are brought on board, vessel operators must follow any relevant instructions for handling and disposition under § 660.21(c)(1)(v).

(iii) Crabs, starfish, coral, sponges, and other invertebrates may be discarded.

(iv) Trash, mud, rocks, and other inorganic debris may be discarded.

(v) A discard that is the result of an event that is beyond the control of the vessel operator or crew, such as a safety issue or mechanical failure, is permitted.

(4) *Optimized retention bottom trawl and non-whiting midwater trawl trips.* On a declared optimized retention trip using bottom trawl gear, or midwater trawl gear in which Pacific whiting constitutes less than 50 percent of the catch by weight at landing, the vessel owner and operator are responsible for the following:

(i) The vessel must retain IFQ species (as defined at § 660.140(c)), except for Arrowtooth flounder, English sole, Dover sole, deep sea sole, Pacific sanddab, Pacific whiting, lingcod and starry flounder; must retain salmon and eulachon; and must retain the following non-IFQ species: greenland turbot; slender sole; hybrid sole; c-o sole; bigmouth sole; fantail sole; hornyhead turbot; spotted turbot; California halibut; northern rockfish; black rockfish; blue rockfish; shortbelly rockfish; olive rockfish; Puget Sound rockfish; semaphore rockfish; walleye pollock; slender codling; Pacific tom cod; with exceptions listed in paragraphs (p)(4)(i)(A) and (B) of this section.

(A) Mutilated and depredated fish may be discarded.

(B) A discard that is the result of an event that is beyond the control of the vessel operator or crew, such as a safety issue or mechanical failure, is permitted.

(ii) The vessel must discard Pacific halibut, green sturgeon, California halibut (except as allowed by state regulations), and nearshore groundfish species below state commercial minimum size limits, following instructions in the NMFS-accepted VMP.

(iii) Incidentally caught marine mammals, non-ESA-listed seabirds, sea turtles, other ESA-listed fish, and Dungeness crab caught seaward of Washington or Oregon or south of Point Reyes, California, as described at § 660.11 *Prohibited species*, must be discarded following instructions in the NMFS-accepted VMP per paragraph

(e)(3)(iii) of this section. For any ESA-listed seabirds that are brought on board, vessel operators must follow any relevant instructions for handling and disposition under § 660.21(c)(1)(v).

(iv) Crabs, starfish, coral, sponges, and other invertebrates may be discarded.

(v) Trash, mud, rocks, and other inorganic debris may be discarded.

(vi) All discards must be discarded following instructions in the VMP per paragraph (e)(3)(iii) of this section. All discards, regardless of the source, must be reported in a discard logbook, as defined at § 660.604(s)(1), including the species (where possible), estimated weight, and reason for discard. The vessel operator is responsible for ensuring that all catch is handled in a manner that enables the EM system to record it.

(q) *Changes to retention requirements.* NMFS may specify alternate retention requirements in a NMFS-accepted VMP through the process described in paragraph (f) of this section, after consultation with the Council and issuance of a public notice notifying the public of the changes. Alternate retention requirements must be sufficient to provide NMFS with the best available information to determine individual accountability for catch, including discards, of IFQ species and compliance with requirements of the Shorebased IFQ Program (§ 660.140) and MS Coop Program (§ 660.150).

* * * * *

(s) * * *

(2) *Submission of logbooks.* Vessel operators must submit copies of the discard logbooks as described at § 660.604(s)(1) and if applicable, the trawl logbook as described at § 660.13 (a)(1), to the vessel owner's contracted EM service provider and to NMFS or its agent within 24 hours of the end of each EM trip.

(3) * * *

(i) *Shorebased IFQ vessels.* EM data from an EM trip must be submitted within 72 hours after the beginning of the offload (and no more than 10 days after the end of the first trip on the hard drive).

(ii) *Mothership catcher vessels.* EM data from an EM trip must be submitted within 72 hours of the catcher vessel's return to port.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 660

[Docket No. 201204-0325]

RIN 0648-BL85

Magnuson-Stevens Act Provisions; Fisheries off West Coast States; Pacific Coast Groundfish Fishery; 2021-2022 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.

SUMMARY: This final rule announces routine inseason adjustments to management measures in commercial groundfish fisheries. This action is intended to allow commercial fishing vessels to access more abundant groundfish stocks while protecting overfished and depleted stocks.

DATES: This final rule is effective October 3, 2022.

FOR FURTHER INFORMATION CONTACT: Keeley Kent, phone: 206-247-8252 or email: keeley.kent@noaa.gov.

Electronic Access

This rule is accessible via the internet at the Office of the Federal Register website at https://www.federalregister.gov. Background information and documents are available at the Pacific Fishery Management Council's website at http://www.pcouncil.org/.

