

## DEPARTMENT OF COMMERCE

## National Oceanic and Atmospheric Administration

## 50 CFR Part 660

[Docket No. 021209300–3048–02; I.D. 100303B]

**Fisheries off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Annual Specifications and Management Measures; Trip Limit Adjustments; Corrections**

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

**ACTION:** Inseason adjustments to trip limits and rockfish conservation areas; corrections; request for comments.

**SUMMARY:** NMFS announces changes to trip limits and trawl rockfish conservation areas (RCAs) for the Pacific Coast groundfish fishery. Trip limit adjustments include changes to the limited entry trawl Dover sole, thornyhead, and sablefish (DTS) limits coastwide; limits for limited entry midwater trawl widow rockfish coastwide and yellowtail rockfish north of 40°10' N. lat.; and the limited entry fixed gear and open access sablefish limits north of 36° N. lat. This inseason action also implements coordinates for the previously scheduled western, seaward boundary line for the trawl RCA which approximates the 200–fm depth contour as modified to accommodate petrale sole fishing grounds during November and December. For the trawl “A” platoon, trip limit adjustments and RCAs will be effective November 1, 2003. Inseason adjustments to trip limits and RCAs for the trawl “B” platoon will be effective November 16, 2003. These actions, which are authorized by the Pacific Coast Groundfish Fishery Management Plan (FMP), will allow fisheries access to more abundant groundfish stocks while protecting overfished and depleted stocks. This action also contains a correction to the trip limits for the limited entry midwater trawl fishery for widow rockfish and whiting.

**DATES:** Changes to management measures are effective 0001 hours (local time) October 24, 2003, until the 2004 annual specifications and management measures are effective, unless modified, superseded, or rescinded through a publication in the **Federal Register**.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 November 24, 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:** Jamie Goen or Carrie Nordeen (Northwest Region, NMFS), phone: 206–526–6140; fax: 206–526–6736; and e-mail: [jamie.goen@noaa.gov](mailto:jamie.goen@noaa.gov) or [carrie.nordeen@noaa.gov](mailto:carrie.nordeen@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), at 68 FR 32680 (June 2, 2003), at 68 FR 35575 (June 16, 2003), at 68 FR 40187 (July 7, 2003), at 68 FR 42643 (July 18, 2003), at 68 FR 43473 (July 23, 2003), and at 68 FR 52703 (September 5, 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 September 8–12, 2003, meeting in Seattle, WA. 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.

*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 for the November and December fishing period. Limited entry landed catch data through August 15, 2003, in the Pacific Fisheries Information Network (PacFIN) database, indicate that shortspine thornyhead catch was at 68 percent of the annual target (514 mt landed out of a 751 mt landed catch OY). Based on the reported landed catch through August 2003 and anticipated landed catch for the remainder of 2003 (Exhibit C.2.b, Supplemental NMFS Report, from the September 2003 Pacific Council meeting), approximately another 41 percent of the shortspine thornyhead catch (308 mt projected landings out of a 751–mt landed catch OY) is forecast to be taken over the remainder of the year. If landed catch continues as projected, shortspine thornyhead landings could be at 822 mt out of a 751–mt landed catch OY, exceeding the 2003 OY by 71 mt. For the other three species in the DTS complex, Dover sole, longspine thornyhead and sablefish, reported landed catch through August 2003 and anticipated landed catch for the remainder of 2003 (Exhibit C.2.b, Supplemental NMFS Report, from the September 2003 Pacific Council meeting) are under the OYs set for those species in 2003. Thus, shortspine thornyhead is the constraining species in the DTS complex at this time. Since the four species in the DTS complex are caught together, trip limits for all DTS complex species are being reduced during November and December to slow the catch of shortspine thornyhead in 2003. Trip limits north of 40°10' N. lat. are larger for vessels using large footrope gear than for vessels using small footrope gear because large footrope gear is only permitted offshore of the RCAs, where DTS complex species are less likely to co-occur with overfished groundfish species.

Therefore, the limited entry trawl Dover sole limit north of 40°10' N. lat. is decreased from the previously scheduled limit of 34,000 lb (15,422 kg)