

Coast Groundfish Fishery Management Plan (FMP), will allow fisheries access to more abundant groundfish stocks while protecting overfished and depleted stocks.

**DATES:** Changes to management measures are effective 0001 hours (local time) July 1, 2003, until the 2004 annual specifications and management measures are effective, unless modified, superseded, or rescinded through a publication in the **Federal Register**. Comments on this rule will be accepted through July 31, 2003.

**ADDRESSES:** Submit comments to D. Robert Lohn, Administrator, Northwest Region, NMFS, 7600 Sand Point Way NE, Seattle, WA 98115-0070; or Rod McInnis, Acting Administrator, Southwest Region, NMFS, 501 West Ocean Blvd, Suite 4200, Long Beach, CA 90802-4213.

**FOR FURTHER INFORMATION CONTACT:** Carrie Nordeen or Jamie Goen (Northwest Region, NMFS), phone: 206-526-6140; fax: 206-526-6736; and e-mail: [carrie.nordeen@noaa.gov](mailto:carrie.nordeen@noaa.gov) or [jamie.goen@noaa.gov](mailto:jamie.goen@noaa.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **Electronic Access**

This **Federal Register** document is available on the Government Printing Office's website at: [http://www.access.gpo.gov/su\\_docs/ca/docs/aces/aces140.html](http://www.access.gpo.gov/su_docs/ca/docs/aces/aces140.html). Background information and documents are available at the NMFS Northwest Region website at: <http://www.nwr.noaa.gov/1sustfsh/gdfsh01.htm> and at the Pacific Fishery Management Council's website at: <http://www.pcouncil.org>.

##### **Background**

The Pacific Coast Groundfish FMP and its implementing regulations at 50 CFR part 660, subpart G, regulate fishing for over 80 species of groundfish off the coasts of Washington, Oregon, and California. Annual groundfish specifications and management measures are initially developed by the Pacific Fishery Management Council (Pacific Council), and are implemented by NMFS. The specifications and management measures for the 2003 fishing year (January 1 - December 31, 2003) were initially published in the **Federal Register** as an emergency rule for January 1 - February 28, 2003 (68 FR 908, January 7, 2003) and as a proposed rule for March 1 - December 31, 2003 (68 FR 936, January 7, 2003). The emergency rule was amended at 68 FR 4719, January 30, 2003, and the final rule for March 1 - December 31, 2003 was published in the **Federal Register** on March 7, 2003 (68 FR 11182). The

final rule has been subsequently amended at 68 FR 18166 (April 15, 2003), at 68 FR 23901 (May 6, 2003), at 68 FR 23924 (May 6, 2003), and at 68 FR 32680 (June 2, 2003).

The following changes to current groundfish management measures were recommended by the Pacific Council, in consultation with Pacific Coast Treaty Tribes and the States of Washington, Oregon, and California, at its June 16-20, 2003, meeting in Foster City, CA. Pacific Coast groundfish landings will be monitored throughout the year, and further adjustments will be made as necessary to allow achievement of or avoid exceeding the 2003 optimum yields (OYs) and allocations.

##### *Trawl Rockfish Conservation Area (RCA) North of 40°10' N. Lat.*

When the 2003 specifications and management measures were developed for the Pacific Coast groundfish fishery in the fall of 2002, the Pacific Council's Groundfish Management Team (GMT) developed a bycatch scorecard to project and track estimated mortality of overfished groundfish species during 2003. This scorecard is updated throughout the year as catch data become available. At the Pacific Council's June meeting, the scorecard was updated for canary rockfish, an overfished species, with catch data based on projected harvest under inseason adjustments for the May - June cumulative period, catch in Oregon's recreational fishery, catch under Washington's spiny dogfish shark and walleye pollock exempted fishing permits (EFPs), and information on vessel participation and target species by depth from 2002 fish tickets and logbooks. Based on these data, an additional 3.5 mt of canary rockfish is available to be harvested as incidental catch, in order to allow the access to more abundant species, during 2003 without exceeding the canary rockfish OY.

In order to provide additional fishing opportunity for the trawl fishery that has been severely restricted to reduce the incidental catch of canary rockfish, the size of the trawl RCA (the area closed to most fishing with trawl gear) is being decreased during the months of July and August. At their April 7-11, 2003, meeting in Vancouver, WA, the Pacific Council recommended that preliminary observer-based trawl bycatch rates be incorporated into the bycatch model used to develop inseason adjustments to trip limits and area closures. These observer-based trawl bycatch rates indicated that canary rockfish bycatch in the trawl fishery north of 40°10' N. lat. is higher than

previously estimated. Based on that new information, in May 2003, the trawl RCA was shifted to better align with areas where canary rockfish were encountered (between latitude and longitude coordinates that approximate the 50-fm (91-m) and 200-fm (366-m) depth contours) to slow that catch of canary rockfish. Using 2.85 mt (2,850 kg) of the additional 3.5 mt (3,500 kg) of canary rockfish available for harvest during 2003, this inseason action will restore trawl fishing opportunity by returning the eastern trawl RCA boundary to latitude and longitude coordinates approximating the 75-fm (137-m) depth contour. In addition to providing fishing opportunity, moving the eastern trawl RCA boundary out into deeper waters during July and August is expected to decrease interactions between the trawl fleet and molting, soft-shelled Dungeness crab found shoreward of 50-fm (91-m). In short, during the months of July and August, the trawl RCA will extend between latitude and longitude coordinates approximating the 75-fm (137-m) and 200-fm (366-m) depth contours. During the months of September - December, the trawl RCA will remain as previously scheduled, extending between coordinates approximating the 50-fm (91-m) and 200-fm (366-m) depth contours, with a western boundary modified to incorporate petrale fishing areas during November and December.

In the final rule announcing Pacific Coast annual specifications and management measures for March - December (68 FR 11182, March 7, 2003), a correction was made to the 75-fm (137-m) RCA boundary to prevent it from intersecting with the 100-fm (183-m) RCA boundary north of 40°10' N. lat. This correction proved to be too coarse, resulting in the 75-fm (137-m) RCA boundary not closely following the 75-fm (137-m) depth contour in one section of the coast off Washington. Therefore, this inseason action will also correct the 75-fm (137-m) RCA boundary to better align it with the 75-fm (137-m) depth contour.

##### *Limited Entry Trawl Limits for the DTS (Dover Sole, Thornyhead, Sablefish) Fishery Coastwide*

In an effort to provide for fishing opportunity along the coast while keeping groundfish species within their respective 2003 OYs, the Pacific Council recommended trip limit adjustments for the DTS fishery. The GMT and the Pacific Council's Groundfish Advisory Panel (GAP) weighed the expected catch of canary rockfish and DTS species associated with previously scheduled DTS trip limits and RCA boundaries