

(v) Estimated average daily catch per fisherman.

(vi) Predicted fishing effort for the area to the end of the scheduled season.

(vii) Other factors, as appropriate.

§660.410 Escapement and management goals.

(a) The escapement and management goals are summarized in Table 6-1 of the Fishery Management Plan for Commercial and Recreational Salmon Fisheries off the Coasts of Washington, Oregon, and California.

(b) *Modification of escapement goals.* NMFS is authorized, through an action issued under §660.411, to modify an escapement goal if—

(1) A comprehensive technical review of the best scientific information available provides conclusive evidence that, in the view of the Council and the Salmon Technical Team, justifies modification of an escapement goal;

(2) For Oregon coastal chinook, specific goals are developed within the overall goal for north coast and south coast stocks; or

(3) Action by a Federal court indicates that modification of an escapement goal is appropriate.

(c) The annual management measures will be consistent with NMFS jeopardy standards or NMFS recovery plans for species listed under the Endangered Species Act.

[61 FR 34572, July 2, 1996, as amended at 62 FR 35451, July 1, 1997]

§660.411 Notification and publication procedures.

(a) *Notification and effective dates.* (1) Annual and certain other actions taken under §§660.408 and 660.410 will be implemented by an action published in the FEDERAL REGISTER, and will be effective upon filing, unless a later time is specified in the action.

(2) Inseason actions taken under §660.409 will be by actual notice available from telephone hotlines and USCG broadcasts, as specified annually. Inseason actions will also be published in the FEDERAL REGISTER as soon as practicable. Inseason actions will be effective from the time specified in the actual notice of the action (telephone hotlines and USCG broadcasts), or at the time the inseason action published

in the FEDERAL REGISTER is effective, whichever comes first.

(3) Any action issued under this section will remain in effect until the expiration date stated in the action or until rescinded, modified, or superseded. However, no inseason action has any effect beyond the end of the calendar year in which it is issued.

(b) *Public comment.* If time allows, NMFS will invite public comment prior to the effective date of any action published in the FEDERAL REGISTER. If NMFS determines, for good cause, that an action must be filed without affording a prior opportunity for public comment, public comments on the action will be received by NMFS for a period of 15 days after filing of the action with the Office of the Federal Register.

(c) *Availability of data.* The Regional Director will compile in aggregate form all data and other information relevant to the action being taken and will make them available for public review during normal office hours at the Northwest Region, NMFS. For actions affecting fisheries occurring primarily or exclusively in the fishery management area seaward of California, information relevant to the action also will be made available for public review during normal office hours at the Southwest Region, NMFS.

Subpart I—Northern Anchovy Fishery

SOURCE: 62 FR 19043, Apr. 18, 1997, unless otherwise noted.

§660.501 Purpose and scope.

This subpart governs fishing for northern anchovy by vessels of the United States in the Pacific anchovy fishery area (PAFA). This subpart implements the Northern Anchovy Fishery Management Plan (FMP) developed by the Pacific Fishery Management Council under the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) as amended.

§660.502 Definitions.

In addition to the definitions in the Magnuson-Stevens Act and in §600.10 of this chapter, the terms used in this subpart have the following meanings:

Anchovy means fish of the species *Engraulis mordax*, or parts or products thereof.

Council means the Pacific Fishery Management Council.

Fishing year means a 12-month period beginning August 1 and extending through July 31 of the following year.

Live bait fishery means fishing for northern anchovies for use as live bait in other fisheries.

Nonreduction fishery means fishing for northern anchovies for use as dead bait or providing fish for human consumption.

Northern anchovy means fish of the species *Engraulis mordax*, or parts or products thereof.

PAFA means the Pacific anchovy fishery area, which is the EEZ seaward of California, and between 38° N. lat. (Point Reyes) and the United States-Mexico International Boundary, which is a line connecting the following coordinates:

32°35'22" N. lat., 117°27'49" long.
32°37'37" N. lat., 117°49'31" W. long.
31°07'58" N. lat., 118°36'18" W. long.
30°32'31" N. lat., 121°51'58" W. long.

Reduction fishery means fishing for northern anchovies for the purposes of conversion into fish flour, fish meal, fish scrap, fertilizer, fish oil, or other fishery products or byproducts for purposes other than direct human consumption.

Reduction harvest quota means the amount of anchovies, by weight, which may be harvested during a fishing year for reduction purposes.

Regional Administrator means the Administrator, Southwest Region, NMFS (see Table 1 of § 600.502 for address).

Spawning biomass means the estimated amount, by weight, of all sexually mature northern anchovies in the central subpopulation (defined as) from 38° N. lat. (Point Reyes) south to approximately 30° N. lat. at Punta Baja, Baja California.

Special allocations means that part of the total harvest quota reserved for non-reduction fishing, reduction fishing in subarea A, and any conservation purpose.

Subarea A means the northern portion of the PAFA between 38° N. lat. (Point Reyes), and a southern limit at 35°14' N. lat. (Point Buchon).

Subarea B means the southern portion of the PAFA between 35°14' N. lat. (Point Buchon), and the United States-Mexico International Boundary described in this section.

Subarea B harvest quota means the amount of anchovies, by weight, which may be harvested during a fishing year for reduction purposes in Subarea B.

Total harvest quota means the total amount of anchovies, by weight, which may be harvested during a fishing year by the reduction and non-reduction fisheries.

§ 660.503 Relation to other laws.

(a) Any state law that pertains to vessels registered under the laws of that state while fishing in the EEZ, and which is consistent with the Federal regulations, will continue to have force and effect on fishing activities addressed in this subpart.

(b) If a vessel has filed with the State of California a declaration of intent to take anchovies for reduction purposes, any fishing for anchovies by that vessel will be conclusively presumed to be for reduction purposes unless an exemption to the declaration has been filed with the State of California.

§ 660.504 Recordkeeping and reporting.

Data regarding fishing vessels, fishing activities, landings and processing activities required by the FMP for the reduction and non-reduction fisheries are collected by the State of California under existing data collection provisions. No additional reports will be required of fishermen or processors as long as the data collection and reporting systems operated by the State of California continue to provide the Secretary of Commerce (Secretary) with statistical information adequate for management. Reporting requirements may be implemented by emergency regulations if this reporting system becomes inadequate for management purposes.

§ 660.505 Vessel identification.

(a) *Official number.* Each fishing vessel in the reduction fishery must display its official number on the port and starboard sides of the deckhouse or hull, and on an appropriate weather