

947,057 lb (429,578 kg); and Florida, 673,748 lb (305,607 kg).

### Classification

This action is taken under 50 CFR part 648 and is exempt from review under Executive Order 12866.

**Authority:** 16 U.S.C. 1801 *et seq.*

Dated: October 8, 2008.

**Emily H. Menashes,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
[FR Doc. E8-24415 Filed 10-9-08; 4:15 pm]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 660

[Docket No. 080225278-81191-02]

RIN 0648-AS96

#### Fisheries Off West Coast States; West Coast Salmon Fisheries; Amendment 14; Essential Fish Habitat Descriptions for Pacific Salmon

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

**ACTION:** Final rule.

**SUMMARY:** NMFS issues this final rule to implement Essential Fish Habitat (EFH) identifications and descriptions for Pacific salmon included in Amendment 14 to the Pacific Salmon Fishery Management Plan (Salmon FMP). This final rule codifies the EFH identifications and descriptions for freshwater and marine habitats of Pacific salmon managed under the Salmon FMP, including Chinook, coho, and pink salmon. This action is necessary to comply with an order issued by the U.S. District Court for the District of Idaho which directed NMFS to codify the EFH identifications and descriptions contained in Amendment 14 to the Salmon FMP.

**DATES:** Effective November 14, 2008.

**ADDRESSES:** Copies of the Record of Decision, the Final Supplemental Environmental Impact Statement, and Amendment 14 to the Salmon FMP are available at [www.nwr.noaa.gov](http://www.nwr.noaa.gov) or from D. Robert Lohn, Administrator, Northwest Region, NMFS, 7600 Sand Point Way NE, Seattle, WA 98115-0070, phone: 206-526-6150.

**FOR FURTHER INFORMATION CONTACT:** Steve Capps (Northwest Region, NMFS), 206-526-6140; fax: 206-526-6736.

### SUPPLEMENTARY INFORMATION:

The Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) authorizes the Secretary of Commerce (Secretary) to regulate domestic fisheries within the 200-mile U.S. Exclusive Economic Zone (EEZ) (16 U.S.C. 1811, 1853). Conservation and management of fish stocks is accomplished through Fishery Management Plans (FMPs). Eight regional fishery management councils develop FMPs and amendments to those plans for fisheries within their jurisdiction (16 U.S.C. 1853). To be effective, FMPs and FMP amendments developed by the councils must be approved by the Secretary and then implemented through regulation (16 U.S.C. 1854). More information on the FMP process can be found at 16 U.S.C. 1851-1854.

### Essential Fish Habitat

The Magnuson-Stevens Act, originally enacted in 1976, has been amended several times. In 1996, the Sustainable Fisheries Act (SFA) amended the Magnuson-Stevens Act adding provisions intended to end overfishing and rebuild overfished fisheries, reduce bycatch, and assess and minimize the impacts of management measures on fishing communities. Congress articulated in its findings that one of the greatest long-term threats to the viability of commercial and recreational fisheries is the continuing loss of marine, estuarine, and other aquatic habitats. Habitat considerations should receive increased attention for the conservation and management of fishery resources of the United States (16 U.S.C. 1801(a)(9)). In making such findings, Congress declared one of the purposes of the Magnuson-Stevens Act to be the promotion of "the protection of [EFH] in the review of projects conducted under Federal permits, licenses, or other authorities that affect or have the potential to affect such habitat" (16 U.S.C. 1801(b)(7)). To ensure habitat considerations receive increased attention for the conservation and management of fishery resources, the amended Magnuson-Stevens Act required each existing, and any new, FMP to: describe and identify essential fish habitat for the fishery based on the guidelines established by the Secretary under section 1855(b)(1)(A) of this title; minimize to the extent practicable adverse effects on such habitat caused by fishing; and, identify other actions to encourage the conservation and enhancement of such habitat (16 U.S.C. 1853(a)(7)). "EFH" is defined in the Magnuson-Stevens Act as "those waters

and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity" (16 U.S.C. 1802(10)).

The EFH regulations (50 CFR 600.815) establish additional guidance to the councils on how to identify and describe EFH. The regulations indicate that councils should obtain information to describe and identify EFH from the best available sources, including peer reviewed literature, unpublished scientific reports, data files of government resource agencies, fisheries landing reports, and other sources of information.