SUPPLEMENTARY INFORMATION:

Background

The Pacific Coast Groundfish Fishery Management Plan (PCGFMP) and its implementing regulations at title 50 in the Code of Federal Regulations (CFR), part 660, subparts C through G, regulate fishing for over 90 species of groundfish off the coasts of Washington, Oregon, and California. The Pacific Fishery Management Council (Council) develops groundfish harvest specifications and management measures for two-year periods (i.e., a biennium). NMFS published the final rule to implement harvest specifications and management measures for the 2021-2022 biennium for most species managed under the PCGFMP on December 11, 2020 (85 FR 79880). In

general, the management measures set at the start of the biennial harvest specifications cycle help the various sectors of the fishery attain, but not exceed, the catch limits for each stock. The Council, in coordination with Pacific Coast Treaty Indian Tribes and the States of Washington, Oregon, and California, recommends adjustments to the management measures during the fishing year to achieve this goal.

At its September 2022 meeting, the Council recommended modifying trip limits for limited entry (LE) and open access (OA) sablefish north of 36° N. latitude, modifying trip limits for LE and OA canary rockfish north and south of 40°10' N. latitude, and modifying trip limits for LE and OA lingcod north of 42° N. latitude. Pacific Coast groundfish fisheries are managed using harvest specifications or limits (e.g., overfishing limits (OFL), acceptable biological catch (ABC), annual catch limits (ACL) and harvest guidelines (HG) recommended biennially by the Council and based on the best scientific information available at that time (50 CFR 660.60(b))). During development of the harvest specifications, the Council also recommends management measures

(e.g., trip limits, area closures, and bag limits) that are meant to manage catch so as not to exceed the harvest specifications. The harvest specifications and management measures developed for the 2021–2022 biennium used data through the 2019 fishing year. Each of the adjustments to management measures discussed below are based on updated fisheries information that was unavailable when the analysis for the current harvest specifications was completed. As new fisheries data becomes available, adjustments to management measures are projected so as to help harvesters achieve but not exceed the harvest limits.

Sablefish

Sablefish is an important commercial species on the west coast with vessels targeting sablefish with both trawl and fixed gear (longlines and pots/traps). Sablefish is managed with an ACL for north of 36° N. lat. and an ACL for south of 36° N. lat.. The 2022 ACLs for the north and south are 6,172 mt and 2,203 mt, respectively.

At the September 2022 Council meeting, the Council’s Groundfish Management Team (GMT) received

requests from industry members and members of the Council’s Groundfish Advisory Subpanel to examine the potential to increase sablefish trips limits for the LE and OA fisheries north of 36° N. lat.. The intent of increasing trip limits is to increase harvest opportunities for vessels targeting sablefish. To evaluate potential increases to sablefish trip limits, the GMT made model-based landings projections under current regulations and alternative sablefish trip limits, including the limits ultimately recommended by the Council, for the LEFG and OA fisheries through the remainder of the year. Table 1 shows the projected sablefish landings, the sablefish allocations, and the projected attainment percentage by fishery under both the current trip limits and the Council’s recommended adjusted trip limits. These projections were based on the most recent catch information available through late August 2022. Industry did not request changes to sablefish trip limits for the LE or OA fishery south of 36° N. lat. Therefore, NMFS and the Council did not consider trip limit changes for these fisheries at this time.

TABLE 1—PROJECTED LANDINGS OF SABLEFISH, SABLEFISH ALLOCATION, AND PROJECTED PERCENTAGE OF SABLEFISH ATTAINED THROUGH THE END OF THE YEAR BY TRIP LIMIT AND FISHERY

Fishery	Trip limits	Projected landings (round weight) (mt)	Allocation (mt)	Projected percentage attained
LE North of 36° N. lat	Current: 2,400 lb/week (1,089 kg), not to exceed 4,800 lb/ two months (2,177 kg).	155–178	320	48–56
	Recommended: 4,500 lb/week (2,041 kg), not to exceed 9,000 lb/two months (4,082).	203–246		63–77
OA North of 36° N. lat	Current: 600 lb/day (272 kg), 2,000 lb/week (907 kg), not to exceed 4,000 lb/two months (1,814 kg).	335–371	527	64–70
	Recommended: 600 lb/day (272 kg), 4,000 lb/week (1,814 kg), not to exceed 8,000 lb/two months (3,629 kg).	408–472		77–89

As shown in Table 1, under the current trip limits, the model predicts catches of sablefish will be at or below 56 percent, or 178 mt of the 320 mt allocation, for LE fishery north of 36° N. lat. and 70 percent, or 371 mt of the 527 mt allocation, for OA fishery north of 36° N. lat. Under the Council’s recommended trip limits, sablefish attainment is projected to increase in the LE and OA fisheries north of 36° N. lat. up to 77 and 89 percent, respectively.

Trip limit increases for sablefish are intended to increase attainment of the non-trawl HG. The proposed trip limit increases do not change projected impacts to co-occurring rebuilding species compared to the impacts

anticipated in the 2021–2022 harvest specifications because the projected impacts to those species assume that the entire sablefish ACL is harvested. Therefore, the Council recommended and NMFS is implementing, by modifying Tables 2 North and South to part 660, subpart E, and Tables 3 North and South to part 660, subpart F, trip limit changes for the LE sablefish fishery north of 36° N. lat. and trip limit changes for the OA sablefish fishery north of 36° N. lat. as shown above in Table 1. These changes will be implemented through the end of 2022.

