

less, and the non-reduction fishery allocation in the PAFA will be 4,900 mt except as specified in § 660.510(b).

(3) When the estimated spawning biomass is less than 50,000 mt for 2 consecutive fishing years, there will be no reduction quota and no non-reduction allocation until the spawning biomass reaches or exceeds 50,000 mt.

(4) There is no limit on the harvest of anchovy for live bait, except that when the spawning biomass is less than 50,000 mt for 2 consecutive fishing years, there will be no live bait harvest until the spawning biomass reaches or exceeds 50,000 mt.

(c) *Subarea B harvest quota.* The reduction harvest quota for subarea B will be equal to the reduction harvest quota in the PAFA minus a reserve of 10 percent of the reduction harvest quota or 9,072 mt, whichever is less. This reserve is allocated to the reduction fishery in subarea A except as provided in paragraph (d) of this section.

(d) *Reallocation of subarea A reserve.* The Secretary may reallocate on June 1 from subarea A to subarea B that portion of the reserve allocated to subarea A under paragraph (c) of this section that will not be harvested in subarea A by the end of the fishing year. This amount will be estimated based on catch to date in the current year and the expected intentions of processors and fishermen in the reduction fishery north of Point Buchon to harvest anchovies in the remaining fishing year. Reallocation under this paragraph will be based first, on a need to increase the subarea B harvest quota and secondly, on the projected reduction harvest in subarea A to the end of the fishing year.

(e) *Procedure for reallocation of subarea A reserve.* (1) The Secretary may, by May 1 each year, determine the need to increase the subarea B harvest quota as provided in paragraph (d) of this section if the expected reduction fishery harvest in subarea B is an amount equal to or greater than the subarea B harvest quota. After making a determination that the subarea B harvest quota needs to be increased as provided in paragraph (d) of this section, the Secretary will make the estimate under paragraph (d) of this section on or about May 15 and, as soon as

practicable after June 1, announce to all reduction fishing vessel owners and operators and licensed anchovy reduction plant operators by notification in the FEDERAL REGISTER and other appropriate notice—

(i) The change in the subarea B quota.

(ii) The reasons for the change.

(iii) A summary of, and responses to, any comments submitted under paragraph (e)(3) of this section.

(2) The Regional Administrator will compile in aggregate form all data used to make the estimates under paragraph (d) of this section and make them available for public inspection during normal business hours at the Southwest Regional Office at the address in Table 1 § 600.502.

(3) Comments from the public on the estimates made under paragraph (d) of this section may be submitted to the Regional Administrator until May 31.

(f) Anchovies harvested for reduction and non-reduction purposes in the PAFA and adjacent territorial sea will be counted toward the total harvest quota.

**§ 660.510 Closures.**

(a) *Closure of the reduction fishery.* The Secretary will close the reduction fishery during the open season provided in § 660.511 when the total harvest quota in the PAFA is taken. The Secretary will close only the reduction fishery in subarea B when the subarea B reduction harvest quota is taken.

(b) *Closure of the non-reduction fishery.* The Secretary will close the non-reduction fishery in the PAFA only if the total harvest quota is taken.

(c) *Procedure for closing.* (1) When the harvest quotas prescribed in § 660.509 are about to be taken, the Secretary will announce, by notification in the FEDERAL REGISTER and to the Council and the California Department of Fish and Game, the date of closure in one or both subareas.

(2) If a reduction fishery closure is announced, the reduction fishery in the affected subarea will cease on the date of closure specified in the FEDERAL REGISTER document provided by paragraph (c)(1) of this section, and will not resume until a final determination of

new harvest quotas is announced under § 662.509.

(3) The non-reduction fishery in the PAFA ceases on the date that a total harvest quota closure is announced under paragraph (c)(1) of this section, and will not resume until a new harvest quota is announced under § 660.509.

#### § 660.511 Fishing seasons.

All open seasons will begin at 0001 hours and terminate at 2400 hours local time. The PAFA is closed to anchovy fishing except as follows:

(a) *Non-reduction fishing season.* The open season for non-reduction fishing in the PAFA is from August 1 to July 31.

(b) *Reduction fishing season.* (1) In subarea A, the open season for reduction fishing in the PAFA is from August 1 to June 30.

(2) In subarea B, the open season for reduction fishing in the PAFA is from September 15 to June 30.

#### § 660.512 Closed areas.

(a) *Non-reduction fishery.* There are no closed areas for non-reduction fishing in the PAFA.

(b) *Reduction fishery.* The following areas are closed to reduction fishing:

(1) *Farallon Islands closure* (see Figure 1). The portion of subarea A bounded by—

(i) A straight line joining Pigeon Point Light (37°10.9' N. lat., 122°23.6' W. long.) and the U.S. navigation light on Southeast Farallon Island (37°42.0' N. lat., 123°00.1' W. long.).

(ii) A straight line joining the U.S. navigation light on Southeast Farallon Island (37°42.0' N. lat., 123°00.1' W. long.) and the U.S. navigation light on Point Reyes (37°59.7' N. lat., 123°01.3' W. long.).

(2) *Subarea B closures.* That portion of subarea B described as—

(i) *Oxnard closure* (see Figure 1). The area that extends offshore four (4) miles (7.41 km) from the mainland shore between lines running 250° true from the steam plant stack at

Manadalay Beach (34°12.4' N. lat., 119°15.0' W. long.) and 220° true from the steam plant stack at Ormond Beach (34°07.8' N. lat., 119°10.0' W. long.).

(ii) *Santa Monica Bay closure* (see Figure 1). Santa Monica Bay shoreward of that line from Malibu Point (34°01.8' N. lat., 118°40.8' W. long.) to Rocky Point (Palos Verdes Point) (33°46.5' N. lat., 118°25.7' W. long.).

(iii) *Los Angeles Harbor closure* (see Figure 1). The area outside Los Angeles Harbor described by a line extending six (6) miles (11.11 km) 180° true from Point Fermin (33°42.3' N. lat., 118°17.6' W. long.) and then to a point located three (3) miles (5.56 km) offshore on a line 225° true from Huntington Beach Pier (33°39.2' N. lat., 118°00.3' W. long.).

(iv) *Oceanside to San Diego closure* (see Figure 1). The area six (6) miles (11.11 km) from the mainland shore south of a line running 225° true from the tip of the outer breakwater (33°12.4' N. lat., 117°24.1' W. long.) of Oceanside Harbor to the United States-Mexico International Boundary.

#### § 660.513 Gear limitations.

(a) *Nonreduction fishery.* There are no limitations on gear used in the non-reduction fishery.

(b) *Reduction fishery.* Authorized fishing gear only may be used in the reduction fishery. Authorized fishing gear will be round haul nets that have a minimum wet-stretch mesh size of 10/16 of an inch (1.59 cm) excluding the bag portion of a purse seine. The bag portion must be constructed as a single unit and must not exceed a rectangular area adjacent to 20 percent of the total corkline of the purse seine. Minimum mesh size requirements are met if a stainless steel wedge can be passed with only thumb pressure through 16 of 20 sets of two meshes each of wet mesh. The wedges used to measure trawl mesh size are made of 20 gauge stainless steel, and will be no wider than 10/16 of an inch (1.59 cm) less one thickness of the metal at the widest part.