The regulations identify four classification levels to organize available information relevant to EFH identifications and descriptions. Level 1 information is limited to species distributional data; level 2 information includes habitat-related densities; level 3 includes growth, reproduction or survival rates within habitats; and level 4 consists of production rates by habitat. Councils are encouraged to identify and describe EFH based on the highest level of detail (i.e., level 4). The EFH regulations (50 CFR 600.815, subpart J) provide a complete description of each of these levels as well as guidance on how the councils should analyze the available information.

To establish EFH, the regulations advise the councils to interpret the available information in a "risk-averse fashion to ensure adequate areas are identified as EFH for managed species" (50 CFR 600.815(a)(1)(iv)(A)). For Pacific salmon, the Pacific Fishery Management Council (Pacific Council) obtained information at all four levels for certain freshwater areas, and the first three levels of information for the estuaries; only the first level of information was available for marine areas.

### Amendment 14 to the Pacific Salmon Fishery Management Plan

The Secretary approved the Salmon FMP under the Magnuson-Stevens Act, (16 U.S.C. 1801 *et seq.*), in 1978. The Pacific Council has amended the Salmon FMP 14 times since 1978. The Pacific Council identified and described EFH for Pacific Salmon in Amendment 14 to the Salmon FMP and submitted it on June 12, 2000 for Secretarial review. Following a public comment period, the Secretary approved Amendment 14 on September 27, 2000. NMFS codified some, but not all, components of Amendment 14. The Pacific Salmon EFH descriptions and identifications, however, were not codified.

In September of 2003, the U.S. District Court for the District of Idaho (Court) (Case No. CV02-C-EJL) held that the

EFH identifications and descriptions for Pacific salmon included in Amendment 14 constitute a substantive rule under the Administrative Procedure Act (APA), 5 U.S.C. 553 *et seq.* The Court remanded Amendment 14's EFH Pacific Salmon designations to NMFS and ordered that it undertake notice and comment rulemaking to codify the EFH identifications and descriptions. To comply with the Court's order, NMFS published a proposed rule to codify EFH for Pacific salmon on April 20, 2007 (72 FR 19862). Public comments for this action were received through July 19, 2007.

This final rule codifies the EFH identifications and descriptions for freshwater and marine habitats of Pacific salmon managed under the Salmon FMP for Chinook (*Oncorhynchus tshawytscha*), coho (*O. kisutch*), and Puget Sound pink (*O. gorbuscha*) salmon in Washington, Oregon, Idaho and California.

#### Changes from the Proposed Rule

NMFS made minor, non-substantive changes to the proposed rule to improve the clarity and accuracy of the regulations. Such changes include corrections to United States Geological Survey Hydrologic Unit Codes identified in the regulations, deletion of confusing and unnecessary language regarding the extent of the U.S. Exclusive Economic Zone, as well as revisions to correct grammatical and spelling errors.

#### Comments and Responses

NMFS received one comment on the proposed rule.

*Comment:* The U.S. Department of Interior commented that the following three Bureau of Reclamation dams should be included in table 1 of the proposed regulations as impassable man-made barriers and thereby function as the upstream extent of EFH: Bumping Lake Dam on the Bumping River (HUC 17090002); McKay Dam on McKay Creek in the Umatilla River basin (HUC 17070103); and Emigrant Dam on Emigrant Creek in the Middle Rogue River basin (HUC 17100308).

In addition, the U.S. Department of Interior noted that the proposed rule would identify EFH for coho salmon in the Lower Deschutes River (HUC 17070306) and commented that based on NOAA Technical Memorandum NMFS-NWRSC-66 entitled "Updated Status of Federally Listed ESUs of West Coast Salmon and Steelhead," coho salmon did not historically, and do not presently, occur in the Deschutes River Basin.

*Response:* NMFS acknowledges DOI's comments. NMFS will provide DOI's comments to the Pacific Council for its consideration in the full EFH review required under 50 CFR 600.815(a)(10). During this review, the Council and NMFS will consider what changes to make to EFH in the FMP and will initiate the appropriate plan amendment process. Until this process is complete, NMFS will consider the information provided by DOI in any EFH consultations that may become necessary.