Canary Rockfish

Prior to the September 2022 meeting, the GMT received a request from an OA

fisherman from Northern California to increase the canary rockfish OA north of 40°10' N. lat. trip limit to better align with the yellowtail rockfish trip limit in order to reduce regulatory discarding of canary rockfish. The 2022 coastwide ACL for canary rockfish is 1,307 mt.

To evaluate potential increases to canary rockfish trip limits, the GMT made model-based landings projections under current regulations and alternative trip limits, including the limits ultimately recommended by the Council, for the LE and OA fisheries through the remainder of the year. The GMT evaluated changes to the trip limits for canary rockfish both north and south of 40°10' N. lat. Table 2 shows the projected canary rockfish landings, the

canary rockfish allocations, and the projected attainment percentage by fishery under both the current trip limits and the Council’s recommended

adjusted trip limits for north of 40°10’ N. lat. and Table 3 shows the same metrics for south of 40°10’ N. lat. These projections were based on the most

recent catch information available through late August 2022.

TABLE 2—PROJECTED LANDINGS OF CANARY ROCKFISH, CANARY ROCKFISH ALLOCATION, AND PROJECTED PERCENTAGE OF CANARY ROCKFISH NORTH OF 40°10’ N. LAT. ATTAINED THROUGH THE END OF THE YEAR BY TRIP LIMIT AND FISHERY

Fishery	Trip limits	Projected landings (round weight) (mt)
LE North of 40°10’ N. lat	Current: 3,000 lb/two months (1,361 kg) Recommended: 4,000 lb/two months (1,814 kg)	3.3 3.5
OA North of 40°10’ N. lat	Current: 1,000 lb/two months (454 kg) Recommended: 2,000/two months (907 kg)	9.2 11.1

TABLE 3—PROJECTED LANDINGS OF CANARY ROCKFISH, CANARY ROCKFISH ALLOCATION, AND PROJECTED PERCENTAGE OF CANARY ROCKFISH SOUTH OF 40°10’ N. LAT. ATTAINED THROUGH THE END OF THE YEAR BY TRIP LIMIT AND FISHERY

Fishery	Trip limits	Projected landings (round weight) (mt)
LE South of 40°10’ N. lat	Current: 3,500 lb/two months (1,588 kg) Recommended: 4,000 lb/two months (1,814 kg)	6.2 6.5
OA South of 40°10’ N. lat	Current: 1,500 lb/two months (680 kg) Recommended: 2,000/two months (907 kg)	12.2 13.8

Under the current trip limits, the model predicts catches of canary rockfish coastwide will total 30.9 mt (including discard mortality), which is 25 percent of the 2022 non-trawl commercial share of canary rockfish (123.5 mt). Under the Council’s recommended trip limits, canary rockfish mortality is expected to increase to 35 mt coastwide (including discard mortality), which is 28 percent of the 2022 non-trawl commercial share of canary rockfish.

Trip limit increases for canary rockfish are intended to increase attainment of the non-trawl commercial share. The proposed trip limit increases do not change projected impacts to co-occurring rebuilding species compared to the impacts anticipated in the 2021–2022 harvest specifications because the

projected impacts to those species assume that the entire canary rockfish ACL is harvested. Therefore, the Council recommended and NMFS is implementing, by modifying Table 2 North and South to part 660, subpart E, and Table 3 North and South to part 660, subpart F, trip limit changes for LE canary rockfish north and south of 40°10’ N lat. and trip limit changes for OA canary rockfish fishery north and south of 40°10’ N lat. as shown above in Tables 2 and 3. These changes will be implemented through the end of 2022.

Lingcod

Prior to the September 2022 meeting, the GMT also received a request to increase the lingcod trip limits north of 42° N lat. to reduce regulatory discarding and increase economic opportunity. Lingcod is managed with

an ACL north of 40°10’ N lat. and an ACL south of 40°10’ N lat. The 2022 ACL for lingcod north of 40°10’ N lat. is 4,958 mt.

To evaluate potential increases to lingcod trip limits north of 42° N lat., the GMT made model-based landings projections under current regulations and alternative trip limits, including the limits ultimately recommended by the Council, for the LE and OA fisheries through the remainder of the year. Table 4 shows the projected lingcod landings, the lingcod allocations, and the projected attainment percentage by fishery under both the current trip limits and the Council’s recommended adjusted trip limits for north of 42° N lat. These projections were based on the most recent catch information available through late August 2022.

TABLE 4—PROJECTED LANDINGS OF LINGCOD, LINGCOD ALLOCATION, AND PROJECTED PERCENTAGE OF LINGCOD NORTH OF 42° N LAT. ATTAINED THROUGH THE END OF THE YEAR BY TRIP LIMIT AND FISHERY

Fishery	Trip limits	Projected landings (round weight) (mt)
LE North of 42° N lat.	Current: 5,000 lb/two months (2,268 kg)	182.76
OA North of 42° N lat.	Current: 2,500 lb/month (1,134 kg) Recommended: 7,000 lb/two months (3,175 kg)	188.76
LE North of 42° N lat.	Recommended: 3,500/month (1,588 kg)	

Under the current trip limits, the model predicts catches of lingcod north

of 42° N lat. will total 182.76 mt, which is 7.1 percent of the 2022 non-trawl

allocation of lingcod (2,573.791 mt). Under the Council’s recommended trip

limits, lingcod mortality north of 42° N lat. is expected to increase to 188.76 mt, which is 7.3 percent of the 2022 non-trawl allocation of lingcod (2,573.791 mt).

