

vessels in that fishery from 1995 through 1997. These proposed PSC sideboard limits are listed in Table 13.

Halibut and crab PSC that is caught by AFA catcher vessels participating in any non-pollock groundfish fishery listed in Table 13 will accrue against the

proposed 2004 PSC limits for the AFA catcher vessels. Regulations at § 679.21(e)(3)(v) provide authority to close directed fishing for non-pollock groundfish for AFA catcher vessels once a proposed 2004 PSC limit listed in

Table 13 is reached. PSC that is caught by AFA catcher vessels while fishing for pollock in the BSAI will accrue against either the midwater pollock or the pollock/Atka mackerel/other species fishery categories.

TABLE 13.—PROPOSED 2004 AMERICAN FISHERIES ACT CATCHER VESSEL PROHIBITED SPECIES CATCH SIDEBOARD LIMITS FOR THE BSAI<sup>1</sup>

PSC species and target fishery category <sup>2</sup>	Ratio of 1995–1997 AFA CV retained catch to total retained catch	Proposed 2004 PSC limit	Proposed 2004 AFA catcher vessel PSC sideboard limit
<b>Halibut:</b>			
Pacific cod trawl .....	0.6183	1,434	887
Pacific cod hook-and-line or pot .....	0.0022	775	2
Yellowfin sole .....	0.1144	886	101
Rock sole/flat. sole/other flatfish <sup>5</sup> .....	0.2841	779	221
Turbot/Arrowtooth/Sablefish .....	0.2327	0	.....
Rockfish .....	0.0245	69	2
Pollock/Atka mackerel/Other sp. ....	0.0227	232	5
<b>Red King Crab, Zone 1<sup>4</sup>:</b>			
Pacific cod .....	0.6183	13,079	8,087
Yellowfin sole .....	0.1144	16,664	1,906
Rock sole/flat. sole/other flatfish <sup>5</sup> .....	0.2841	59,782	16,984
Pollock/Atka mackerel/Other sp. ....	0.0227	200	5
<b>C. opilio, COBLZ<sup>3</sup>:</b>			
Pacific cod .....	0.6183	124,736	77,124
Yellowfin sole .....	0.1144	2,776,981	317,687
Rock sole/flat. sole/other flatfish <sup>5</sup> .....	0.2841	969,130	275,330
Pollock/Atka mackerel/Other sp. ....	0.0227	72,428	1,644
Rockfish .....	0.0245	40,237	986
Turbot/Arrowtooth/Sablefish .....	0.2327	40,238	9,363
<b>C. bairdi, Zone 1<sup>4</sup>:</b>			
Pacific cod .....	0.6183	183,112	113,218
Yellowfin sole .....	0.1144	340,844	38,993
Rock sole/flat. sole/other flatfish <sup>5</sup> .....	0.2841	365,320	103,787
Pollock/Atka mackerel/Other sp. ....	0.0227	17,224	391
<b>C. bairdi, Zone 2<sup>4</sup>:</b>			
Pacific cod .....	0.6183	324,176	200,438
Yellowfin sole .....	0.1144	1,788,459	204,600
Rock sole/flat. sole/other flatfish <sup>5</sup> .....	0.2841	596,154	169,367
Pollock/Atka mackerel/Other sp. ....	0.0227	27,473	624
Rockfish .....	0.0245	10,988	269

<sup>1</sup> Halibut amounts are in mt of halibut mortality. Crab amounts are in numbers of animals.

<sup>2</sup> Target fishery categories are defined in regulation at § 679.21(e)(3)(iv).

<sup>3</sup> C. opilio Bycatch Limitation Zone. Boundaries are defined at Figure 13 of 50 CFR part 679.

<sup>4</sup> In October 2003, the Council recommended that red king crab bycatch for trawl fisheries within the RKCSS be limited to 35 percent of the total allocation to the rock sole/flathead sole/“other flatfish” fishery category (see § 679.21(e)(3)(ii)(B)).

<sup>5</sup> “Other flatfish” for PSC monitoring includes all flatfish species, except for Pacific halibut (a prohibited species), Greenland turbot, rock sole, yellowfin sole, arrowtooth flounder.

## Classification

This action is authorized under 50 CFR 679.20 and is exempt from review under Executive Order 12866.

NMFS prepared an IRFA for this action in accordance with the provisions of the Regulatory Flexibility Act (RFA) of 1980, as amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (5 U.S.C. 603(b)). A copy of this analysis is available from the Council (see **ADDRESSES**). This IRFA evaluates the effects of the proposed action on regulated small entities. The reasons for the action, a statement of the objectives of the action, and the legal

basis for the proposed rule, are discussed earlier in the preamble.

The small entities affected by this action are those that commercially harvest groundfish under the BSAI FMP. Data in the IRFA indicates that about 220 catcher vessels, and about 40 catcher-processors, and six CDQ groups may be “small entities” under the terms of the RFA.

Using the sectoral first wholesale gross revenue changes as an index, the preferred alternative seems to have adverse impacts in the sablefish sectors in the BSAI. There do not appear to be other adverse impacts associated with

the preferred alternative. The model suggests that there will be revenue reductions for rockfish, Atka mackerel, and other species. However, the projected revenue reductions for these species appear to be relatively small percentages of the prior year (2003) gross revenue estimates. Given the large confidence intervals believed to be associated with these estimates, these are thought to be minor impacts.

Harvest records indicate that in 2001, 87 vessels harvested sablefish in the BSAI in excess of the minimum harvest threshold adopted to select vessels for the analysis. Of these, 69 were small