#### Classification

The NMFS Northwest Region completed an ESA section 7 consultation on November 18, 1999, on the effects of Amendment 14 on listed salmon evolutionarily significant units. Amendment 14 does not by itself authorize any fishing or other activity that would result in adverse effects to listed fish or designated critical habitat. Based on this and other considerations, NMFS concluded that Amendment 14 and its implementing regulations are not likely to adversely affect listed salmon or their critical habitat. This rule is consistent with the determination in Amendment 14 that the action does not jeopardize the continued existence of ESA listed salmon.

This final rule has been determined to be not significant for purposes of Executive Order 12866.

The Chief Counsel for Regulations of the Department of Commerce certified to the Chief Counsel for Advocacy of the Small Business Administration during the proposed rule stage that this action would not have a significant economic impact on a substantial number of small entities. The factual basis for the certification was published in the proposed rule and is not repeated here. No comments were received regarding this certification or the economic impacts of the rule. As a result, a regulatory flexibility analysis was not required and none was prepared.

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

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

Dated: October 8, 2008.

#### John Oliver

Deputy Assistant Administrator for Operations, National Marine Fisheries Service.

■ For the reasons set out in the preamble, NMFS is amending 50 CFR part 660 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. Section 660.412 is added under subpart H to read as follows:

#### § 660.412 EFH identifications and descriptions for Pacific salmon.

Pacific salmon essential fish habitat (EFH) includes all those water bodies occupied or historically accessible in Washington, Oregon, Idaho, and California in hydrologic units identified in Table 1 of this subpart H. Exceptions include cases in which man-made barriers (dams) identified in Table 1 of this subpart H represent the upstream extent of Pacific salmon access. EFH also includes the marine and estuarine areas shoreward of state boundaries and the Exclusive Economic Zone (EEZ) off the coasts of California, Oregon, and Washington State. To clearly identify watersheds that contain EFH, NMFS uses fourth field hydrologic unit codes (HUCs) developed by the U.S. Geological Survey (USGS) (defined in the Department of the Interior, USGS publication; Hydrologic Unit Maps, Water Supply Paper 2294, 1987). The geographic extent of HUCs range from first field (largest geographic extent) to sixth field (smallest geographic extent). Fourth field HUCs divide the landscape into distinct geographic areas that are identified by eight numbers unique to that hydrologic unit.

(a) Chinook salmon (*Oncorhynchus tshawytscha*) EFH includes all streams, estuaries, marine waters, and other water bodies occupied or historically accessible to Chinook salmon in Washington, Oregon, Idaho, and California, in hydrologic units identified in Table 1 of this subpart H. Exceptions include cases in which man-made barriers (dams) identified in Table 1 of this subpart H represent the upstream extent of Pacific salmon access. EFH also includes the marine and estuarine areas shoreward of state boundaries and the EEZ off the coasts of Washington, Oregon, and California north or Point Conception.

(b) Coho salmon (*Oncorhynchus kisutch*) EFH includes all streams, estuaries, marine waters, and other water bodies occupied or historically accessible to coho in Washington, Oregon, Idaho, and California, in hydrologic units identified in Table 1 of this subpart H. Exceptions include cases in which man-made barriers (dams) identified in Table 1 of this subpart H represent the upstream extent of Pacific

salmon access. EFH also includes the marine and estuarine areas shoreward of state boundaries and the EEZ off the coasts Washington, Oregon, and California north of Point Conception.

(c) Pink salmon (*Oncorhynchus gorbuscha*) EFH includes all streams, estuaries, marine waters, and other

water bodies occupied or historically accessible to pink salmon within Washington State, in hydrologic units identified in Table 1 of this subpart H. Exceptions include cases in which man-made barriers (dams) identified in Table 1 of this subpart H represent the

upstream extent of Pacific salmon access. EFH also includes waters north and east of Cape Flattery, Washington, including Puget Sound, the Strait of Juan de Fuca and Strait of Georgia.