Trip limit increases for lingcod are intended to marginally increase attainment of the non-trawl allocation. The proposed trip limit increases do not appreciably change projected impacts to co-occurring rebuilding species compared to the impacts anticipated in the 2021–2022 harvest specifications because the projected impacts to those species assume that the entire lingcod ACL is harvested. Therefore, the Council recommended and NMFS is implementing, by modifying Table 2 North to part 660, subpart E, and Table 3 North to part 660, subpart F, trip limit changes for LE and OA lingcod north of 42° N lat. as shown above in Table 4. These changes will be implemented through the end of 2022.

Classification

This final rule makes routine inseason adjustments to groundfish fishery management measures, based on the best scientific information available, consistent with the PCGFMP and its implementing regulations.

This action is taken under the authority of 50 CFR 660.60(c) and is exempt from review under Executive Order 12866.

The aggregate data upon which these actions are based are available for public inspection by contacting Keeley Kent in NMFS West Coast Region (see **FOR FURTHER INFORMATION CONTACT**, above), or view at the NMFS West Coast Groundfish website: <https://www.fisheries.noaa.gov/species/west-coast-groundfish>.

Pursuant to 5 U.S.C. 553(b), NMFS finds good cause to waive prior public notice and an opportunity for public comment on this action, as notice and

comment would be impracticable and contrary to the public interest. The adjustments to management measures in this document increase trip limits for fisheries in Washington, Oregon, and California to allow additional economic opportunity while keeping catch within allocations established by the 2021–2022 harvest specifications. New information became available at the September 2022 Council meeting showing that updated 2022 catch projections using the most recent available data were lower than projections made during the harvest specifications process due to a combination of changing fishery conditions, and trip limit changes made during the 2021 fishing year. The trip limit increases are for the LE and OA sectors for sablefish north of 36° N lat., canary rockfish, and lingcod north of 42° N lat. These changes are projected to increase economic value of the fisheries by \$283,335 for sablefish, \$25,324 for canary, and \$10,660 for lingcod as well as reduce regulatory discards in these fisheries. No aspect of this action is controversial, and changes of this nature were anticipated in the final rule for the 2021–2022 harvest specifications and management measures which published on December 11, 2020 (85 FR 79880).

Delaying implementation to allow for public comment would likely reduce the economic benefits to the commercial fishing industry and the businesses that rely on that industry because it is unlikely the new regulations would publish and could be implemented before the end of the calendar year. Therefore, providing a comment period for this action could significantly limit the economic benefits to the fishery, and would hamper the achievement of optimum yield from the affected fisheries.

Therefore, the NMFS finds reason to waive the 30-day delay in effectiveness pursuant to 5 U.S.C. 553(d)(1) so that this final rule may become effective upon publication in the **Federal Register**. The adjustments to management measures in this document affect commercial fisheries by increasing opportunity and allowing greater economic benefit. These adjustments were requested by the Council's advisory bodies, as well as members of industry during the Council's September 2022 meeting, and recommended unanimously by the Council. No aspect of this action is controversial, and changes of this nature were anticipated in the biennial harvest specifications and management measures established through a notice and comment rulemaking for 2021–2022 (85 FR 79880, December 11, 2020).

List of Subjects in 50 CFR Part 660

Fisheries, Fishing, and Indian Fisheries.

Authority: 16 U.S.C. 1801 *et seq.*, 16 U.S.C. 773 *et seq.*, and 16 U.S.C. 7001 *et seq.*

Dated: September 28, 2022.

Jennifer M. Wallace,

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.*, 16 U.S.C. 773 *et seq.*, and 16 U.S.C. 7001 *et seq.*

■ 2. Revise Table 2 (North) to part 660, subpart E, to read as follows:

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Table 2 (North) to Part 660, Subpart E -- Non-Trawl Rockfish Conservation Areas and Trip Limits for Limited Entry Fixed Gear North of 40°10' N. lat.

Other limits and requirements apply -- Read §§660.10 through 660.399 before using this table

