

Limited Entry Fixed Gear and Open Access Minor Nearshore Rockfish Limits South of 40°10' N. Lat.

Because landings of minor nearshore rockfish south of 40°10' N. lat. are higher than expected, there is concern whether this fishery will remain open the entire year. In order to ensure fishing opportunity later in the year, when market values for nearshore rockfish species are high, the Pacific Council recommended a decrease in the shallow nearshore rockfish limit. Therefore, the limited entry fixed gear and open access shallow minor nearshore rockfish limit south of 40°10' N. lat. is decreased during the months of July and August from the previously scheduled limit of 500 lb (227 kg) per 2 months to 400 lb (181 kg) per 2 months. During the months of September and October, the limited entry fixed gear and open access shallow minor nearshore rockfish limit south of 40°10' N. lat. is similarly decreased from the previously scheduled limit of 400 lb (181 kg) per 2 months to 300 lb (136 kg) per 2 months.

Landings of deeper nearshore rockfish species are not accumulating as rapidly as the landings of shallow nearshore rockfish. In order to keep landings on track for the year and provide harvest opportunity during summer months when participation in this fishery is high, the Pacific Council recommended that deeper nearshore rockfish trip limits be increased. Therefore, the limited entry fixed gear and open access deeper minor nearshore rockfish limit south of 40°10' N. lat. is increased during the months of July and August from the previously scheduled limit of 400 lb (181 kg) per 2 months to 500 lb (227 kg) per 2 months. During the months of September and October, the limited entry fixed gear and open access deeper minor nearshore rockfish limit south of 40°10' N. lat. is similarly increased from the previously scheduled limit of 200 lb (91 kg) per 2 months to 300 lb (136 kg) per 2 months.

Trawl Rockfish Conservation Area (RCA) South of 40°10' N. Lat.

In exchange for higher limited entry trawl DTS trip limits scheduled during May - August 2003, the trawl RCA was scheduled to extend from the shoreline to latitude and longitude coordinates approximating the 200-fm (366-m) depth contour during the months of July and August. This scheduled placement of the RCA was designed to reduce nearshore fishing opportunity during those months, thereby, slowing the incidental catch of overfished rockfish

species (bocaccio and canary rockfish). However, based on Pacific Council actions at their June meeting, this scheduled reduction of nearshore fishing opportunity will not be necessary for three reasons. The first reason is that an adequate amount of canary rockfish was made available on the Pacific Council's bycatch scorecard, as discussed above, to accommodate a modest nearshore fishing opportunity (expected to result in an additional 0.05 mt (500 kg) of catch) while still remaining within the canary rockfish OY. The second reason is that the GMT and GAP agreed to reduce limited entry trawl DTS trip limits coastwide from the previously scheduled limits, during the months of July and August, to allow for this additional nearshore fishing opportunity. The third reason is that an adequate amount of bocaccio was available on the bycatch scorecard to allow for this adjustment, which is expected to result in an additional 0.8 mt (800 kg) of catch. Therefore, the eastern boundary of the trawl RCA will move from the shoreline to latitude and longitude coordinates that approximate the 60-fm (110-m) depth contour between 40°10' N. lat. and 34°27' N. lat. and the 100-fm (183-m) depth contour between 34°27' N. lat. and the U.S. boundary with Mexico for the months of July and August. Therefore, during the months of July and August, the trawl RCA between 40°10' N. lat. and 34°27' N. lat. will extend between latitude and longitude coordinates that approximate the 60-fm (110-m) and 200-fm (366-m) depth contours, and the trawl RCA between 34°27' N. lat. and the U.S. border with Mexico will extend between latitude and longitude coordinates that approximate the 100-fm (183-m) and 200-fm (366-m) depth contours. The trawl RCA around southern California islands and seamounts will remain as previously scheduled, extending between the shoreline and latitude and longitude coordinates that approximate the 200-fm (366-m) depth contour. During the months of September - December, the trawl RCA will remain as previously scheduled, extending between eastern boundary coordinates approximating either the 60-fm (110-m) or 100-fm (183-m) depth contour and western boundary coordinates approximating the 200-fm (366-m) depth contour, with a western boundary for limited entry trawl modified to incorporate petrale fishing areas during November and December.

Non-Trawl Rockfish Conservation Area (RCA) and Recreational Fisheries Boundary South of 40°10' N. Lat.

During 2003, the limited entry fixed gear fleet in California has been severely constrained by low trip limits and limited nearshore fishing opportunities, with the non-trawl RCA (the area closed to most fishing with non-trawl gear) extended from the 20-fm (37-m) depth contour to latitude and longitude coordinates approximating the 150-fm (274-m) depth contour. These management measures were designed to limit the incidental take of bocaccio rockfish and keep the catch of bocaccio within its 2003 OY of less than 20 mt (20,000 kg). The recreational fishing fleet in California has been similarly constrained, by a reduced season length (July - December) and limited nearshore fishing opportunities, generally shoreward of the 20-fm (37-m) depth contour, to minimize the incidental take of bocaccio. Based on a new stock assessment and rebuilding analysis that was available at the June meeting, the Pacific Council adopted a range of rebuilding OYs (199 mt (199,000 kg) to 526 mt (526,000 kg)) for bocaccio in 2004. Taking into account this more recent stock assessment information (as compared with the OY of less than 20 mt (20,000 kg) for 2003) and the economic hardship resulting from restrictive management measures necessary to keep the incidental catch of bocaccio within its 2003 OY, the California Department of Fish and Game (CDFG) proposed to the Pacific Council that the 2003 bocaccio OY be flexible enough to allow for a modest increase in nearshore fishing opportunity. Specifically, CDFG proposed that during the months of September - December the eastern boundary for the non-trawl RCA and recreational fisheries between 34°27' N. lat. and the U.S. border with Mexico be moved from the 20 fm (37 m) depth contour out to the 30 fm (55 m) depth contour. This boundary change was recommended by the Pacific Council because it would provide much needed harvest opportunity and economic relief for limited entry fixed gear and recreational fishers with an expected incidental take of an additional 2.22 mt (2,220 kg) of bocaccio. The projected incidental take of bocaccio associated with moving the eastern trawl RCA boundary (the portion south of 40°10' N. lat.) into deeper water during July and August, as discussed earlier and implemented with this **Federal Register** document, is not expected to result in the total mortality of bocaccio exceeding its 2003 OY. However, the projected catch associated