■ 3. Table 1 to part 660, subpart H, is added to read as follows:

TABLE 1 TO PART 660, SUBPART H—PACIFIC SALMON EFH IDENTIFIED BY USGS HYDROLOGIC UNIT CODE (HUC)

USGS HUC	State(s)	Hydrologic Unit Name	Salmon Species	Impassible Man-made Barrier (if present)
17110001	WA	Fraser (Whatcom)	Coho salmon	n/a
17110002	WA	Strait of Georgia	Chinook, coho, and pink salmon	n/a
17110003	WA	San Juan Islands	Chinook, coho, and pink salmon	n/a
17110004	WA	Nooksack River	Chinook, coho, and pink salmon	n/a
17110005	WA	Upper Skagit	Chinook, coho, and pink salmon	Gorge Lake Dam
17110006	WA	Sauk River	Chinook, coho, and pink salmon	n/a
17110007	WA	Lower Skagit River	Chinook, coho, and pink salmon	n/a
17110008	WA	Stillaguamish River	Chinook, coho, and pink salmon	n/a
17110009	WA	Skykomish River	Chinook, coho, and pink salmon	n/a
17110010	WA	Snoqualmie	Chinook, coho, and pink salmon	Tolt Dam (S. Fork Tolt R.)
17110011	WA	Snohomish River	Chinook, coho, and pink salmon	n/a
17110012	WA	Lake Washington	Chinook and coho salmon	Cedar Falls (Masonry) Dam (Cedar R.)
17110013	WA	Duwamish River	Chinook and coho salmon	n/a
17110014	WA	Puyallup River	Chinook, coho, and pink salmon	n/a
17110015	WA	Nisqually River	Chinook, coho, and pink salmon	n/a
17110016	WA	Deschutes River	Chinook and coho salmon	n/a
17110017	WA	Skokomish River	Chinook and coho salmon	n/a
17110018	WA	Hood Canal	Chinook, coho, and pink salmon	n/a
17110019	WA	Puget Sound	Chinook, coho, and pink salmon	n/a
17110020	WA	Dungeness – Elwha	Chinook, coho, and pink salmon	n/a
17110021	WA	Hoko – Crescent	Chinook and coho salmon	n/a
17100101	WA	Hoh – Quillayute	Chinook and coho salmon	n/a
17100102	WA	Queets – Quinault	Chinook and coho salmon	n/a

TABLE 1 TO PART 660, SUBPART H—PACIFIC SALMON EFH IDENTIFIED BY USGS HYDROLOGIC UNIT CODE (HUC)—  
Continued

USGS HUC	State(s)	Hydrologic Unit Name	Salmon Species	Impassible Man-made Barrier (if present)
17100103	WA	Upper Chehalis River	Chinook and coho salmon	n/a
17100104	WA	Lower Chehalis River	Chinook and coho salmon	n/a
17100105	WA	Grays Harbor	Chinook and coho salmon	n/a
17100106	WA	Willapa Bay	Chinook and coho salmon	n/a
17080001	OR/WA	Lower Columbia—Sandy River	Chinook and coho salmon	Impassable Man-made Barrier
17080002	WA	Lewis River	Chinook and coho salmon	n/a
17080003	OR/WA	Lower Columbia – Clatskanie River	Chinook and coho salmon	n/a
17080004	WA	Upper Cowlitz River	Chinook and coho salmon	n/a
17080005	WA	Cowlitz River	Chinook and coho salmon	n/a
17080006	OR/WA	Lower Columbia	Chinook and coho salmon	n/a
17090001	OR	Middle Fork Willamette River	Chinook salmon	Dexter Dam
17090002	OR	Coast Fork Willamette River	Chinook salmon	Dorena Dam
17090003	OR	Upper Willamette River	Chinook and coho salmon	n/a
17090004	OR	McKenzie River	Chinook and coho salmon	Cougar Dam
17090005	OR	N. Santiam River	Chinook and coho salmon	Big Cliff Dam
17090006	OR	S. Santiam River	Chinook and coho salmon	n/a
17090007	OR	Mid. Willamette River	Chinook and coho salmon	n/a
17090008	OR	Yamhill River	Chinook and coho salmon	n/a
17090009	OR	Molalla – Pudding River	Chinook and coho salmon	n/a
17090010	OR	Tualatin River	Chinook and coho salmon	n/a
17090011	OR	Clackamas River	Chinook and coho salmon	Oak Grove Dam
17090012	OR	Lower Willamette River	Chinook and coho salmon	n/a
17070101	OR/WA	Mid. Columbia – Lake Wallula	Chinook and coho salmon	n/a
17070102	OR/WA	Walla Walla River	Chinook salmon	n/a
17070103	OR	Umatilla River	Chinook salmon	n/a
17070104	OR	Willow	Chinook salmon	n/a
17070105	OR/WA	Mid. Columbia – Hood	Chinook and coho salmon	n/a
17070106	WA	Klickitat River	Chinook and coho salmon	n/a
17070301	OR	Upper Deschutes River	Chinook salmon	n/a
17070305	OR	Lower Crooked River	Chinook salmon	Opal Springs Dam
17070306	OR	Lower Deschutes River	Chinook and coho salmon	n/a
17070307	OR	Trout Creek	Chinook and coho salmon	n/a
17070201	OR	Upper John Day River	Chinook salmon	n/a