9/13/2022

	JAN-FEB	MAR-APR	MAY-JUN	JUL-AUG	SEP-OCT	NOV-DEC
Rockfish Conservation Area (RCA)^{1/}:						
1	North of 46° 16' N. lat. shoreline - 100 fm line ^{1/}					
2	46° 16' N. lat. - 40° 10' N. lat. 40 fm line ^{1/} - 100 fm line ^{1/}					
3	30 fm line ^{1/} - 40 fm line ^{1/2/}					
See §§660.60 and 660.230 for additional gear, trip limit and conservation area requirements and restrictions. See §§660.70-660.74 and §§660.76-660.79 for conservation area descriptions and coordinates (including RCAs, YRCAs, CCAs, Farallon Islands, Cordell Banks, and EFHCAs).						
State trip limits and seasons may be more restrictive than Federal trip limits or seasons, particularly in waters off Oregon and California.						
4	Minor Slope Rockfish^{3/} & Darkblotched rockfish 8,000 lb/ 2 month					
5	Pacific ocean perch 3,600 lb/ 2 months					
6	Sablefish 2,400 lb / week, not to exceed 4,800 lb / 2 months				4,500 lb / week, not to exceed 9,000 lb / 2 months	
7	Longspine thornyhead 10,000 lb/ 2 months					
8	Shortspine thornyhead 2,000 lb/ 2 months			2,500 lb/ 2 months		
9	Dover sole, arrowtooth flounder, petrale sole, English sole, starry flounder, Other Flatfish^{4/8/} 10,000 lb/ month					
10	Whiting 10,000 lb/ trip					
11	Minor Shelf Rockfish^{3/} 800 lb / month					
12	Shortbelly Rockfish 200 lb / month					
13	Widow rockfish 4,000 lb/ 2 month					
14	Yellowtail rockfish 3,000 lb/ month					
15	Canary rockfish 3,000 lb / 2 months				4,000 lb / 2 months	
16	Yelloweye rockfish CLOSED					
17	Minor Nearshore Rockfish, Oregon black/blue/deacon rockfish & CA black rockfish^{5/}					
18	North of 42°00' N. lat. 5,000 lb/ 2 months, no more than 1,200 lb of which may be species other than black rockfish or blue/deacon rockfish ^{4/}					
19	42° 00' N. lat. - 40° 10' N. lat. Minor Nearshore Rockfish 2,000 lb / 2 months, of which no more than 75 lb may be quillback rockfish, and of which no more than 75 lb may be copper rockfish					
20	42° 00' N. lat. - 40° 10' N. lat. California Black Rockfish 7,000 lb / 2 months					
21	Lingcod^{6/}					
22	North of 42°00' N. lat. 5,000 lb / 2 months				7,000 lb/ 2 months	
23	42° 00' N. lat. - 40° 10' N. lat. 2,000 lb/2 months					
24	Pacific cod 1,000 lb/ 2 months					
25	200,000 lb / 2 months		150,000 lb / 2 months		100,000 lb / 2 months	
26	Spiny dogfish					
27	Unlimited					
28	Longnose skate Unlimited					
29	Other Fish^{7/} & Cabezon in California Unlimited					
30	Oregon Cabezon/Kelp Greenling Unlimited					
31	Big skate Unlimited					

TABLE 2 (North)

1/ The Rockfish Conservation Area is an area closed to fishing by particular gear types, bounded by lines specifically defined by latitude and longitude coordinates set out at §§ 660.71-660.74. This 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 close 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.

2/ Between 46°16' N. lat. and 40°10' N. lat. and the 30 fm and 40 fm lines, fishing is only allowed with hook-and-line gear except bottom longline and dinglebar gear, as defined in §660.11

3/ Bocaccio, chilipepper and cowcod are included in the trip limits for Minor Shelf Rockfish and splitnose rockfish is included in the trip limits for Minor Slope Rockfish.

4/ "Other flatfish" are defined at § 660.11 and include butter sole, curffin sole, flathead sole, Pacific sanddab, rex sole, rock sole, and sand sole.

5/ For black rockfish north of Cape Alava (48°09.50' N. lat.), and between Destruction Is. (47°40' N. lat.) and Leadbetter Pt. there is an additional limit of 100 lb or 30 percent by weight of all fish on board, whichever is greater, per vessel, per fishing trip. (46°38.17' N. lat.),

6/ The minimum size limit for lingcod is 22 inches (56 cm) total length North of 42° N. lat. and 24 inches (61 cm) total length South of 42° N. lat.

7/ "Other Fish" are defined at § 660.11 and include kelp greenling off California and leopard shark.

8/ LEFG vessels are allowed to fish inside groundfish conservation areas using hook and line only. See section 660.230 (d) of the regulations for more information.

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

■ 3. Revise Table 2 (South) to part 660, subpart E, to read as follows:

Table 2 (South) to Part 660, Subpart E -- Non-Trawl Rockfish Conservation Areas and Trip Limits for Limited Entry Fixed Gear South of 40°10' N.
Other limits and requirements apply -- Read §§660.10 through 660.399 before using this table 9/13/2022

