

information from the Recreational Fisheries Information Network (RecFIN) at that meeting, which showed landings of minor nearshore rockfish in the recreational fishery south of 40°10' N. lat. during July and August, the first two months open to recreational groundfish fishing, have exceeded the projected recreational landings of minor nearshore rockfish for the remainder of the year. The GMT raised concerns over the accuracy of RecFIN's catch estimates since the estimates for July and August were substantially higher than in recent years. The GMT has requested that the RecFIN program review its estimates reported for the 2003 California recreational fishery.

While landings in the commercial sector south of 40°10' N. lat. continue to remain lower than expected in 2003 (landed catch data through October 10, 2003, indicate that minor deeper nearshore rockfish catch was at 44 percent of the annual target 21 mt landed out of a 48 mt commercial total catch OY), combined recreational and commercial landings are still estimated to have exceeded the minor nearshore harvest guideline, even if RecFIN estimates are adjusted downward. The state of California intends to close recreational fishing for nearshore rockfish at the beginning of November.

In light of this new information, NMFS is not approving the Pacific Council's September recommendation to increase minor deeper nearshore rockfish trip limits for the commercial sector (limited entry fixed gear and open access) south of 40°10' N. lat. Because of the recent receipt of this information, NMFS does not have time to fully consider the information, determine what additional actions may be appropriate, and incorporate any additional actions into this **Federal Register** Notice. Attempting to incorporate additional actions into this notice would delay the other inseason adjustments contained in this action, which need to be implemented as soon as possible. However, NMFS will review the new information, and determine what additional action, if any, should be taken. Therefore, the limited entry fixed gear and open access minor deeper nearshore rockfish limit south of 40°10' N. lat. remains as scheduled for the remainder of the September through October cumulative limit period at 300 lb (136 kg) per 2 months. During the months of November through December, the limited entry fixed gear and open access minor deeper nearshore rockfish limit south of 40°10' N. lat. also remains as previously scheduled at 200 lb (91 kg) per 2 months, unless it is adjusted through a subsequent action.

### Corrections

The limited entry midwater trawl fishery for widow rockfish during the primary season north of 40°10' N. lat., Table 3 (North), is corrected in this inseason action to allow retention of widow rockfish during September through October up to the limits previously specified in the table for May through August. This allowance for widow rockfish retention during the primary whiting season was intended to be for May through October, the same time frame as the yellowtail rockfish allowance during the primary whiting season. This inseason action corrects Table 3 (North) for the limited entry midwater trawl fishery for widow rockfish north of 40°10' N. lat. May through October to read, "During primary whiting season, in trips of at least 10,000 lb of whiting; combined widow and yellowtail limit of 500 lb/trip, cumulative widow limit of 1,500 lb/ month."

Similarly, the primary season for whiting is corrected coastwide (Table 3 (North) and Table 3 (South)) to reflect that it may extend from May through October, the same time frame as the yellowtail rockfish allowance during the primary whiting season. The primary whiting season begins on different dates for different sectors of the fishery, but generally extends from approximately April through quota attainment. Currently the mothership and catcher/processor sectors remain open with quota available. Therefore, to more accurately reflect the open season for the primary whiting season, this inseason action corrects Table 3 (North) and Table 3 (South) for whiting during May through October to read, "Primary Season (only mid-water trawl permitted within the RCA)."

### NMFS Actions

For the reasons stated herein, NMFS concurs with all of the Pacific Council's recommendations, except the recommendation to increase minor deeper nearshore limits south of 40°10' N. lat., implemented herein 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, at 68 FR 23925, 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, to read as follows:

1. In section IV., under A. General Definitions and Provisions, paragraph

(19)(e), section (xviii) is added to read as follows:

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(xviii) The 200-fm (366-m) depth contour used between the U.S. border with Canada and the U.S. border with Mexico as a western boundary for the trawl RCA, modified to allow fishing for petrale in the winter months of January, February, November, and December, is defined by straight lines connecting all of the following points in the order stated:

- (1) 48°14.75' N. lat., 125°41.73' W. long.;
- (2) 48°12.85' N. lat., 125°38.06' W. long.;
- (3) 48°11.52' N. lat., 125°39.45' W. long.;
- (4) 48°10.14' N. lat., 125°42.81' W. long.;
- (5) 48°08.96' N. lat., 125°42.08' W. long.;
- (6) 48°08.33' N. lat., 125°44.91' W. long.;
- (7) 48°07.19' N. lat., 125°45.87' W. long.;
- (8) 48°05.66' N. lat., 125°44.79' W. long.;
- (9) 48°05.91' N. lat., 125°42.16' W. long.;
- (10) 48°04.11' N. lat., 125°40.17' W. long.;
- (11) 48°04.07' N. lat., 125°36.96' W. long.;
- (12) 48°03.05' N. lat., 125°36.38' W. long.;
- (13) 48°01.98' N. lat., 125°37.41' W. long.;
- (14) 48°01.46' N. lat., 125°39.61' W. long.;
- (15) 47°57.00' N. lat., 125°37.00' W. long.;
- (16) 47°55.50' N. lat., 125°28.50' W. long.;
- (17) 47°57.88' N. lat., 125°25.61' W. long.;
- (18) 48°01.63' N. lat., 125°23.75' W. long.;
- (19) 48°02.21' N. lat., 125°22.43' W. long.;
- (20) 48°03.60' N. lat., 125°21.84' W. long.;
- (21) 48°03.98' N. lat., 125°20.65' W. long.;
- (22) 48°03.26' N. lat., 125°19.76' W. long.;
- (23) 48°01.49' N. lat., 125°18.80' W. long.;
- (24) 48°01.03' N. lat., 125°20.12' W. long.;
- (25) 48°00.04' N. lat., 125°20.26' W. long.;
- (26) 47°58.10' N. lat., 125°18.91' W. long.;
- (27) 47°58.17' N. lat., 125°17.50' W. long.;
- (28) 47°52.28' N. lat., 125°16.06' W. long.;