TABLE 1 TO PART 660, SUBPART H—PACIFIC SALMON EFH IDENTIFIED BY USGS HYDROLOGIC UNIT CODE (HUC)—  
Continued

USGS HUC	State(s)	Hydrologic Unit Name	Salmon Species	Impassible Man-made Barrier (if present)
17070202	OR	North Fork John Day River	Chinook salmon	n/a
17070203	OR	Middle Fork John Day River	Chinook salmon	n/a
17070204	OR	Lower John Day River	Chinook salmon	n/a
17030001	WA	Upper Yakima River	Chinook and coho salmon	Keechelus Dam Kachess Dam (Kachess R.) Cle Elum Dam (Cle Elum R.)
17030002	WA	Naches River	Chinook and coho salmon	Rimrock Dam (Tieton R.)
17030003	WA	Lower Yakima River	Chinook and coho salmon	n/a
17020005	WA	Columbia River	Chinook and coho salmon	Chief Joseph Dam
17020006	WA	Okanogan River	Chinook salmon	n/a
17020007	WA	Similkameen	Chinook salmon	n/a
17020008	WA	Methow River	Chinook and coho salmon	n/a
17020010	WA	Upper Columbia – Entiat River	Chinook and coho salmon	n/a
17020011	WA	Wenatchee River	Chinook and coho salmon	n/a
17020016	WA	Upper Columbia – Priest Rapids	Chinook and coho salmon	n/a
17060101	OR/ID	Hells Canyon	Chinook salmon	Hells Canyon Complex (Hells Canyon, Oxbow, and Brownlee Dams)
17060102	OR	Imnaha River	Chinook salmon	n/a
17060103	OR/WA/ID	Lower Snake – Asotin Creek	Chinook and coho salmon	n/a
17060104	OR	Upper Grande Ronde	Chinook and coho salmon	n/a
17060105	OR	Wallowa River	Chinook and coho salmon	n/a
17060106	OR/WA	Lower Grande Ronde	Chinook and coho salmon	n/a
17060107	WA	Lower Snake – Tucannon River	Chinook and coho salmon	n/a
17060110	WA	Lower Snake River	Chinook and coho salmon	n/a
17060201	ID	Upper Salmon River	Chinook salmon	n/a
17060202	ID	Pahsimeroi River	Chinook salmon	n/a
17060203	ID	Mid. Salmon – Panther River	Chinook salmon	n/a
17060204	ID	Lemhi River	Chinook salmon	n/a
17060205	ID	Upper Middle Fork Salmon River	Chinook salmon	n/a
17060206	ID	Lower Middle Fork Salmon River	Chinook salmon	n/a