	JAN-FEB	MAR-APR	MAY-JUN	JUL-AUG	SEP-OCT	NOV-DEC
Rockfish Conservation Area (RCA)^{1/}:						
1	40°10' N. lat. - 38°57.5' N. lat.		40 fm line ^{1/} - 125 fm line ^{1/}			
2	38°57.5' N. lat. - 34°27' N. lat.		50 fm line ^{1/} - 125 fm line ^{1/}			
3	South of 34°27' N. lat.		100 fm line ^{1/} - 150 fm line ^{1/} (also applies around islands)			
See §§660.60 and 660.230 for additional gear, trip limit and conservation area requirements and restrictions. See §§660.70-660.74 and §§660.76-660.79 for conservation area descriptions and coordinates (including RCAs, YRCAs, CCAs, Farallon Islands, Cordell Banks, and EFHCAs).						
State trip limits and seasons may be more restrictive than Federal trip limits or seasons, particularly in waters off Oregon and California.						
4	Minor Slope rockfish^{2/} & Splitnose rockfish		40,000 lb/ 2 months, of which no more than 6,000 lb may be blackgill rockfish			
5	Sablefish		40,000 lb/ 2 months			
6	Sablefish					
7	40°10' N. lat. - 36°00' N. lat.	2,400 lb / week, not to exceed 4,800 lb / 2 months			4,500 lb / week, not to exceed 9,000 lb / 2 months	
8	South of 36°00' N. lat.		2,500 lb/ week			
9	Longspine thornyhead		10,000 lb/ 2 months			
10	Shortspine thornyhead					
11	40°10' N. lat. - 34°27' N. lat.	2,000 lb/ 2 months		2,500 lb/ 2 months		
12	South of 34°27' N. lat.		3,000 lb/ 2 months			
13	Dover sole, arrowtooth flounder, petrale sole, English sole, starry flounder, Other Flatfish^{3/8/}		10,000 lb/ month			
14	Whiting		10,000 lb/ trip			
15	Whiting					
16	Minor Shelf Rockfish^{2/}					
17	40°10' N. lat. - 34°27' N. lat.	8,000 lb. / 2 months, of which no more than 500 lb. may be vermilion				
18	South of 34°27' N. lat.		5,000 lb. / 2 months, of which no more than 3,000lb. may be vermilion			
19	Widow					
20	40°10' N. lat. - 34°27' N. lat.	10,000 lb. / 2 months				
21	South of 34°27' N. lat.		8,000 lb. / 2 months			
22	Chilipepper					
23	40°10' N. lat. - 34°27' N. lat.	10,000 lb. / 2 months				
24	South of 34°27' N. lat.		8,000 lb. / 2 months			
25	Shortbelly Rockfish					
26	South of 40°10' N. lat.		200 lb/ month			
27	Canary rockfish		3,500 lb / 2 months		4,000 lb / 2 months	
28	Yelloweye rockfish		CLOSED			
29	Cowcod		CLOSED			
30	Bronzespotted rockfish		CLOSED			
31	Bocaccio		6,000 lb/ 2 months			
32	Minor Nearshore Rockfish					
33	Shallow nearshore ^{4/}		2,000 lb/ 2 months			
34	Deeper nearshore ^{5/}		2,000 lb/ 2 months, of which no more than 75 lb may be quillback rockfish, and of which no more than 75 lb may be copper rockfish			
35	California Scorpionfish		3,500 lb/ 2 months			
36	Lingcod^{6/}		1,600 lb / 2 months			
37	Pacific cod		1,000 lb/ 2 months			
38	Spiny dogfish	200,000 lb/ 2 months	150,000 lb/ 2 months	100,000 lb/ 2 months		
39	Longnose skate		Unlimited			
40	Other Fish^{7/} & Cabezon in California		Unlimited			
41	Big Skate		Unlimited			
42	Big Skate		Unlimited			

TABLE 2 (South)

1/ The Rockfish Conservation Area is an area closed to fishing by particular gear types, bounded by lines specifically defined by latitude and longitude coordinates set out at §§ 660.71-660.74. This 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 close 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.

2/ POP is included in the trip limits for Minor Slope Rockfish. Blackgill rockfish have a species specific trip sub-limit within the Minor Slope Rockfish cumulative limit. Yellowtail rockfish are included in the trip limits for Minor Shelf Rockfish. Bronzespotted rockfish have a species specific trip limit.

3/ "Other Flatfish" are defined at § 660.11 and include butter sole, curfin sole, flathead sole, Pacific sanddab, rex sole, rock sole, and sand sole.

4/ "Shallow Nearshore" are defined at § 660.11 under "Groundfish" (7)(i)(B)(7).

5/ "Deeper Nearshore" are defined at § 660.11 under "Groundfish" (7)(i)(B)(2).

6/ The commercial minimum size limit for lingcod is 24 inches (61 cm) total length South of 42° N. lat.

7/ "Other Fish" are defined at § 660.11 and include kelp greenling off California and leopard shark.

8/ LEFG vessels are allowed to fish inside groundfish conservation areas using hook and line only. See section 660.230 (d) of the regulations for more information.

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

■ 4. Revise Table 3 (North) to part 660, subpart F, to read as follows:

Table 3 (North) to Part 660, Subpart F -- Non-Trawl Rockfish Conservation Areas and Trip Limits for Open Access Gears North of 40°10' N. lat.

