

based trawl bycatch rates in the bycatch model to develop inseason adjustments to trip limits and area closures that were effective May 1, 2003, in addition, it was decided to shift the trawl RCA as soon as new boundaries could be developed.

Based on the new Observer Program information on bycatch rates in the trawl fishery for groundfish, the Pacific Council recommended changes to the boundaries for the trawl RCA (the area that is closed to fishing for groundfish with trawl gear) along with trip limit changes. In particular, new estimates of canary rockfish bycatch in the trawl fishery north of 40°10' N. lat. and bocaccio bycatch in the trawl fishery south of 40°10' N. lat. are higher than previously estimated. At these higher bycatch rates, the OYs for canary rockfish and bocaccio would be reached before the end of the year. In order to slow the rate of interception for these overfished rockfish species, the trawl RCA is being shifted to better align with the observed interception rates of these species. Prior to May 1, 2003, the trawl RCA north of 40°10' N. lat. was scheduled to extend between boundaries approximating the 100 fm (183 m) and 250 fm (457 m) depth contours. Trip limit changes and, north of 40°10' N. lat., a change in the trawl RCA were announced previously in the **Federal Register** (68 FR 23901, May 6, 2003) and were effective May 1, 2003. The trawl RCA north of 40°10' N. lat. was temporarily extended from the shoreline to a boundary approximating the 250 fm (457 m) depth contour until new boundaries could be put in place. Implementation of the new boundaries was delayed beyond the inseason adjustments that were effective May 1, 2003, until coordinates for the new boundaries were developed and reviewed by Federal and state management and enforcement agencies.

Trawl RCA Restrictions North of 40°10' N. lat.

Because data from the Observer Program showed that canary rockfish tend to be intercepted in trawl gear further inshore than previously expected, the trawl RCA north of 40°10' N. lat. is being shifted with the intention of protecting canary rockfish, an overfished species. In evaluating the observer data, the Pacific Council's GMT recommended that the trawl RCA's eastern boundary be shifted from approximating the 100-fm (183-m) depth contour to approximating the 50-fm (91-m) depth contour to protect areas where canary are intercepted in the trawl fishery. Additionally, the GMT recommended that the western

boundary be shifted from approximating the 250-fm (457-m) depth contour to approximating the 200-fm (366-m) depth contour to allow fishery access to more abundant deepwater groundfish stocks while still protecting areas with high rates of canary bycatch. Thus, for the remainder of the year, the trawl RCA north of 40°10' N. lat. will extend from approximately the 50-fm (91-m) to 200-fm (366-m) depth contours. During November - December, the western trawl RCA boundary is to be modified to allow petrale fishing. In the interest of time, this new 200-fm (366-m) western boundary was not modified to allow petrale fishing but it will be modified by a subsequent inseason action that will be published in the **Federal Register** prior to November.

Trawl Restrictions South of 40°10' N. lat.

The Pacific Council's GMT also recommended moving the trawl RCA south of 40°10' N. lat. to protect overfished species while allowing fishery access to more abundant groundfish stocks. This move entails the trawl RCA's western boundary being shifted to approximate the 200-fm (266-m) depth contour, thus, creating a coastwide western boundary for the trawl RCA that approximates the 200-fm (266-m) depth contour. Between 40°10' N. lat. and 34°27' N. lat., the western boundary for the trawl RCA will shift from approximating the 250-fm (457-m) depth contour to approximating the 200-fm (366-m) depth contour in order to allow fishery access to more abundant deepwater stocks while protecting areas where both bocaccio and canary are intercepted. Between 34°27' N. lat. and the U.S./Mexico border, the western boundary for the trawl RCA will shift from either approximating the 100-fm (183-m) or 150-fm (274-m) depth contour to approximating the 200-fm (266-m) contour to better align with depths where there is a high interception of bocaccio. Around southern California islands and seamounts, the trawl RCA outer boundary will also shift from approximating the 150-fm (274-m) depth contour to approximating the 200-fm (266-m) depth contour, again to protect bocaccio. Therefore, for the remainder of May through June and from September through December, the trawl RCA boundaries south of 40°10' N. lat. will approximate the following depth contours: (1) between 40°10' N. lat. and 34°27' N. lat., the trawl RCA will extend from 60-fm (110-m) to 200-fm (266-m); (2) between 34°27' N. lat. and the U.S./Mexico border, the trawl

RCA will extend from 100-fm (183-m) to 200-fm (266-m); and (3) around California islands and seamounts south of 34°27' N. lat., the trawl RCA will extend from the shoreline to 200-fm (266-m). During November - December, the western trawl RCA boundary is to be modified to allow petrale fishing. In the interest of time, this new 200-fm (366-m) western boundary was not modified to allow petrale fishing but it will be modified by a subsequent inseason action that will be published in the **Federal Register** prior to November 2003.

Additional measures to slow the incidental catch of bocaccio rockfish inshore of the trawl RCA have been implemented by prohibiting trawling inshore of 200-fm (366-m) during period 4 (July-August) from 40°10' N. lat. to the U.S./Mexico border. This prohibition was implemented through the inseason adjustments published on May 6, 2003 (68 FR 23901).

NMFS Actions

For the reasons stated herein, NMFS concurs with the Pacific Council's recommendations and hereby announces the following changes to the 2003 specifications and management measures (68 FR 11182, March 7, 2003, as amended at 68 FR 18166, April 15, 2003, at 68 FR 23901, May 6, 2003, and at 68 FR 23925, May 6, 2003) to read as follows:

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1. On page 11205, in section IV., under A. General Definitions and Provisions, in the third column, paragraphs (19)(c)(ii) and (iii) are revised to read as follows:

(ii) Between the U.S. border with Canada and 40°10' N. lat., the location of the trawl RCA (i.e., the approximate depth contours that generally describe the eastern and western trawl RCA boundaries) throughout the year is provided in section IV., (B), Table 3 (North). The specific latitude and longitude coordinates that define the eastern and western boundaries for the trawl RCA are provided below at paragraph (e) of this section.

(iii) Between 40°10' N. lat. and the U.S. border with Mexico, the location of the trawl RCA (i.e., the approximate depth contours that generally describe the eastern and western trawl RCA boundaries) throughout the year is provided in section IV., (B), Table 3 (South). The specific latitude and longitude coordinates that define the eastern and western boundaries for the trawl RCA are provided below at paragraph (e) of this section.

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