TABLE 1 TO PART 660, SUBPART H—PACIFIC SALMON EFH IDENTIFIED BY USGS HYDROLOGIC UNIT CODE (HUC)—  
Continued

USGS HUC	State(s)	Hydrologic Unit Name	Salmon Species	Impassible Man-made Barrier (if present)
17060207	ID	Mid. Salmon – Chamberlain	Chinook salmon	n/a
17060208	ID	S.F. Salmon River	Chinook salmon	n/a
17060209	ID	Lower Salmon River	Chinook salmon	n/a
17060210	ID	Little Salmon River	Chinook salmon	n/a
17060301	ID	Upper Selway River	Chinook salmon	n/a
17060302	ID	Lower Selway River	Chinook salmon	n/a
17060303	ID	Lochsa River	Chinook salmon	n/a
17060304	ID	M.F. Clearwater River	Chinook salmon	n/a
17060305	ID	S.F. Clearwater River	Chinook salmon	n/a
17060306	WA/ID	Clearwater River	Chinook and coho salmon	Dworshak Dam (at border of HUCs 17060306 and 17060308)
17100201	OR	Necanicum River	Chinook and coho salmon	n/a
17100202	OR	Nehalem River	Chinook and coho salmon	n/a
17100203	OR	Wilson – Trask – Nestucca	Chinook and coho salmon	n/a
17100204	OR	Siletz–Yaquina River	Chinook and coho salmon	n/a
17100205	OR	Alsea River	Chinook and coho salmon	n/a
17100206	OR	Siuslaw River	Chinook and coho salmon	n/a
17100207	OR	Siltcoos River	Chinook and coho salmon	n/a
17100301	OR	N. Umpqua River	Chinook and coho salmon	Soda Springs Dam
17100302	OR	S. Umpqua River	Chinook and coho salmon	n/a
17100303	OR	Umpqua River	Chinook and coho salmon	n/a
17100304	OR	Coos River	Chinook and coho salmon	n/a
17100305	OR	Coquille River	Chinook and coho salmon	n/a
17100306	OR	Sixes River	Chinook and coho salmon	n/a
17100307	OR	Upper Rogue River	Chinook and coho salmon	Lost Creek Dam
17100308	OR	Middle Rogue River	Chinook and coho salmon	n/a
17100309	CA/OR	Applegate River	Chinook and coho salmon	Applegate Dam
17100310	OR	Lower Rogue River	Chinook and coho salmon	n/a
17100311	CA/OR	Illinois River	Chinook and coho salmon	n/a
17100312	CA/OR	Chetco River	Chinook and coho salmon	n/a
18010101	CA/OR	Smith River	Chinook and coho salmon	n/a
18010206	CA/OR	Upper Klamath River	Chinook and coho salmon	Iron Gate Dam
18010207	CA	Shasta River	Chinook and coho salmon	n/a
18010208	CA	Scott River	Chinook and coho salmon	n/a
18010209	CA/OR	Lower Klamath River	Chinook and coho salmon	n/a

TABLE 1 TO PART 660, SUBPART H—PACIFIC SALMON EFH IDENTIFIED BY USGS HYDROLOGIC UNIT CODE (HUC)—Continued

USGS HUC	State(s)	Hydrologic Unit Name	Salmon Species	Impassible Man-made Barrier (if present)
18010210	CA	Salmon River	Chinook and coho salmon	n/a
18010211	CA	Trinity River	Chinook and coho salmon	Lewiston Dam
18010212	CA	S.F. Trinity River	Chinook and coho salmon	n/a
18010102	CA	Mad-Redwood	Chinook and coho salmon	Robert W. Matthews Dam
18010103	CA	Upper Eel River	Chinook and coho salmon	Scott Dam
18010104	CA	Middle Fork Eel River	Chinook and coho salmon	n/a
18010105	CA	Lower Eel River	Chinook and coho salmon	n/a
18010106	CA	South Fork Eel River	Chinook and coho salmon	n/a
18010107	CA	Mattole River	Chinook and coho salmon	n/a
18010108	CA	Big – Navarro – Garcia	Chinook and coho salmon	n/a
18010109	CA	Gualala – Salmon Creek	Chinook and coho salmon	n/a
18010110	CA	Russian River	Chinook and coho salmon	Coyote Valley Dam (E. Fork Russian R.) Warm Springs Dam (Dry Cr.)
18010111	CA	Bodega Bay	Chinook and coho salmon	n/a
18060001	CA	San Lorenzo-Soquel	Coho salmon	Newell Dam (Newell Cr.)
18060006	CA	Central Coastal	Coho salmon	n/a
18050001	CA	Suisun Bay	Chinook and coho salmon	n/a
18050002	CA	San Pablo Bay	Chinook and coho salmon	San Pablo Dam (San Pablo Cr.)
18050003	CA	Coyote Creek	Chinook and coho salmon	LeRoy Anderson Dam
18050004	CA	San Francisco Bay	Chinook and coho salmon	n/a
18050005	CA	Tomales-Drakes Bay	Coho salmon	Nicasio Dam (Nicasio Cr.) Peters Dam (Lagunitas Cr.)
18050006	CA	San Francisco-Coastal South	Coho salmon	n/a
18020101	CA	Sac.-Lower Cow-Lower Clear	Chinook salmon	n/a
18020102	CA	Lower Cottonwood Creek	Chinook salmon	n/a
18020103	CA	Sacramento – Lower Thomes	Chinook salmon	n/a
18020104	CA	Sacramento – Stone Corral	Chinook salmon	n/a
18020105	CA	Lower Butte Creek	Chinook salmon	n/a
18020106	CA	Lower Feather River	Chinook salmon	n/a
18020107	CA	Lower Yuba River	Chinook salmon	n/a
18020108	CA	Lower Bear River	Chinook salmon	n/a
18020109	CA	Lower Sacramento River	Chinook salmon	n/a
18020110	CA	Lower Cache	Chinook salmon	n/a