Other limits and requirements apply -- Read §§660.10 through 660.399 before using this table

9/13/2022

		JAN-FEB	MAR-APR	MAY-JUN	JUL-AUG	SEP-OCT	NOV-DEC
Rockfish Conservation Area (RCA)^{1/}:							
1	North of 46°16' N. lat.	shoreline - 100 fm line ^{1/}					
2	46°16' N. lat. - 40°10' N. lat.	40 fm line ^{1/} - 100 fm line ^{1/}					
3		30 fm line ^{1/} - 40 fm line ^{1/2/}					
See §§660.60, 660.330 and 660.333 for additional gear, trip limit and conservation area requirements and restrictions. See §§660.70-660.74 and §§660.76-660.79 for conservation area descriptions and coordinates (including RCAs, YRCAs, CCAs, Farallon Islands, Cordell Bank, and EFHCAs).							
State trip limits and seasons may be more restrictive than Federal trip limits or seasons, particularly in waters off Oregon and California.							
4	Minor Slope Rockfish ^{3/} & Darkblotched rockfish	2,000 lb / months					
5	Pacific ocean perch	100 lb/ month					
6	Sablefish	600 lb/day, or 1 landing /week up to 2,000 lb, not to exceed 4,000 lb / 2 months				600 lb / day, 4,000 lb / week not to exceed 8,000 lb / 2 months	
7	Shortpine thornyheads	50 lb/month					
8	Longspine thornyheads	50 lb/month					
9	Dover sole, arrowtooth flounder, petrale sole, English sole, starry flounder, Other Flattish ^{4/8/}	5,000 lb/ month					
12	Whiting	300 lb/ month					
13	Minor Shelf Rockfish ^{3/}	800 lb / month					
14	Widow rockfish	2,000 lb/ 2 months					
15	Shortbelly Rockfish	200 lb / month					
16	Yellowtail rockfish	1,500 lb/ month					
17	Canary rockfish	1,000 lb/ 2 months			2,000 lb / 2 months		
18	Yelloweye rockfish	CLOSED					
19 Minor Nearshore Rockfish, Oregon black/blue/deacon rockfish & CA black rockfish							
20	North of 42°00' N. lat.	5,000 lb/ 2 months, no more than 1,200 lb of which may be species other than black rockfish or blue/deacon rockfish ^{5/}					
21	42°00' N. lat. - 40°10' N. lat. Minor Nearshore Rockfish	2,000 lb / 2 months, of which no more than 75 lb may be quillback rockfish, and of which no more than 75 lb may be copper rockfish					
22	42°00' N. lat. - 40°10' N. lat. California Black Rockfish	7,000 lb / 2 months					
23 Lingcod^{6/}							
24	North of 42°00' N. lat.	2,500 lb/ month			3,500 lb / month		
25	42°00' N. lat. - 40°10' N. lat.	1,000 lb / month					
26 Pacific cod							
1,000 lb/ 2 months							
27	Spiny dogfish	200,000 lb/ 2 months		150,000 lb/ 2 months		100,000 lb/ 2 months	
28	Longnose skate	Unlimited					
29	Big skate	Unlimited					
30	Other Fish ^{7/} & Cabezon in California	Unlimited					
31	Oregon Cabezon/Kelp Greenling	Unlimited					
32 SALMON TROLL (subject to RCAs when retaining all species of groundfish, except for yellowtail rockfish and lingcod, as described below)							
33	North	Salmon trollers may retain and land up to 500 lb of yellowtail rockfish per month as long as salmon is on board, both within and outside of the RCA. Salmon trollers may retain and land up to 1 lingcod per 2 Chinook per trip, plus 1 lingcod per trip, up to a trip limit of 10 lingcod, on a trip where any fishing occurs within the RCA. The lingcod limit only applies during times when lingcod retention is allowed, and is not "CLOSED." These limits are within the per month limits described in the table above, and not in addition to those limits. All groundfish species are subject to the open access limits, seasons, size limits and RCA restrictions listed in the table above unless otherwise stated here.					
34 PINK SHRIMP NON-GROUNDFISH TRAWL (not subject to RCAs)							
35	North	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.					

TABLE 3 (North)

1/ The Rockfish Conservation Area is an area closed to fishing by particular gear types, bounded by lines specifically defined by latitude and longitude coordinates set out at §§ 660.71-660.74. This 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 close 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.

2/ Between 46°16' N. lat. and 40°10' N. lat. and the 30 fm and 40 fm lines, fishing is only allowed with hook-and-line gear except bottom longline and dinglebar gear, as defined in §660.11

3/ Bocaccio, chilipepper and cowcod rockfishes are included in the trip limits for Minor Shelf Rockfish. Splittnose rockfish is included in the trip limits for Minor Slope Rockfish.

4/ "Other flattish" are defined at § 660.11 and include butter sole, curflin sole, flathead sole, Pacific sanddab, rex sole, rock sole, and sand sole.

5/ For black rockfish north of Cape Alava (48°09.50' N. lat.), and between Destruction Is. (47°40' N. lat.) and Leadbetter Pnt. (46°38.17' N. lat.), there is an additional limit of 100 lbs or 30 percent by weight of all fish on board, whichever is greater, per vessel, per fishing trip.

6/ The minimum size limit for lingcod is 22 inches (56 cm) total length North of 42° N. lat. and 24 inches (61 cm) total length South of 42° N. lat.

7/ "Other fish" are defined at § 660.11 and include kelp greenling off California and leopard shark.

8/ Open access vessels are allowed to fish inside groundfish conservation areas using hook and line only. See section 660.330 (d) of the regulations for more information.

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

■ 5. Revise Table 3 (South) to part 660, subpart F, to read as follows:

Table 3 (South) to Part 660, Subpart F -- Non-Trawl Rockfish Conservation Areas and Trip Limits for Open Access Gears South of 40°10' N. lat.
 Other limits and requirements apply -- Read §§660.10 through 660.399 before using this table 9/13/2022

	JAN-FEB	MAR-APR	MAY-JUN	JUL-AUG	SEP-OCT	NOV-DEC
Rockfish Conservation Area (RCA)^{1/}:						
1	40° 10' N. lat. - 38°57.5' N. lat.		40 fm line ^{1/} - 125 fm line ^{1/}			
2	38°57.5' N. lat. -34°27' N. lat.		50 fm line ^{1/} - 125 fm line ^{1/}			
3	South of 34°27' N. lat.		100 fm line ^{1/} - 150 fm line ^{1/} (also applies around islands)			
See §§660.60 and 660.230 for additional gear, trip limit and conservation area requirements and restrictions. See §§660.70-660.74 and §§660.76-660.79 for conservation area descriptions and coordinates (including RCAs, YRCAs, CCAs, Farallon Islands, Cordell Banks, and EFHCAs).						
State trip limits and seasons may be more restrictive than Federal trip limits or seasons, particularly in waters off Oregon and California.						
4	Minor Slope Rockfish^{2/} & Darkblotched rockfish		10,000 lb/ 2 months, of which no more than 2,500 lb may be blackgill rockfish			
5	Splitnose rockfish		200 lb/ month			
6	Sablefish					
7	40° 10' N. lat. - 36°00' N. lat.		600 lb/day, or 1 landing /week up to 2,000 lb, not to exceed 4,000 lb / 2 months		600 lb / day, 4,000 lb / week not to exceed 8,000 lb / 2 months	
8	South of 36°00' N. lat.		2,000 lb/week, not to exceed 6,000 lb/2 months			
9	Shortpine thornyheads					
10	40° 10' N. lat. - 34°27' N. lat.		50 lb/ month			
11	Longspine thornyheads					
12	40° 10' N. lat. - 34°27' N. lat.		50 lb/ month			
13	Shortpine thornyheads and longspine					
14	South of 34°27' N. lat.		100 lb/day, no more than 1,000 lb/ 2 months			
15	Dover sole, arrowtooth flounder, petrale sole, English sole, starry flounder, Other Flatfish^{3/8/}		5,000 lb/ month			
17	Whiting		300 lb/ month			
19	Minor Shelf Rockfish^{2/}					
20	40° 10' N. lat. - 34°27' N. lat.		4,000 lb. / 2 months, of which no more than 400 lb. may be vermilion			
21	South of 34°27' N. lat.		3,000 lb. / 2 months, of which no more than 1,200lb. may be vermilion			
22	Widow					
23	40° 10' N. lat. - 34°27' N. lat.		6,000 lb. / 2 months			
24	South of 34°27' N. lat.		4,000 lb. / 2 months			
25	Chilipepper					
26	40° 10' N. lat. - 34°27' N. lat.		6,000 lb. / 2 months			
27	South of 34°27' N. lat.		4,000 lb. / 2 months			
28	Shortbelly Rockfish					
29	South of 40°10' N. lat.		200 lb/ month			
22	Canary rockfish		1,500 lb / 2 months		2,000 lb / 2 months	
23	Yelloweye rockfish		CLOSED			
24	Cowcod		CLOSED			
25	Bronzespotted rockfish		CLOSED			
26	Bocaccio		4,000 lb/ 2 months			
30	Minor Nearshore Rockfish					
31	Shallow nearshore ^{4/}		2,000 lb/ 2 months			
32	Deeper nearshore ^{5/}		2,000 lb/ 2 months, of which no more than 75 lb may be quillback rockfish, and of which no more than 75 lb may be copper rockfish			
33	California Scorpionfish		3,500 lb/ 2 months			
34	Lingcod^{6/}		700 lb / months			
35	Pacific cod		1,000 lb/ 2 months			
36	Spiny dogfish		200,000 lb/ 2 months		150,000 lb/ 2 months	
37	Longnose skate		Unlimited			
38	Big skate		Unlimited			
39	Other Fish^{7/} & Cabezon in California		Unlimited			

TABLE 3 (South)

Table 3 (South) Continued

Table with columns for months (JAN-FEB, MAR-APR, MAY-JUN, JUL-AUG, SEP-OCT, NOV-DEC) and rows for Rockfish Conservation Area (RCA) details, including coordinates, gear types, and regulations for salmon troll, ridgeback prawn, and pink shrimp.

Table 3 (South) Continued

1/ The Rockfish Conservation Area is an area closed to fishing by particular gear types, bounded by lines specifically defined by latitude and longitude coordinates set out at §§ 660.71-660.74. This 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 close areas that are deeper or shallower than the depth contour.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 660

[Docket No. 220923-0198]

RIN 0648-BK81

Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; Non-trawl Logbook

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce.

ACTION: Final rule.

SUMMARY: This final rule creates a Federal requirement for certain vessels in the Pacific Coast Groundfish fishery target fishing for groundfish with non-trawl gear in Federal waters seaward of California, Oregon, and Washington, to complete and submit a non-trawl logbook to NMFS via an electronic application.