TABLE 1 TO PART 660, SUBPART H—PACIFIC SALMON EFH IDENTIFIED BY USGS HYDROLOGIC UNIT CODE (HUC)—Continued

USGS HUC	State(s)	Hydrologic Unit Name	Salmon Species	Impassible Man-made Barrier (if present)
18020111	CA	Lower American River	Chinook salmon	Nimbus Dam
18020112	CA	Sacramento—Upper Clear	Chinook salmon	Whiskeytown Dam (Clear Cr.)
18020113	CA	Cottonwood Headwaters	Chinook salmon	n/a
18020114	CA	Upper Elder – Upper Thomas	Chinook salmon	n/a
18020118	CA	Upper Cow – Battle Creek	Chinook salmon	n/a
18020119	CA	Mill – Big Chico	Chinook salmon	n/a
18020120	CA	Upper Butte Creek	Chinook salmon	n/a
18020125	CA	Upper Yuba	Chinook salmon	n/a
18040001	CA	Mid. San Joaquin– L. Cowchilla	Chinook salmon	n/a
18040002	CA	Mid. San Joaquin– L. Merced– L. Stanislaus	Chinook salmon	La Grange Dam (Tuolumne R.)
18040003	CA	San Joaquin Delta	Chinook salmon	n/a
18040004	CA	L. Calaveras – Mormon Slough	Chinook salmon	n/a
18040005	CA	L. Consumnes– L. Mokelumne	Chinook salmon	Camanche Dam
18040010	CA	Upper Stanislaus	Chinook salmon	Goodwin Dam
18040011	CA	Upper Calveras	Chinook salmon	New Hogan Dam
18040013	CA	Upper Cosumnes	Chinook salmon	n/a

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Part 679**

[Docket No. 071106671–8010–02]

RIN 0648–XL22

**Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 in the Gulf of Alaska**

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

**ACTION:** Temporary rule; closure.

**SUMMARY:** NMFS is prohibiting directed fishing for pollock in Statistical Area 630 in the Gulf of Alaska (GOA). This action is necessary to prevent exceeding

the 2008 total allowable catch (TAC) of pollock for Statistical Area 630 in the GOA.

**DATES:** Effective 1200 hrs, Alaska local time (A.l.t.), October 10, 2008, through 2400 hrs, A.l.t., December 31, 2008.

**FOR FURTHER INFORMATION CONTACT:** Obren Davis, 907–586–7228.

**SUPPLEMENTARY INFORMATION:** NMFS manages the groundfish fishery in the GOA exclusive economic zone according to the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson–Stevens Fishery Conservation and Management Act. Regulations governing fishing by U.S. vessels in accordance with the FMP appear at subpart H of 50 CFR part 600 and 50 CFR part 679.

The 2008 TAC of pollock in Statistical Area 630 of the GOA is 13,640 metric tons (mt) as established by the 2008 and 2009 harvest specifications for

groundfish of the GOA (73 FR 10562, February 27, 2008).

In accordance with § 679.20(d)(1)(i), the Regional Administrator has determined that the 2008 TAC of pollock in Statistical Area 630 of the GOA will soon be reached. Therefore, the Regional Administrator is establishing a directed fishing allowance of 13,600 mt, and is setting aside the remaining 40 mt as incidental catch to support other anticipated groundfish fisheries. In accordance with § 679.20(d)(1)(iii), the Regional Administrator finds that this directed fishing allowance has been reached. Consequently, NMFS is prohibiting directed fishing for pollock in Statistical Area 630 of the GOA.

After the effective date of this closure the maximum retainable amounts at § 679.20(e) and (f) apply at any time during a trip.

**Classification**

This action responds to the best available information recently obtained